

CODE

**REDMOND CITY COUNCIL  
ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING TITLE 3 OF THE REDMOND MUNICIPAL CODE TO IMPLEMENT REDMOND 2050, THE PERIODIC UPDATE OF THE REDMOND COMPREHENSIVE PLAN, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

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

WHEREAS, the City began the work of updating the Redmond Comprehensive Plan in late 2020 and refers to the update as Redmond 2050; and

WHEREAS, the City also undertook updates to the Redmond Municipal Code (RMC) Title 3 during the same time period under the umbrella of Redmond 2050; and

WHEREAS, the City adopted a funding-constrained Transportation Facilities Plan on November 19, 2024 (Ord. No. ####); and

WHEREAS, the City adopted updated mandatory inclusionary zoning requirements in RZC 21.20 Affordable Housing as part of Redmond 2050 on November 19, 2024 (Ord. No. ####); and

WHEREAS, the purpose of updating RMC Title 3 is to update transportation impact fees to fund growth-related transportation improvements through 2050, update multifamily housing property tax exemption provisions to align with mandatory inclusionary provisions found in the Redmond Zoning Code, update Park impact fees to keep pace with inflation, and update Lake Washington School District impact fees to align with its Six-Year Capital Facilities Plan 2024-2029; and

WHEREAS, on October 12, 2020, the City of Redmond issued determination of significance for Redmond 2050 under the State Environmental Policy Act; and

WHEREAS, the City of Redmond issued a Draft Environmental Impact Statement (EIS) on June 16, 2022, a Supplemental Draft EIS on September 20, 2023, and a Final EIS on December 15, 2023 for Redmond 2050; and

WHEREAS, between September 3, 2024, and November 4, 2024, the City Council received a staff report, held study sessions, and held a public hearing to study and received input on the recommended amendments to RMC 3.38 Multifamily Housing Property Tax Exemption; and

WHEREAS, between September 3, 2024, and September 24, 2024, the City Council received a staff report and held study sessions to study the recommended amendments to RMC 3.10 Impact Fees; and

WHEREAS, having considered the recommendations and community input, the City Council desires amend RMC Title 3 concerning the multifamily housing property tax exemption program and transportation impact fees.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1.      Classification.      This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2.      Amendment of Chapter.      RMC 3.38 Multifamily Housing Property Tax Exemption is hereby amended to read as follows:

**3.38.010 Purpose.**

A. The purposes of this chapter are:

1. To increase the supply of multifamily housing opportunities within the City for low and moderate income households;
2. To promote community development and affordable housing in the City within Residential Targeted Areas;
3. To encourage additional housing in certain areas to support investment in public transit projects; and

4. To accomplish the planning goals required under the Growth Management Act, Chapter 36.70A RCW, as implemented by the City's comprehensive plan.

B. Any one or a combination of these purposes may be furthered by the designation of a Residential Targeted Area under this chapter.

**3.38.020 Authority.**

A. *Purpose.* This chapter is adopted under the authority of RCW 84.14 which provides for special valuations for eligible improvements associated with multifamily housing in designated Residential Targeted Areas to improve residential opportunities including affordable housing. The purpose of this section is to define the responsibilities, rules, procedures, and requirements for the interpretation of this chapter.

**3.38.030 Definitions.**

A. The following definitions are specific to this chapter and shall have the following meanings:

"Affordable housing unit" means a dwelling unit as defined in the Redmond Zoning Code that is reserved for occupancy by eligible households and rented at an affordable rent.

"Affordable rent" means that [~~THE ANNUAL RENT AND OTHER REQUIRED~~] **housing** expenses for the unit do not exceed 30

percent of the percentage of the applicable area median income adjusted for household size designated in RMC 3.38.120 for qualifying affordable units.

"Area median income" means the median income for the Seattle-Bellevue, WA, HUD Metro Fair Market Rent (FMR) Area as most recently determined by the Secretary of Housing and Urban Development (the "Secretary") under Section 8(f)(3) of the United States Housing Act of 1937, as amended. In the event that HUD no longer publishes median income figures for King County, the City may use or determine such other method as it may choose to determine the area median income, adjusted for household size. Also referred to as the "King County area median income" and "median income."

"Assessor" means the King County Assessor.

"Director" means the Director of the City's Department of Planning and Community Development, or his or her authorized designee.

"Eligible household" means one or more adults and their dependents who, as set forth in the regulatory agreement referenced in RMC 3.38.060.F, certify that their household annual income does not exceed the applicable percent of the area median income, adjusted for household size, and who certify that they meet all qualifications for eligibility,

including, if applicable, any requirements for recertification on income eligibility.

"Household annual income" means the aggregate annual income of all persons over 18 years of age residing within the same household for a period of at least four months.

**"Housing expenses" means the sum of an occupant's costs associated with an affordable housing unit, including, but are not limited to, rent payments, renter's insurance premiums, utilities, and any expenses required by the owner as a condition of tenancy.**

"MFTE" means multifamily housing property tax exemption.

"MFTE contract" means the agreement between the property owner and the City regarding the terms and conditions of the project and eligibility for exemption under this chapter.

"MFTE covenant" means the agreement that is in a form acceptable to the City Attorney that addresses price restrictions, eligible household qualifications, long-term affordability, and any other applicable topics of the affordable housing units as referenced in RMC 3.38.060.

"Multifamily housing" means a structure per RZC Chapter 21.78, Definitions, designed for permanent residential occupancy resulting from new construction.

"Owner" means the property owner of record.

"Permanent residential occupancy" means multifamily housing that provides rental occupancy for a period of at least one month, and excludes transient lodging.

"Project" means the multifamily housing or portion of the multifamily housing that is to receive the tax exemption.

"Residential targeted area" means an area within an urban center as defined by Chapter 84.14 RCW that the City has so designated by the City Council pursuant to this chapter.

**3.38.040 Director's authority.**

A. *General Authority.* The Director of the Department of Planning and Community Development is charged with the administration and enforcement of the provisions of this chapter.

B. *Recording.* The Director is authorized to cause to be recorded, or to require the owner to record, in the real property records of the King County Department of Records and Elections, the MFTE covenant with the City required under RMC 3.38.060, and such other document(s) as will identify such terms and conditions of eligibility for exemption under this chapter as the Director deems appropriate for recording, including requirements under this chapter relating to affordability of units.

C. *Power to Correct Errors.* The Director may amend an administrative decision to correct errors clearly identifiable from the public record. Such a correction does not affect any time limit provided for in this chapter.

D. *Power to Clarify.* The Director may clarify a statement in a written administrative decision.

E. *Power to Adopt Procedures.* The Director may develop, adopt, and carry out procedures as needed to implement this code.

F. *Power to Modify Fees.* The Director is also delegated authority to modify fees for the MFTE application and other related procedures in order to cover the costs incurred by the City and the Assessor in administering this chapter; provided, that the increase shall not exceed the most recently published Consumer Price Index (CPI) - Wage Earners and Clerical Workers for the Seattle-Tacoma area, as published by the U.S. Department of Labor - Bureau of Labor Statistics. If an increase greater than the CPI is necessary to cover the City's costs, the Director shall submit the increase to the City Council for approval.

**1. Monitoring Fees. The City reserves the right to establish in the MFTE contract and MFTE covenant referred to in RMC 3.38.030, monitoring fees for the Affordable Housing**

Units, which can be adjusted over time to account for inflation. The purpose of any monitoring fee is for the review and processing of documents to maintain compliance with income and affordability restrictions of the MFTE contract and MFTE covenant.

G. *Interpretation.*

1. *Responsibility.* The Director of the City's Department of Planning and Community Development or his/her designee shall be responsible for interpreting the provisions of this chapter, except where expressly provided otherwise.

2. *Request for Interpretation.* Any interested person may apply for an interpretation of this chapter where this chapter, or its application to specific circumstances, is ambiguous, i.e., where this chapter is susceptible to two or more reasonable interpretations. Applications for administrative interpretation of this chapter shall be processed using the same procedures as are set forth for Type I reviews in the Redmond Zoning Code 21.76, Review Procedures, and shall be subject to the same criteria. Interpretations of this chapter shall not be considered land use decisions, however, and shall not be subject to appeal to the superior court under the Land Use Petition Act ("LUPA").

**3.38.050 Residential targeted areas - Criteria - Designation - Rescission.**

A. Following notice and public hearing as prescribed in RCW 84.14.040 (now or as hereafter amended), the City Council may designate one or more Residential Targeted Areas, in addition to the areas stated in subsection D of this section, upon a finding by the City Council in its sole discretion that the Residential Targeted Area meets the following criteria:

1. The Residential Targeted Area is within an urban center as defined by Chapter 84.14 RCW or as hereafter amended;

2. The Residential Targeted Area lacks sufficient available, desirable and convenient residential housing, including affordable housing, to meet the needs of the public who would be likely to live in the urban center if the affordable, desirable, attractive and livable residences were available; and

3. Providing additional housing opportunity in the Residential Targeted Area will assist in achieving one or more of the following purposes:

a. Encourage increased multifamily residential opportunities within the City; or

b. Stimulate the construction of new affordable multifamily rental housing.

B. In designating a Residential Targeted Area, the City Council may also consider other factors, including:

1. Whether additional housing in the Residential Targeted Area will attract and maintain an increase in the number of permanent residents;

2. Whether providing additional housing opportunities for low and moderate income households would meet the needs of individuals likely to live in the area if affordable residences were available;

3. Whether an increased permanent residential population in the Residential Targeted Area will help to achieve the planning goals mandated by the Growth Management Act under Chapter 36.70A RCW, as implemented through the City's Comprehensive Plan; or

4. Whether encouraging additional housing in the Residential Targeted Area supports plans for significant public investment in public transit or a better jobs and housing balance.

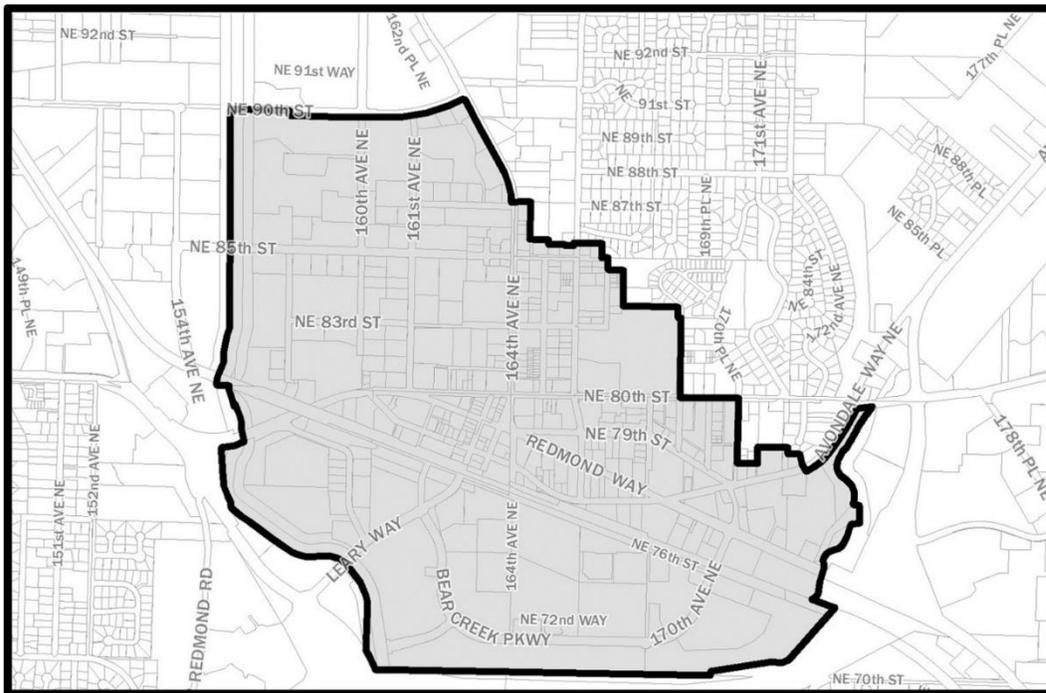
C. The City Council may, by ordinance, in its sole discretion, amend or rescind the designation of a Residential

Targeted Area pursuant to the same procedural requirements as set forth in this chapter for the original designation.

D. The following areas, as shown in Maps 1 through [3] 5 in this section, meet the criteria of this chapter for Residential Targeted Areas and are designated as such:

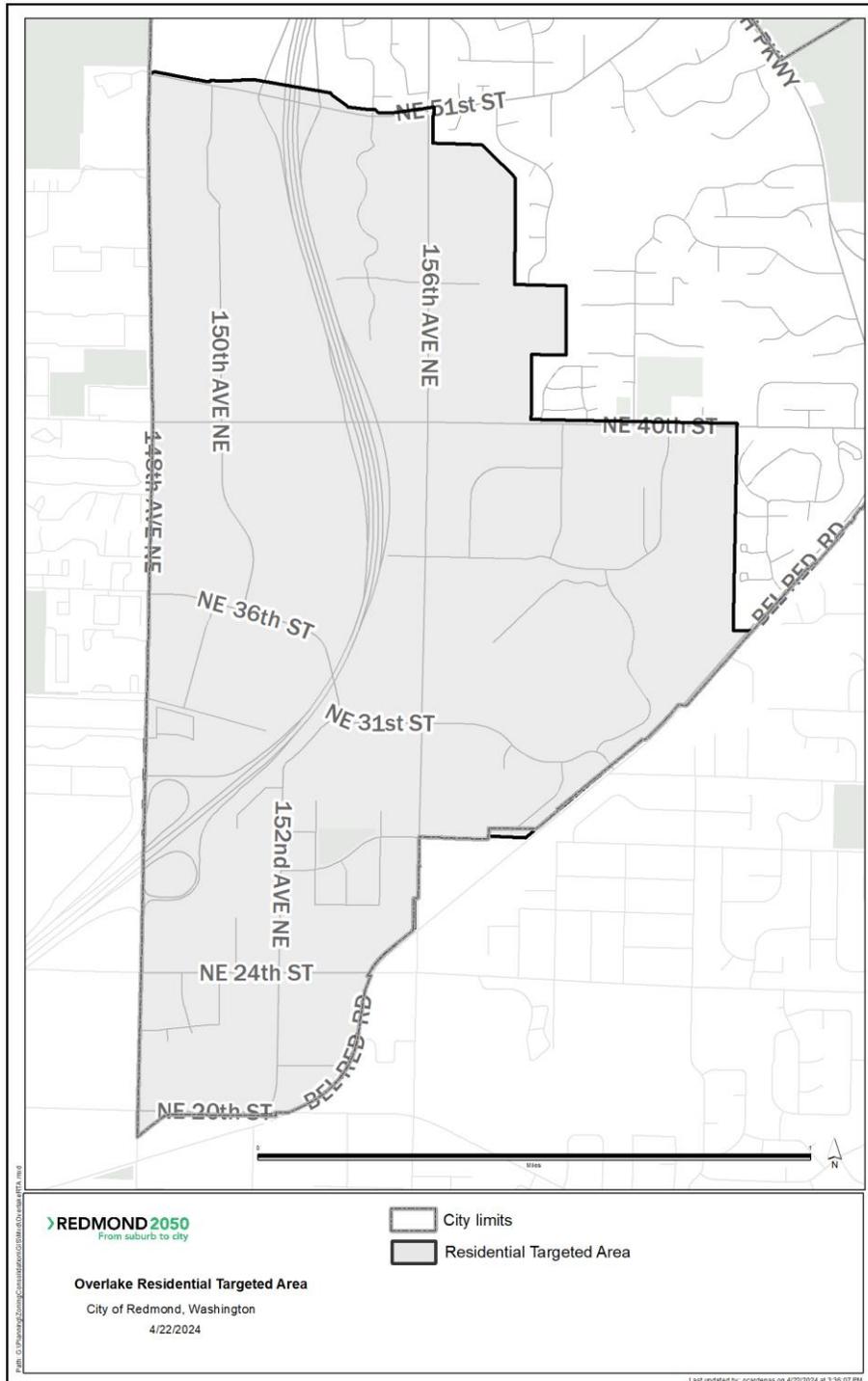
1. Downtown;
2. Overlake Village; [~~AND~~]
3. Marymoor [~~-~~];
- 4. Neighborhood; and**
- 5. Faith-Based Institutions**

Map 1: Downtown

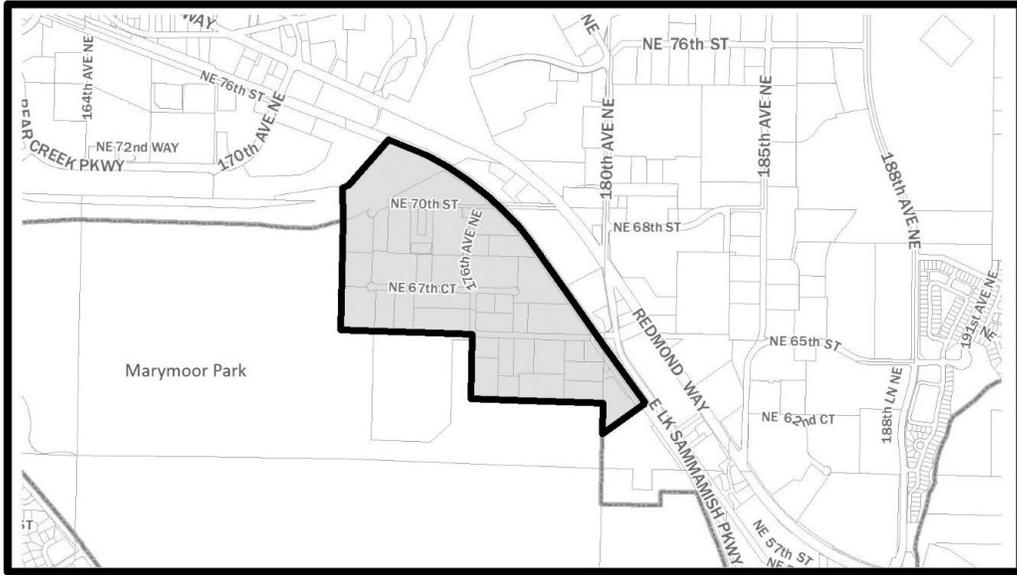


Downtown Residential Targeted Area

Map 2: Overlake [VILLAGE]

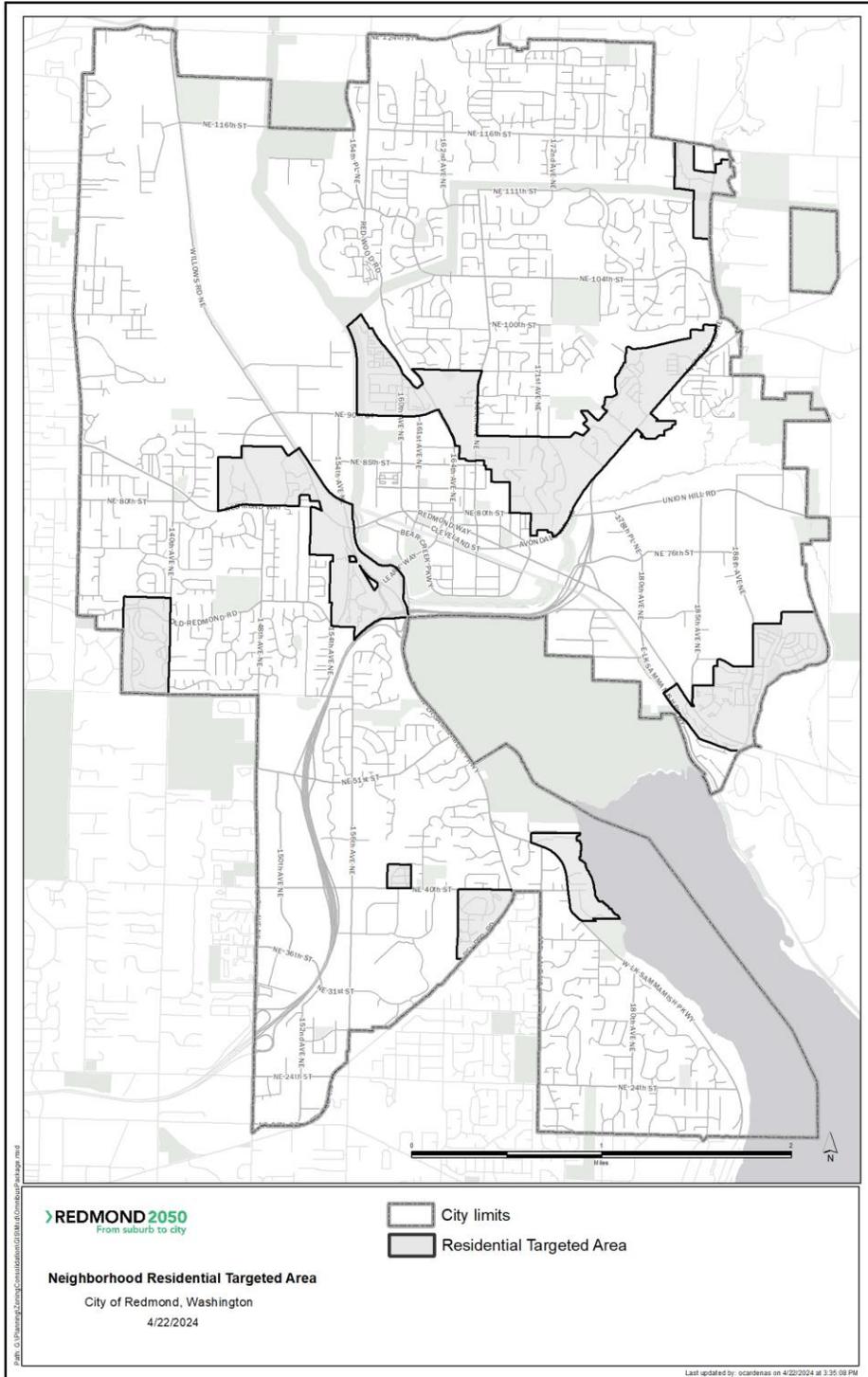


Map 3: Marymoor



Marymoor Residential Targeted Area

# Map 4: Neighborhood





E. If a part of any legal lot is within a residential targeted area as shown in Maps 1 through [~~3~~] 5 in this section, then the entire lot shall be deemed to lie within such Residential Targeted Area.

**3.38.060 Project eligibility.**

To be eligible for exemption from property taxation under this chapter, the property shall satisfy all of the following requirements:

A. The property must be located in a Residential Targeted Area.

B. The project must be construction of new multifamily rental housing consisting within a residential structure or as part of a mixed use development, in which at least 50 percent of the space within such residential structure or mixed use development is intended for permanent residential occupancy.

C. A minimum of 10 new dwelling units must be created.

D. No application may result in the net loss of existing affordable housing which receives housing assistance through federal low or moderate income housing programs (e.g., HUD Section 8 program).

E. Affordable housing shall be provided in the project as described in RMC 3.38.120 or through an alternative compliance method as described in RMC 3.38.170.

F. Prior to issuing a certificate of occupancy, a MFTE covenant in a form acceptable to the City Attorney that addresses price restrictions, eligible household qualifications, long-term affordability, and any other applicable topics of the affordable housing units shall be recorded with the King County Department of Records and Elections. This MFTE covenant shall be a covenant running with the land and shall be binding on the assigns, heirs and successors of the owner. Affordable units that are provided under this section shall remain as affordable housing for the life of the project from the date of initial occupancy.

G. The mix and configuration of housing units (e.g., very small units, studio, one-bedroom, two-bedroom, etc.) used to meet the requirement for affordable units under RMC 3.38.120 shall be substantially proportional to the mix and configuration of the total housing units in the project unless otherwise approved by the Director. The exterior materials and design of the affordable housing units must be comparable with the other dwelling units in the development, with similarity in building finishes, rooflines and landscaping.

The interior finish and quality of construction of the affordable units shall at a minimum be comparable to entry level rental housing in the City.

H. The project shall comply with all applicable provisions of the Redmond Zoning Code and the Redmond Municipal Code.

I. Construction of new multifamily housing must be completed within three years from the date of approval of the application, as described in RMC 3.38.080, or within an extension authorized under this chapter.

**3.38.070 Application procedure and fee.**

A. *Application Procedure.* The owner of property applying for exemption under this chapter shall submit an application to the Director, on a form established by the Director. The owner shall verify the application by oath or affirmation. The application shall contain such information as the Director may deem necessary or useful, and shall include but not be limited to:

1. A brief written description of the project, including phasing if applicable, and preliminary schematic site and floor plans of the multifamily units and the structure(s) in which they are proposed to be located;

2. A statement from the owner acknowledging the potential tax liability when the property ceases to be eligible for exemption under this chapter; and

3. Information describing how the owner will comply with the affordability requirements in RMC 3.38.120.

B. *Fee.*

1. At the time of application under this section, the owner shall pay to the City an initial application fee as established by resolution. [~~IN ADDITION, AT THE TIME OF APPLICATION UNDER THIS SECTION, THE OWNER SHALL PAY TO THE CITY A FEE IN AN AMOUNT NECESSARY TO COVER THE COUNTY ASSESSOR'S ADMINISTRATIVE COSTS.~~]

2. If the Director approves the application pursuant to RMC 3.38.110, the [~~CITY~~] **owner** shall be responsible for **relevant administrative payments to the county assessor as the assessor may require.** [~~FORWARD THE FEE FOR THE COUNTY ASSESSOR'S ADMINISTRATIVE COSTS TO THE COUNTY ASSESSOR. IF THE DIRECTOR DENIES THE APPLICATION PURSUANT TO RMC 3.38.110.E, THE CITY SHALL REFUND THE FEE FOR THE ASSESSOR'S ADMINISTRATIVE COSTS TO THE OWNER WITHIN 30 DAYS OF THE DIRECTOR'S DECISION, OR IN THE EVENT THE OWNER APPEALS THE DIRECTOR'S DECISION, WITHIN 30 DAYS OF THE FINAL DECISION OF ANY APPEAL PURSUANT TO THE PROVISIONS OF RMC 3.38.150.~~]

C. *Notice of Completeness.* The director shall notify the owner within 30 days of the application being filed if the Director determines that an application is not complete and shall identify what additional information is required before the application will be complete. Within 14 days of receiving additional information, the Director shall notify the owner in writing if the Director determines that the application is still not complete, and what additional information is necessary. An application shall be deemed to be complete if the Director does not notify the owner in writing by the deadline in this section that the application is incomplete; however, a determination of completeness does not preclude the Director from requiring additional information during the review process if more information is needed to evaluate the application according to the criteria in this chapter.

D. *Deadline.* The deadline for application generally shall be any time before the date the first building permit is issued for the multifamily housing structure. The Director may determine if a project's circumstances warrant allowing flexibility in the timing of application submittal.

**3.38.080 Application review - Issuance of conditional certificate - Denial - Appeal.**

A. The Director shall approve an application for tax exemption if the Director determines the project meets the eligibility requirements in RMC 3.38.060. If the application fails to meet the requirements of RMC 3.38.060 the Director must deny the application. If the application is approved, the owner shall enter into a MFTE contract with the City regarding the terms and conditions of the project and eligibility for exemption under this chapter. The Director's approval or denial shall take place within 90 days of the Director's receipt of the completed application. Following execution of the MFTE contract by the owner and the City, the Director shall issue a conditional certificate of acceptance of tax exemption. The conditional certificate shall expire three years from the date of approval unless an extension is granted as provided in this chapter.

B. If the application is denied, the Director shall state in writing the reasons for the denial and send notice of denial to the owner's last known address within ten calendar days of the denial.

C. An owner may appeal the Director's denial in accordance with the provisions of RMC 3.38.150.

**3.38.090 Amendment of MFTE contract.**

A. An owner may seek amendment(s) to the MFTE contract between the owner and the City by submitting a request in writing to the Director at any time prior to receiving the final certificate of tax exemption ("final certificate").

B. The Director shall have authority to approve amendments to the MFTE contract between the owner and the City that are reasonably within the scope and intent of the MFTE contract.

C. Any owner seeking amendments to the approved MFTE contract shall pay to the City an amendment application fee as established by the resolution.

D. The date for expiration of the conditional certificate shall not be extended by contract amendment unless all the conditions for extension set forth in RMC 3.38.100 are met.

**3.38.100 Extension of conditional certificate.**

A. The Director may extend the conditional certificate for a period not to exceed 24 consecutive months. The owner shall submit a written request stating the grounds for the extension together with a fee as established by the Director. The Director may grant an extension if the Director determines that:

1. The anticipated failure to complete construction within the required time period is due to circumstances beyond the control of the owner;

2. The owner has been acting and could reasonably be expected to continue to act in good faith and with due diligence; and

3. All the conditions of the original MFTE contract between the owner and the City will be satisfied upon completion of the project.

**3.38.110 Final certificate - Application - Issuance - Denial and appeal.**

A. Upon completion of construction as provided in the MFTE contract between the owner and the City, and upon issuance of a certificate of occupancy, the owner may request a final certificate of tax exemption. The owner shall file with the Director such information as the Director may deem necessary or useful to evaluate eligibility for the final certificate, and shall include:

1. A statement of expenditures made with respect to each multifamily housing unit, including phasing if applicable, and the total expenditures made with respect to the entire property;

2. A description of the completed work and a statement of qualification for the exemption;

3. A statement that the work was completed within the required three-year period or any approved extension; and

4. Information on the owner's compliance with the affordability requirements in RMC 3.38.120.

B. Within 30 days of receipt of all materials required for a final certificate, the Director shall determine whether the completed work is consistent with the application and MFTE contract and is qualified for limited exemption under RCW 84.14.060, and which specific improvements completed meet the requirements of this chapter and the required findings of RCW 84.14.060, now or hereafter amended.

C. If the director determines that the project has been completed in accordance with the MFTE contract between the City and owner, and with subsection A of this section, the City shall file a final certificate of tax exemption with the assessor within 10 days of the expiration of the 30-day period provided under subsection B of this section.

D. The Director is authorized to cause to be recorded, or to require the owner to record, in the real property records of the King County Department of Records and

Elections, the contract with the City required under subsection A, and such other document(s) as will identify such terms and conditions of eligibility for exemption under this chapter as the Director deems appropriate for recording, including requirements under this chapter relating to affordability of units.

E. The Director shall notify the owner in writing that the City will not file a final certificate if the Director determines that the project was not completed within the required three-year period or any approved extension or was not completed in accordance with subsection B of this section; or if the Director determines that the owner's property is not otherwise qualified under this chapter; or if the owner and the Director cannot agree on the allocation of the value of the improvements allocated to the exempt portion of new construction and multiuse new construction.

F. Within 30 days of the date of notice of denial of final certificate, the owner may file a notice of appeal with the City Clerk along with the appeal fee as established by resolution specifying the factual and legal basis for the appeal. The appeal shall be heard by the City's Hearing Examiner pursuant to RMC 3.38.150.

**3.38.120 Exemption - Duration - Affordability requirements - Limits.**

A. The value of new housing construction qualifying under this chapter shall be exempt from ad valorem property taxation [~~AS FOLLOWS:~~] for eight or 12 successive years beginning January 1 of the year immediately following the calendar year of issuance of the certificate for rental projects where at least the minimum number of units are established as affordable units, as specified in the following tables for Residential Targeted Areas (RTA):

<u>Downtown RTA</u>		
<u>Required Minimum Affordability Levels</u>		
<u>Length of Exemption</u>	<u>Number of Units</u>	<u>Affordability Level</u>
<u>8 years</u>	<u>First 10%</u>	<u>60% AMI</u>
<u>12 years</u>	<u>First 10%</u>	<u>50% AMI</u>
	<u>Second 10%</u>	<u>80% AMI</u>

<u>Marymoor RTA</u>		
<u>Required Minimum Affordability Levels</u>		
<u>Length of Exemption</u>	<u>Number of Units</u>	<u>Affordability Level</u>
<u>8 years</u>	<u>First 10%</u>	<u>50% AMI</u>
<u>12 years</u>	<u>First 10%</u>	<u>60% AMI</u>
	<u>Second 10%</u>	<u>80% AMI</u>

<u>Neighborhood RTA</u>		
<u>Required Minimum Affordability Levels</u>		
<u>Length of Exemption</u>	<u>Number of Units</u>	<u>Affordability Level</u>
<u>8 years</u>	<u>First 10%</u>	<u>50% AMI</u>
<u>12 years</u>	<u>Reserved</u>	<u>Reserved</u>
	<u>Reserved</u>	<u>Reserved</u>

<u>Overlake RTA</u>		
<u>Required Minimum Affordability Levels</u>		
<u>Length of Exemption</u>	<u>Number of Units</u>	<u>Affordability Level</u>
<u>8 years</u>	<u>First 12.5%</u>	<u>50% AMI</u>
<u>12 years</u>	<u>Reserved</u>	<u>Reserved</u>
	<u>Reserved</u>	<u>Reserved</u>

~~[ 1. IN THE MARYMOOR RESIDENTIAL TARGETED AREA.~~

~~A. LENGTH OF EXEMPTION. FOR EIGHT OR 12 SUCCESSIVE YEARS BEGINNING JANUARY 1 OF THE YEAR IMMEDIATELY FOLLOWING THE CALENDAR YEAR OF ISSUANCE OF THE CERTIFICATE FOR RENTAL PROJECTS WHERE AT LEAST THE REQUIRED MINIMUM NUMBER OF UNITS ARE AFFORDABLE UNITS AS SPECIFIED IN TABLE 1.~~

~~B. TABLE 1: REQUIRED MINIMUM AFFORDABILITY LEVELS. AFFORDABLE RENTS AS INDICATED:~~

~~TABLE 1. MARYMOOR RESIDENTIAL TARGETED AREA~~

<del>LENGTH OF EXEMPTION</del>	<del>NUMBER OF UNITS</del>	<del>AFFORDABILITY LEVEL</del>
<del>8 YEARS</del>	<del>FIRST 10%</del>	<del>50% AMI</del>
<del>12 YEARS</del>	<del>FIRST 10%</del>	<del>60% AMI</del>
	<del>SECOND 10%</del>	<del>80% AMI</del>

~~2. IN THE DOWNTOWN AND OVERLAKE VILLAGE RESIDENTIAL TARGETED AREAS.~~

~~A. LENGTH OF EXEMPTION. FOR EIGHT OR 12 SUCCESSIVE YEARS BEGINNING JANUARY 1 OF THE YEAR IMMEDIATELY FOLLOWING THE CALENDAR YEAR OF ISSUANCE OF THE CERTIFICATE FOR RENTAL PROJECTS WHERE AT LEAST THE REQUIRED MINIMUM NUMBER OF UNITS ARE AFFORDABLE UNITS AS SPECIFIED IN TABLE 2.~~

~~B. TABLE 2: REQUIRED MINIMUM AFFORDABILITY LEVELS. AFFORDABLE RENTS AS INDICATED:~~

~~TABLE 2. DOWNTOWN AND OVERLAKE VILLAGE RESIDENTIAL TARGETED AREAS~~

<del>LENGTH OF EXEMPTION</del>	<del>NUMBER OF UNITS</del>	<del>AFFORDABILITY LEVEL</del>
<del>8 YEARS</del>	<del>FIRST 10%</del>	<del>60% AMI</del>
<del>12 YEARS</del>	<del>FIRST 10%</del>	<del>65% AMI</del>
	<del>SECOND 10%</del>	<del>85% AMI]</del>

B. For any affordable units required in this section, the following shall apply:

1. Affordable units shall have affordable rents as defined in RMC 3.38.030. The mix and configuration of affordable units (e.g., very small units, studio, one-bedroom, two bedroom, etc.) at each affordability level shall be substantially proportional to the mix and configuration of the total housing units in the project unless otherwise approved by the Director.

2. Affordable units will be reserved for occupancy by eligible households who certify that their household

annual income does not exceed the applicable percent of the area median income; and who certify that they meet all qualifications for eligibility, including any requirements for recertification on income eligibility as set forth in the MFTE covenant referenced in RMC 3.38.060.F.

3. The location of the affordable housing units shall be approved by the Director, with the intent that they generally be intermingled with all other dwelling units in the development.

4. If the percentage of affordable units in the project required is a fraction, then the number of required affordable units shall be rounded up to the next whole number (units) if the fraction of the whole number is at least 0.50.

**5. Parking for Renter-Occupied Housing. For any affordable units required in this section, the parking requirements of RZC 21.20.060 shall apply.**

C. The exemption does not apply to the value of land or to the value of improvements not qualifying under this chapter, to increases in assessed valuation of land and nonqualifying improvements, or to increases made by lawful order of the King County Board of Equalization, Washington State Department of Revenue, State Board of Tax Appeals, or King County, to a class of property throughout the county or

a specific area of the county to achieve uniformity of assessment or appraisal as required by law.

**3.38.125 Temporary Pilot Program - 12 Year Exemption Required  
Minimum Affordability Levels**

A. Pilot Program. The Minimum Affordability Levels for the 12-year exemption, identified in Table 2 of this section, shall supersede the 12-year exemption Minimum Affordability Levels identified in Table 1 and Table 2 of this chapter.

B. The value of new housing construction qualifying under this chapter shall be exempt from ad valorem property taxation as follows:

1. In all Residential Targeted Areas.

a. Length of Exemption. For 12 successive years beginning January 1 of the year immediately following the calendar year of issuance of the certificate for rental projects where at least the required minimum number of units are affordable units as specified in Table 2.

b. Table 3: Required Minimum Affordability Levels. Affordable Rents as indicated:

<b>Table 3: Marymoor, Downtown, and Overlake Village Residential Targeted Areas</b>		
Length of Exemption	Number of Units	Affordability Level

12 years	First 10%	80% AMI
	Second 10%	90% AMI

C. Termination. This section shall expire on December 31, 2024.

**3.38.130 Annual certification.**

A. A property that receives a tax exemption under this chapter shall continue to comply with the contract and the requirements of this chapter in order to retain its property tax exemption.

B. Within 30 days after the first anniversary of the date the City filed the final certificate of tax exemption and each year for the tax exemption period, the property owner shall file a certification with the Director, verified upon oath or affirmation, which shall contain such information as the Director may deem necessary or useful, and shall include the following information:

1. A statement of occupancy and vacancy of the multifamily units during the previous year;

2. A certification that the property has not changed use since the date of filing of the final certificate of tax exemption, and continues to be in compliance with the

MFTE contract with the City and the requirements of this chapter;

3. A description of any improvements or changes to the property made after the filing of the final certificate or last declaration, as applicable;

4. Information demonstrating the owner's compliance with the affordability requirements of RMC 3.38.120;

5. The total monthly rent of each unit;

6. The income of each household at the time of initial occupancy and their current income;

7. The value of the tax exemption for the project;  
and

8. Any additional information requested by the City in regard to the units receiving a tax exemption (pursuant to meeting any reporting requirements under Chapter 84.14 RCW).

**3.38.140 Cancellation of exemption.**

A. The Director may cancel the tax exemption if the property owner breaches any term of the MFTE contract or any part of this chapter. Reasons for cancellation include but are not limited to the following:

1. Failure to file the annual certification or filing a defective certification.

2. Violation of any applicable zoning requirements, land use regulations, or building and housing code requirements contained in RMC Titles 15 and 21. Timely and cooperative resolution of the violation(s) may serve as a mitigating factor in the Director's decision of whether to cancel the exemption.

3. Conversion of the multifamily housing to another use. The owner shall notify the Director and the county assessor within no less than 60 days of the intended change in use. Upon such change in use, the tax exemption shall be canceled pursuant to this section.

4. Noncompliance with RMC 3.38.120 for affordable units. In the event an affordable unit is rented to a household other than an eligible household, or at a rental rate greater than prescribed in the MFTE covenant referenced in RMC 3.38.060, the property tax exemption for the property shall be canceled pursuant to this section.

B. Upon cancellation of the exemption for any reason, the property owner shall be immediately liable for all taxes, interest and penalties pursuant to law. Upon determining that a tax exemption shall be canceled, the Director shall notify

the property owner by certified mail, return receipt requested. The property owner may appeal the determination by filing a notice of appeal with the City Clerk along with the appeal fee established by resolution within 30 days of the date of notice of cancellation, specifying the factual and legal basis for the appeal in writing. The appeal shall be heard by the Hearing Examiner pursuant to RMC 3.38.150.

C. Failure to submit the annual declaration may result in cancellation of the tax exemption pursuant to this section.

**3.38.150 Appeals to Hearing Examiner.**

A. *Appeal.* An owner aggrieved by the Director's denial of an application, final certification, or cancellation of an exemption under this chapter shall have the right to appeal to the Hearing Examiner. Any such appeal shall be in writing and shall be filed with the Hearing Examiner within 30 days of the Director's decision. The appeal shall specify the factual and legal basis on which the Director's decision is alleged to be erroneous. The appeal shall be accompanied by the applicable appeal fee established by resolution of the City Council. Failure to follow the appeal procedures in this section shall preclude the owner's right to appeal.

B. The Hearing Examiner's procedures shall apply to hearings under this chapter to the extent they are consistent

with the requirements of this chapter and Chapter 84.14 RCW. All affected parties may be heard and all competent evidence received by the Hearing Examiner. The Hearing Examiner shall give substantial weight to the Director's decision and the burden of overcoming the weight and proving that the Director's decision was not supported by substantial evidence or was clearly erroneous shall be on the appellant. The Hearing Examiner must affirm, modify, or overturn the decision of the Director based on the evidence received. The decision of the Hearing Examiner constitutes the final decision of the City. An aggrieved party may appeal the decision of the Hearing Examiner on a final certificate of exemption or cancellation thereof to superior court under RCW 34.05.510 through 34.05.598 if the appeal is properly filed within 30 days of the date of the notification by the City to the appellant of the Hearing Examiner's decision.

C. *Merger.* When an appeal under this chapter is associated with a land use permit application, the appeal will be heard with any appeal on the land use application as required under RZC 21.76.050. Any consolidated appeal will be processed in accordance with RZC 21.76.050(E)(6); provided, that processing the application using such procedures shall not make any decision on an appeal under this chapter a land

use decision within the meaning of the Land Use Petition Act and the criteria used to decide any appeal under this chapter shall be the criteria set forth in this section.

**3.38.160 Annual reporting.**

A. If the City issues tax exemption certificates pursuant to this chapter, the Director shall submit the report required by RCW 84.14.100 to the Department of Commerce by December 31st of each year.

~~[B. ANNUALLY, BEGINNING IN 2019, THE DIRECTOR OR DESIGNEE SHALL REVIEW THE PROGRAM ESTABLISHED BY THIS CHAPTER AND PROVIDE A REPORT TO THE CITY COUNCIL DESCRIBING DEVELOPMENT ACTIVITY, TYPES AND NUMBERS OF UNITS PRODUCED AND THEIR LOCATIONS, RENT, INFORMATION REGARDING THE NUMBER OF LOW AND MODERATE INCOME HOUSEHOLDS BENEFITING FROM THE PROGRAM, AND OTHER APPROPRIATE FACTORS. THESE REPORTS MAY INCLUDE RECOMMENDATIONS ON WHETHER ANY RESIDENTIAL TARGETED AREAS SHOULD BE ADDED OR REMOVED, FEEDBACK FROM OWNERS WHO HAVE MFTE CONTRACTS WITH THE CITY AND WHETHER AFFORDABILITY LIMITS SHOULD BE CHANGED IN CERTAIN AREAS. THE ANNUAL REPORT SHALL BE SUBMITTED TO THE CITY COUNCIL NO LATER THAN MARCH 30TH OF EACH YEAR THE PROGRAM IS IN EFFECT, STARTING IN 2019; EACH REPORT SHALL INCLUDE INFORMATION FOR THE PREVIOUS YEAR.]~~

**3.38.170 Alternative compliance.**

A. While the goal of the multifamily property tax exemption program is to achieve affordable housing on-site, the Director may approve a request for satisfying all or part of the affordable housing requirements with alternative compliance methods proposed by the applicant, if they meet the intent of this section.

B. The owner may propose one or more alternative compliance methods together with a request for a property tax exemption [~~FOR A MAXIMUM OF 8 YEARS~~]. [~~THE ALTERNATIVE COMPLIANCE METHOD MAY INVOLVE PROVISION OF AFFORDABLE HOUSING OFF-SITE OR CASH PAYMENT IN LIEU OF PROVIDING AFFORDABLE HOUSING ON-SITE PROVIDED THE METHOD IS CONSISTENT WITH THE CRITERIA IN (C). CASH PAYMENTS IN LIEU OF PROVIDING THE ACTUAL HOUSING UNITS WILL BE USED ONLY FOR THE SUBSEQUENT PROVISION OF AFFORDABLE HOUSING UNITS BY THE CITY OR OTHER HOUSING PROVIDER APPROVED BY THE DIRECTOR.~~] **All requirements and considerations of RZC 21.20.050 Alternative Compliance Methods, shall apply.**

~~[C. DECISION CRITERIA FOR THE DIRECTOR INCLUDE AND ARE NOT LIMITED TO THE FOLLOWING:~~

~~1. THE ALTERNATIVE COMPLIANCE METHOD WILL ACHIEVE A RESULT BETTER THAN PROVIDING AFFORDABLE HOUSING ON-SITE.~~

~~2. THE PROPOSED OFF-SITE LOCATION FOR REQUIRED AFFORDABLE HOUSING PURSUANT TO THE ALTERNATIVE COMPLIANCE PROVISION MUST LOCATE IN SUCH A WAY THAT IT ACHIEVES SEAMLESS INTEGRATION OF THE AFFORDABLE HOUSING COMPONENT INTO THE OVERALL PROJECT. PROPERTY THAT IS IMMEDIATELY PROXIMATE TO THE PROJECT SITE WILL BE CONSIDERED BY THE DIRECTOR AS MOST CLOSELY ACHIEVING THIS CRITERIA, THOUGH OTHER PROPERTIES MAY BE CONSIDERED IF IT CAN BE DEMONSTRATED THAT THE GOAL OF DISPERSAL OF AFFORDABLE HOUSING THROUGHOUT THE CITY IS ACHIEVED.~~

~~3. THE PROPOSED ALTERNATIVE PROPERTY FOR AFFORDABLE HOUSING UNITS IS UNDER SITE CONTROL AT THE TIME OF APPROVAL OF THE FINAL CERTIFICATE.~~

~~4. HOUSING UNITS PROVIDED THROUGH THE ALTERNATIVE COMPLIANCE METHOD MUST BE BASED ON PROVIDING THE SAME TYPE AND TENURE OF UNITS AS THE UNITS IN THE PROJECT THAT GIVE RISE TO THE REQUIREMENT.~~

~~5. IN THE CASE OF CASH PAYMENTS IN LIEU OF PROVIDING AFFORDABLE HOUSING ON-SITE, THE CASH PAYMENT OBLIGATION AND TIMING MUST BE DETERMINED BY THE DIRECTOR TO BE SATISFACTORY TO SUPPORT ACHIEVEMENT OF THE ALTERNATIVE COMPLIANCE METHOD.~~

~~6. NO INDIVIDUAL PROPERTY THAT RECEIVES OFF-SITE AFFORDABLE HOUSING UNITS OR PAYMENT IN LIEU MAY HAVE MORE THAN 25 PERCENT OF ITS UNITS AS AFFORDABLE HOUSING UNITS, UNLESS THE PROPERTY WILL BE UTILIZING PUBLIC FUNDING SOURCES FOR AFFORDABLE HOUSING.]~~

~~[7.]~~ **C. Alternative Property for Affordable Housing.**

**Alternative compliance proposals that propose alternative property for affordable housing, must demonstrate that the**

~~[THE]~~ proposed alternative property for affordable housing is planned for completion within three years of approval of the final certificate. The Director may determine if a project's circumstances warrant allowing flexibility in the timing of completion of the affordable units.

D. *Timing.* Application for and approval by the Director for alternative compliance must be made no later than the time of initial application for a ~~[N 8-YEAR]~~ multifamily property tax exemption, unless otherwise permitted by the Director.

E. The MFTE contract between the applicant and the City in a case of alternative compliance shall modify the requirements of RMC 3.38.070 through 3.38.160 as appropriate to reflect the terms and conditions of the alternative compliance.

F. Completion of payment of an in lieu fee, provision of affordable units off-site and/or satisfaction of other conditions required pursuant to an alternative compliance approval shall constitute full and complete satisfaction of the requirements of this RMC 3.38. Following such satisfaction, the applicant shall have no further obligations under this RMC 3.38, except as otherwise set forth in the MFTE contract.

**3.38.180 Conflicts.**

A. If a conflict exists between the provisions of this chapter or between this chapter and the laws, regulations, codes or rules promulgated by other authority having jurisdiction within the City, the requirement that best advances the purposes set forth in RMC 3.38.010 shall be applied, except when constrained by federal or state law, or where specifically provided otherwise in this chapter.

**3.38.185 Transition to New Standards.**

**A. Qualifying new housing construction in the Overlake RTA is subject to the provisions of RMC 3.38 as they existed on December 31, 2024 if the qualifying new housing construction is part of a development application for which the applicant has met the requirements of RZC 21.12.505**

**Transition to New Standards. This subsection automatically expires on December 31, 2026.**

**3.38.190 Severability.**

A. The provisions of this chapter are severable. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter and its application are not affected and will remain in full force and effect.

Section 3.      RMC 3.10 Impact Fees Amended.    RMC 3.10 Impact Fees is hereby amended to read as follows:

**3.10.010 Purpose.**

A. The purpose of this chapter is to implement the Capital Facilities Element of the Redmond Comprehensive Plan and the Growth Management Act by:

1. Ensuring that adequate fire, park, school, and transportation facilities are available to serve new development;

2. Maintaining the high quality of life in Redmond by requiring that new development bear a proportionate share of the cost of capital facilities necessary to support planned land uses and does not decrease the level of service available to existing residents and businesses;

3. Allowing recovery of the cost of completed fire, park, school, and transportation facilities to the extent that new growth is served by those facilities.

**3.10.020 Authority.**

This chapter is adopted under the authority of RCW 82.02.050(2), which authorizes cities planning under the Growth Management Act to assess, collect, and use impact fees to pay for fire, park, transportation, and school facilities needed to accommodate growth.

**3.10.030 Definitions.**

A. General Definitions. As used in this chapter, terms that are defined in RCW 82.02.090 shall have the meanings set forth in that statute.

B. Administrator. As used in this chapter, the term "Administrator" means the Director of Planning and Community Development, or their designee.

C. Land Uses in Impact Fee Schedules. The land use categories set forth in the fire, park, and school impact fee schedules adopted in RMC 3.10.080 are defined as follows:

1. "Dwelling unit" means a single unit providing complete, independent living facilities for not more than one family and permitted roomers and boarders, including permanent provisions for living, sleeping, eating, cooking

and sanitation. An efficiency unit with access to a shared kitchen on the same floor shared by no more than eight units that do not have private kitchens is considered to be a dwelling unit. A mobile home, manufactured home, modular home, middle housing home, apartment, condominium, [~~TOWNHOUSE,~~] single-family [~~ATTACHED OR~~] detached [~~HOUSE~~] home, or accessory dwelling unit is considered to be a dwelling unit;

2. "Multifamily dwelling unit" means a dwelling unit within [~~A BUILDING WHICH ACCOMMODATES TWO OR MORE FAMILIES IN INDIVIDUAL, PRIMARY DWELLING UNITS. THE TERM INCLUDES THOSE DWELLING UNITS COMMONLY KNOWN AS FLATS, APARTMENTS, AND CONDOMINIUMS;~~] a structure that includes nine or more multiple primary dwelling units, or a series of nine or more dwelling units with common or party walls on one or two sides but with separate front and/or rear access. This definition is for the purposes of this chapter of the municipal code and does not supersede building code definitions for multifamily;

3. "Single-family dwelling unit" means a dwelling unit within a building designed for occupancy by one [~~FAMILY~~] household on an individually owned lot that does not share any common or party walls; [~~THE TERM INCLUDES BOTH~~

~~"ATTACHED" DWELLING UNITS, I.E., WHERE THE BUILDING IN WHICH THE DWELLING UNIT IS LOCATED ABUTS ONE OR MORE LOT LINES AND SHARES A COMMON WALL WITH AN ADJACENT DWELLING UNIT, AND "DETACHED" DWELLING UNITS, I.E., DWELLING UNITS WITHIN DETACHED BUILDINGS SURROUNDED BY OPEN SPACE AND YARDS;]~~

**4. "Middle housing dwelling unit" means a dwelling unit within a building that is compatible in scale, form, and character with single-family houses and contain attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing. Middle Housing buildings accommodate between two to eight dwelling units.**

~~[4.]~~ **5.** "Manufacturing" means those facilities or structures that house uses that have 2007 North American Industrial Classification System (NAICS) classifications of Sectors 23, 31-33, 42, and 48-49, and warehouses as defined in the Redmond Zoning Code;

~~[5.]~~ **6.** "Office" means:

- a. A structure, room, or series of rooms where the affairs of a business, professional person, or branch of government are carried out; or
- b. Land or structures that house uses that have 2007 NAICS classifications of Sectors 52-56.

c. Uses which would be primarily classified as one of the other uses defined in this section shall not be classified as office uses.

~~[6.]~~7. "Retail" means land or structures that house uses that have 2007 NAICS classifications of Sectors 44-45.

D. Land Uses in Transportation Impact Fee Schedule. The land use categories set forth in the Transportation Impact Fee Schedule adopted in RMC 3.10.100 are defined as follows: "Administrative office building" means a building that houses one or more tenants and is the location where affairs of a business, commercial or industrial organization, professional person or firm are conducted. The building or buildings may be limited to one tenant, either the owner or lessee, or contain a mixture of tenants including professional services, insurance companies, investment brokers, and company headquarters. Services such as a bank or savings and loan, a restaurant or cafeteria, miscellaneous retail facilities, and fitness facilities for building tenants may also be included. "Bank/savings and loan" means a freestanding building, with or without a drive-up window, for the custody, loan, or exchange of money; for the extension of credit; and for facilitating the transmission of funds.

"Car sales (new and used)" means a facility at which cars, trucks and other light vehicles are offered for sale. Such facilities are generally located as strip development along major arterial streets which already have a preponderance of commercial development. Generally included are auto services and parts sales along with a sometimes substantial used-car operation. Some dealerships also include leasing activities and truck sales and servicing.

"Car wash" means a manual operation where the driver parks and washes the vehicle in a stall, or an automated facility for the same purpose.

"Church" means a building providing public worship facilities. A church generally houses an assembly hall or sanctuary, meeting rooms, classrooms, and occasionally dining facilities.

"Congregate care/assisted living" means one or more multi-unit buildings designed for the elderly or those who are unable to live independently due to physical or mental handicap. Facilities may contain dining rooms, medical facilities, and recreational facilities.

"Convenience store" means a use which combines retail food sales with fast foods or take-out food service; generally open long hours or 24 hours a day.

"Day care" means a facility for the care of infants and preschool-age children during the daytime hours. A day care generally includes classrooms, offices, eating areas, and a playground.

"Discount/department store" means a freestanding store with off-street parking. A discount/department store usually offers centralized cashiering and a wide range of products. Often is the only store on a site, but can be found in mutual operation with its own or other supermarkets, garden centers and service stations, or as part of community-sized shopping centers.

"Dwelling unit" means a single unit providing complete, independent living facilities for not more than one family and permitted roomers and boarders, including permanent provisions for living, sleeping, eating, cooking and sanitation. **An efficiency unit with access to a shared kitchen on the same floor shared by no more than eight units that do not have private kitchens is considered to be a dwelling unit.**

A mobile home, manufactured home, modular home, **middle housing home**, apartment, condominium, [~~TOWNHOUSE,~~] single-family [~~ATTACHED OR~~] detached [~~HOUSE~~] **home**, or accessory dwelling unit is considered to be a dwelling unit;

"Elementary school" means an educational institution that serves students between the kindergarten and high school levels.

"Fast food and take-out restaurant" means an eating establishment which offers quick food service and a limited menu of items. Food is generally served in disposable wrappings or containers, and may be consumed inside or outside the restaurant building. Usually has a drive-up window.

"Furniture store" means a store that specializes in the sale of furniture and carpeting. The stores are generally large and include storage areas.

"Health club/racquet club" means privately owned facilities with tennis courts, swimming pools, racquetball courts, handball courts, or other minor gymnastic facilities. A health club/racquet club features exercise, sports, and other active physical conditioning, as well as a broader range of services such as juice bars and meeting rooms.

"High school" means an educational institution that typically serves ninth, tenth, eleventh, and twelfth grade students.

"High turnover restaurant" means a sit-down eating establishment where customers generally stay less than one hour. High turnover restaurants are usually moderately priced and frequently belong to chains. Such restaurants are

sometimes open 24 hours per day and usually serve breakfast, lunch, and dinner. Such restaurants generally do not have a drive-up window.

"Hospital" means a building or buildings designed for the medical, surgical diagnosis, treatment and housing of persons under the care of doctors and nurses. Rest homes, nursing homes, convalescent homes and clinics are not included.

"Hotel/motel" means a place of lodging providing sleeping accommodations, restaurants, cocktail lounges, meeting and banquet rooms or convention facilities.

"Industrial Park/research and development" means areas containing a number of industrial or related facilities. They are characterized by a mix of manufacturing, service and warehouse facilities with a wide variation in the proportion of each type of use from one location to another. Many industrial parks contain highly diversified facilities, some with a large number of small businesses and others with one or two dominant industries. Research centers are facilities or groups of facilities devoted nearly exclusively to research and development activities. While they may also contain offices and some light fabrication areas, the primary function is that of research and development.

"Library" means a public facility for the use, but not sale, of literary, musical, artistic, or reference materials.

"Light industrial/manufacturing" means a facility where the primary activity is the conversion of raw materials or parts into finished products. Such uses generally also have offices and associated functions. Typical light industrial uses are printing plants, material testing laboratories, assemblers of data processing equipment, and power stations.

"Medical office/clinic" means a facility which provides diagnoses and outpatient care on a routine basis but which is unable to provide prolonged in-house medical/surgical care. A medical office is generally operated by either a single private physician/dentist or a group of doctors and/or dentists.

**"Middle Housing" means buildings that are compatible in scale, form, and character with single-family houses and contain attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing. Middle housing has the same meaning as RCW 36.70A.030, "Middle Housing" and as thereafter amended. Middle Housing buildings accommodate between two to eight dwelling units.**

"Miscellaneous retail" means a store which sells retail goods to the ultimate consumer for direct consumption and not for resale.

"Movie theater" means a facility that consists of audience seating, one or more screens and auditoriums, and a lobby and refreshment stand.

"Multifamily dwelling unit" means a dwelling unit within [~~A BUILDING WHICH ACCOMMODATES TWO OR MORE FAMILIES IN INDIVIDUAL, PRIMARY DWELLING UNITS. THE TERM INCLUDES THOSE DWELLING UNITS COMMONLY KNOWN AS FLATS, APARTMENTS, AND CONDOMINIUMS;~~] a structure that includes nine or more multiple primary dwelling units, or a series of nine or more dwelling units with common or party walls on one or two sides but with separate front and/or rear access. This definition is for the purposes of this chapter of the municipal code and does not supersede building code definitions for multifamily;

"Nursing home" means a facility whose primary function is to provide chronic or convalescent care for persons who by reason of illness or infirmity are unable to care for themselves. The term "nursing home" applies to rest homes, chronic care, and convalescent homes.

"Post office" means a facility that houses service windows for mailing packages and letters, post office boxes, offices,

vehicle storage areas, and sorting and distribution facilities for mail.

"Residential suite" means a type of residence in which all living space other than a bathroom is contained within a single room and which is located in a multifamily structure in which clusters of residential suites share common amenities such as kitchens, laundry facilities, and gathering spaces.

"Restaurant" means an eating establishment with turnover rates generally of at least one hour or longer. Generally does not serve breakfast and may or may not serve lunch.

"Retirement community" means residential units similar to apartments or condominiums, restricted to adults or senior citizens.

"Service station with minimart" means a facility which combines elements of a convenience store and a gas station. Convenience food items are sold along with gasoline and other car products; gas pumps are primarily or completely self-service.

"Service station without mini-mart" means a facility used for the sale of gasoline, oil, and lubricants. Such uses may include areas for servicing, repairing, and washing vehicles.

"Shopping center" means an integrated group of commercial establishments which is planned, developed, owned, or managed as a unit. Shared on-site parking facilities are provided, and administrative office areas are usually included.

"Single-family dwelling unit" means a dwelling unit within a building designed for occupancy by one ~~[FAMILY]~~ **household** on an individually owned lot **that does not share any common or party walls.** ~~[THE TERM INCLUDES BOTH "ATTACHED" DWELLING UNITS, I.E., WHERE THE BUILDING IN WHICH THE DWELLING UNIT IS LOCATED ABUTS ONE OR MORE LOT LINES AND SHARES A COMMON WALL WITH AN ADJACENT DWELLING UNIT, AND "DETACHED" DWELLING UNITS, I.E., DWELLING UNITS WITHIN DETACHED BUILDINGS SURROUNDED BY OPEN SPACE AND YARDS;]~~

"Supermarket" means a retail store which sells a complete assortment of food, food preparation and wrapping materials, and household cleaning and servicing items.

"Warehousing/storage" means facilities which are primarily devoted to the storage of materials. They may also include office and maintenance areas.

E. In accordance with RMC 3.10.080.A.5 and 3.10.100.B.5, the Administrator may use the definitions in RZC Chapter 21.78, Definitions, as a guide if the type of use

or development activity is not specified on the impact fee schedules or if a term is not defined in this chapter.

**3.10.040 Service areas.**

For purposes of the park, fire, and transportation impact fees established by this chapter, all land within the boundaries of the City shall be considered a single service area. For purposes of the school impact fees established by this chapter, all land within the boundaries of the Lake Washington School District shall be considered a single service area and the City shall impose impact fees within that portion of the District lying within City boundaries.

**3.10.050 Payment of impact fees required.**

A. Any person who applies for a permit to undertake any development activity as defined in the Redmond Zoning Code shall pay the park, fire, school, and transportation impact fees required by this chapter.

B. Impact fees for individually-permitted single-family attached or detached residential construction shall be paid prior to drywall or sheetrock inspection consistent with a building permit approval. Impact fees for all other development types shall be paid prior to the issuance of a building permit consistent with a development approval. The

provisions of this section shall govern the timing of payment of all impact fees established by this chapter.

C. Where a building permit is not required for the development activity, the impact fees shall be paid prior to issuance of the permit that authorizes the development activity.

D. All impact fees shall be paid to the City of Redmond Finance Department or the Department's designee or successor.

E. When payment of impact fees is required all applicable impact fees shall be paid at the same time.

3.10.060 Exemptions from the requirement to pay impact fees.

A. The following development activities are exempt from the requirement to pay some or all of the fire, park, school, and transportation impact fees required by this chapter:

1. Accessory dwelling units approved by the City under Redmond Zoning Code Section 21.08.220, Accessory Dwelling Units, or its successor, are exempt from the payment of all impact fees.

2. The alteration, reconstruction, remodeling, or replacement of existing buildings or structures, including mobile homes or manufactured homes, shall be exempt from the requirement to pay all impact fees; provided, that all of the following conditions are met:

a. For nonresidential structures or the nonresidential portion of mixed-use structures, no additional gross floor area may be added;

b. For residential structures or the residential portion of mixed-use structures, no additional dwelling units may be added;

c. For all structures, the alteration, reconstruction, remodeling, or replacement must create no additional demand on fire, park, school, or transportation systems;

d. For all structures, no change in use may be proposed; and

e. For replacement structures, the structure being replaced must have been demolished or moved outside the boundaries of the City of Redmond.

3. The construction of accessory structures where no additional fire, park, school or transportation demand will occur over and above that produced by the principal building or use of the land shall be exempt from the requirement to pay all impact fees.

4. Parking garages and building spaces that are constructed solely to park motor vehicles that are not for sale, lease or rent, or part of a stock in trade, are exempt

from the requirement to pay all impact fees. The conversion of parking garages or vehicle parking areas exempted by this subsection to other uses requires the payment of impact fees.

5. Temporary uses and structures authorized by Chapter 21.46 of the Redmond Zoning Code, Temporary Uses, or its successor, are exempt from the requirement to pay all impact fees.

6. Where a fee has previously been paid for the development activity under the State Environmental Policy Act (SEPA) for all of the system improvements for which impact fees are imposed by this chapter, the development activity shall be exempt from the payment of all impact fees pursuant to RCW 82.02.100. Where a fee previously paid for the development activity under SEPA does not cover all system improvements for which an impact fee is imposed under this chapter, an impact fee credit shall be given to ensure that the City is not collecting both SEPA and impact fees for the same system improvements.

7. Development activity undertaken by the City of Redmond shall be exempt from the payment of all impact fees in consideration for the City's contribution toward fire, park, and transportation system improvements from the City's

other funds and in recognition of the lack of impact from City development activities on the school system.

**8. Permanent supportive housing, transitional housing, emergency housing, and emergency shelters, are exempt from the requirement to pay all impact fees.**

B. Development activity that is not exempt from the requirement to pay all impact fees may qualify for impact fee credits or adjustments pursuant to RMC 3.10.130.

**3.10.070** ~~[EXEMPTIONS FROM THE REQUIREMENT TO PAY FIRE, PARK, TRANSPORTATION AND SCHOOL IMPACT FEES FOR LOW AND MODERATE INCOME HOUSING.]~~ **Reserved.**

**3.10.080 Calculation of park, fire, and school impact fees using adopted impact fee schedules.**

A. Method of Calculation. All park, fire, and school impact fees shall be calculated using the schedules set forth in this section, except where an independent fee calculation study has been prepared and approved as provided in RMC 3.10.120.

1. When using the impact fee schedules set forth in this section, the park, fire, and school impact fees shall be calculated by using the following formula:

$$\begin{array}{rcl}
 \text{Number of units} & \text{Impact Fee} & \text{Amount of Impact} \\
 \text{of each use} & \times \text{ Amount for a} & \text{Fee that shall be} \\
 & \text{facility type} & \text{paid for that} \\
 & & \text{facility type}
 \end{array}
 =$$

2. The number of units of each use determined as follows: (i) for residential uses it is the number of housing units for which a building permit application has been made and (ii) for office, retail, or manufacturing uses it is the gross floor area of building(s) to be used for each use expressed in square feet divided by 1,000 square feet. If uses other than parking vehicles which do not constitute a stock in trade and uses accessory to residences will take place outside of buildings, the calculations shall include the land area on which these uses will take place.

3. Using the formula in subsection A(1) of this section, park, fire, and school impact fees shall be calculated separately for each use and each facility type. The total impact fees that shall be paid for any development are the sum of these calculations.

4. If a development activity will include more than one use in a building or site, then the fee shall be determined using the above schedule by apportioning the space committed to the various uses specified on the schedule.

5. If the type of use or development activity is not specified on the impact fee schedules in this section,

the Administrator shall use the park, fire, or school impact fee applicable to the most comparable type of land use on the fee schedules. The Administrator shall be guided in the selection of a comparable type by the most recent North American Industry Classification System (NAICS) edition and the Redmond Zoning Code. If the Administrator determines that there is no comparable type of land use on the above fee schedule, then the Administrator shall determine the proper fee by considering demographic or other documentation which is available from state, local, and regional authorities.

6. In the case of a change in use, development activity, redevelopment, or expansion or modification of an existing use, the park, fire, or school impact fee shall be based upon the net positive increase in the impact fee for the new development activity as compared to the previous development activity. The Administrator shall be guided in this determination by the sources and agencies listed above.

B. Fire Impact Fee Schedule. The following fire impact fees shall be paid for each unit of use or development:

FIRE IMPACT FEES

Land Use	Units	Impact Fee That Shall Be Paid per Unit
Single-family residences	1 housing unit	\$148.78
Mobile homes and detached single-family manufactured homes	1 housing unit	\$177.71
Multifamily residences	1 housing unit	\$251.30
Residential suites	1 residential suite	\$125.66
Offices	1,000 square feet of gross floor area	\$208.06
Retail trade	1,000 square feet of gross floor area	\$239.84
Manufacturing	1,000 square feet of gross floor area	\$24.57

Note 1: Land uses are defined in RMC 3.10.030, Definitions. Amendments to this fee schedule shall be adopted by the City Council by ordinance.

Note 2: Fire impact fees may be indexed to allow for a fee adjustment each January 1. The January 1 adjustment to the fire impact fees shall be determined by calculating changes in the Consumer Price Index over the three consecutive 12-month September 1 to August 31 time periods immediately prior to January 1, or the closest three consecutive 12-month time periods immediately prior to January 1.

C. Park Impact Fee Schedule. The following park impact fees shall be paid for each unit of use or development:

PARK IMPACT FEES

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	[ <del>\$6,372.96</del> <b><u>\$6,778.37</u></b>
Multifamily residences	1 housing unit	[ <del>\$4,424.24</del> <b><u>\$4,705.68</u></b>
Residential suites	1 residential suite	[ <del>\$2,404.63</del> <b><u>\$2,557.60</u></b>
Offices	1,000 square feet of gross floor area	[ <del>\$1,726.33</del> <b><u>\$1,836.15</u></b>
Retail trade	1,000 square feet of gross floor area	[ <del>\$765.87</del> <b><u>\$814.59</u></b>
Manufacturing	1,000 square feet of gross floor area	[ <del>\$776.99</del> <b><u>\$826.41</u></b>

Note 1: Land uses are defined in RMC 3.10.030, Definitions. Amendments to this fee schedule shall be adopted by the City Council by ordinance.

Note 2: Park impact fees may be indexed to allow for a fee adjustment each January 1. The January 1 adjustment to the park impact fees shall be determined by calculating changes in the average of 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 immediately prior to January 1, or the closest three consecutive 12-month time periods immediately prior to January 1.

D. School Impact Fees. The following school impact fees shall be paid for each unit of use or development; provided, that such impact fees shall be imposed only so long as the City of Redmond and the Lake Washington School District remain parties to an interlocal agreement under which the City agrees to impose such fees. If the interlocal agreement is terminated for any reason, the City shall no longer collect school impact fees under this section.

School impact fees shall be based on the Lake Washington School District's (LWSD) most recent Six-Year Capital Facility Plan (CFP) as set forth below:

SCHOOL IMPACT FEES

Land Use	Units	Impact Fee Basis	Impact Fee That Shall Be Paid per Unit
Single-family residences (including mobile homes and detached single-family manufactured homes)	1 housing unit	<del>[2023-2028 LWSD CFP approved on 6/20/23]</del> <b><u>2024-2029 LWSD CFP approved on 6/24/24</u></b>	<del>[\$5,149.00]</del> <b><u>\$5,972.00</u></b>

Land Use	Units	Impact Fee Basis	Impact Fee That Shall Be Paid per Unit
Multifamily residences	1 housing unit	<del>[2023-2028 LWSD CFP approved on 6/20/23]</del> <u><b>2024-2029 LWSD CFP approved on 6/24/24</b></u>	<del>[\$352.00]</del> <u><b>\$0.00</b></u>

Note: School impact fee rates for January 1, 2013, and each subsequent January 1, may be updated to 100 percent of the rates set in the most recent Lake Washington School District CFP, as determined by the City Council.

**3.10.090 Formulas for determining fire, park, and school impact fees.**

The impact fees per development unit set forth in RMC 3.10.080 and RMC 3.10.100 have been determined using formulas which meet the requirements of Chapter 82.02 RCW. The Administrator shall publish such formulas in administrative rules or user guides and make the same available for public inspection and copying during regular business hours.

**3.10.100 Calculation of transportation impact fees using adopted impact fee schedule.**

A. Purpose. The City uses transportation impact fees from new development to fund a portion of the Transportation Facility Plan (TFP) consistent with the goals and policies of the Redmond Comprehensive Plan. The transportation

improvements in the TFP are intended to maintain, provide, and improve mobility in Redmond.

B. Method of Calculation. All transportation impact fees shall be calculated using the schedule set forth in subsection C, except where an independent fee calculation study has been prepared and approved as provided in RMC 3.10.120.

1. 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.

2. 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.

3. For applications for a change of use in 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 applicant shall receive a credit for the existing development as provided in RMC 3.10.130.

4. For applications for redevelopment or modification of an existing development, the applicant shall receive a credit for the existing development as provided in RMC 3.10.130 and shall pay impact fees on the additional floor area or additional dwelling units as provided in that section.

5. 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:

a. 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

b. Applying the formula set forth in subsection B.1 of this section.

C. Transportation Impact Fee Schedule. The following transportation impact fees shall be paid for each unit of use or development:

<u>Land Use Category</u>	<u>Units</u> <u>(based on ITE</u> <u>11th Ed.)</u>	<u>Impact Fee</u> <u>per</u> <u>Development</u> <u>Unit</u>	<u>Impact Fee per</u> <u>Development</u> <u>Unit in</u> <u>Centers</u>
<u>Residential</u>			
<u>Single Family -</u> <u>Detached</u>	<u>per DU</u>	<u>\$</u> <u>10,022.14</u>	<u>\$</u> <u>7,604.20</u>
<u>Middle Housing<sup>4</sup></u>	<u>per DU</u>	<u>\$</u> <u>5,757.40</u>	<u>\$</u> <u>4,368.37</u>
<u>4+ Story</u> <u>Multi/Townhome/Condo</u>	<u>per DU</u>	<u>\$</u> <u>4,158.12</u>	<u>\$</u> <u>3,154.93</u>
<u>10+ Story</u> <u>Multi/Townhome/Condo</u>	<u>per DU</u>	<u>\$</u> <u>3,411.79</u>	<u>\$</u> <u>2,588.66</u>
<u>Single Room Occupancy</u>	<u>per DU</u>	<u>\$</u> <u>2,238.99</u>	<u>\$</u> <u>1,698.81</u>
<u>Retirement Community</u>	<u>per DU</u>	<u>\$</u> <u>3,198.56</u>	<u>\$</u> <u>2,426.87</u>
<u>Congregate</u> <u>Care/Assisted Living</u>	<u>per DU</u>	<u>\$</u> <u>1,919.13</u>	<u>\$</u> <u>1,456.12</u>
<u>Education</u>			

<u>Elementary School</u>	<u>students</u>	<u>\$</u> <u>1,185.89</u>	<u>\$</u> <u>899.78</u>
<u>Middle/Junior High School</u>	<u>students</u>	<u>\$</u> <u>1,111.77</u>	<u>\$</u> <u>843.55</u>
<u>High School</u>	<u>students</u>	<u>\$</u> <u>1,037.66</u>	<u>\$</u> <u>787.31</u>
<u>Day Care Center<sup>5</sup></u>	<u>per 1,000 square feet</u>	<u>\$</u> <u>10,302.44</u>	<u>\$</u> <u>7,816.87</u>
<u>Institutional</u>			
<u>Church</u>	<u>per 1,000 square feet</u>	<u>\$</u> <u>4,539.74</u>	<u>\$</u> <u>3,444.48</u>
<u>Nursing Home</u>	<u>per Bed</u>	<u>\$</u> <u>1,056.69</u>	<u>\$</u> <u>801.75</u>
<u>Industrial</u>			
<u>Light Industrial/Manufacturing</u>	<u>per 1,000 square feet</u>	<u>\$</u> <u>5,519.16</u>	<u>\$</u> <u>4,187.61</u>
<u>Industrial Park</u>	<u>per 1,000 square feet</u>	<u>\$</u> <u>2,700.02</u>	<u>\$</u> <u>2,048.61</u>
<u>Mini-Warehouse/Storage</u>	<u>per 1,000 square feet</u>	<u>\$</u> <u>1,191.19</u>	<u>\$</u> <u>903.80</u>
<u>Warehousing</u>	<u>per 1,000 square feet</u>	<u>\$</u> <u>1,429.42</u>	<u>\$</u> <u>1,084.56</u>

<u>Medical</u>			
<u>Hospital</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>7,967.71</u>	<u>\$</u> <u>6,045.42</u>
<u>Office</u>			
<u>Medical/Dental Office</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>35,254.69</u>	<u>\$</u> <u>26,749.15</u>
<u>General Office (10-100k)</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>17,851.61</u>	<u>\$</u> <u>13,544.73</u>
<u>General Office (100k-200k)</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>15,698.66</u>	<u>\$</u> <u>11,911.20</u>
<u>General Office (200k-300k)</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>12,917.75</u>	<u>\$</u> <u>9,801.21</u>
<u>General Office (300k)</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>10,944.21</u>	<u>\$</u> <u>8,303.81</u>
<u>Single Tenant Office</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>15,788.36</u>	<u>\$</u> <u>11,979.26</u>
<u>Recreation</u>			
<u>Golf Course</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>20,059.90</u>	<u>\$</u> <u>15,220.25</u>
<u>Bowling Alley</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>7,996.39</u>	<u>\$</u> <u>6,067.18</u>

<u>Movie Theater</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>37,500.30</u>	<u>\$</u> <u>28,452.98</u>
<u>Health Fitness Club</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>23,782.36</u>	<u>\$</u> <u>18,044.63</u>
<u>Recreational Community Center</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>17,233.59</u>	<u>\$</u> <u>13,075.82</u>
<u>Retail - Automotive</u>			
<u>Gasoline/Service Station</u>	<u>per VSP</u>	<u>\$</u> <u>48,583.11</u>	<u>\$</u> <u>36,861.95</u>
<u>Gas Station w/Convenience Market</u>	<u>per VSP</u>	<u>\$</u> <u>64,335.07</u>	<u>\$</u> <u>48,813.59</u>
<u>Self-Serve Car Wash</u>	<u>per stall</u>	<u>\$</u> <u>33,097.69</u>	<u>\$</u> <u>25,112.54</u>
<u>Auto Sales (New/Used)</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>22,684.01</u>	<u>\$</u> <u>17,211.26</u>
<u>Variety Store</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>30,790.69</u>	<u>\$</u> <u>23,362.13</u>
<u>Freestanding Discount Store</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>32,608.72</u>	<u>\$</u> <u>24,741.54</u>
<u>Supermarket</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>51,002.25</u>	<u>\$</u> <u>38,697.44</u>
<u>Retail - Large</u>	<u>per 1,000</u> <u>square feet</u>		

<u>Shopping Center</u> <u>(&gt;150k)</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>22,187.68</u>	<u>\$</u> <u>16,834.68</u>
<u>Shopping Plaza (40 -</u> <u>150k)</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>49,798.19</u>	<u>\$</u> <u>37,783.88</u>
<u>Strip Retail Plaza</u> <u>(&lt;40k)</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>39,976.42</u>	<u>\$</u> <u>30,331.71</u>
<u>Retail - Small</u>	<u>per 1,000</u> <u>square feet</u>		
<u>Library</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>56,250.45</u>	<u>\$</u> <u>42,679.47</u>
<u>Hardware/Paint Store</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>10,955.97</u>	<u>\$</u> <u>8,312.73</u>
<u>Convenience Market</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>176,039.09</u>	<u>\$</u> <u>133,567.90</u>
<u>Pharmacy/Drug Store</u> <u>w/o Drive-Thru</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>36,762.24</u>	<u>\$</u> <u>27,892.98</u>
<u>Pharmacy/Drug Store w/</u> <u>Drive-Thru</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>48,047.26</u>	<u>\$</u> <u>36,455.38</u>
<u>Furniture Store</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>2,867.67</u>	<u>\$</u> <u>2,175.82</u>
<u>Drive-In Bank</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>125,520.31</u>	<u>\$</u> <u>95,237.27</u>

<u>Walk-In Bank</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>59,089.63</u>	<u>\$</u> <u>44,833.66</u>
<u>Fine Dining Restaurant</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>40,147.38</u>	<u>\$</u> <u>30,461.42</u>
<u>High Turnover</u> <u>Restaurant</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>47,413.06</u>	<u>\$</u> <u>35,974.19</u>
<u>Fast Food w/o Drive-</u> <u>Thru</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>155,673.12</u>	<u>\$</u> <u>118,115.42</u>
<u>Fast Food w/ Drive-</u> <u>Thru</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>136,614.14</u>	<u>\$</u> <u>103,654.61</u>
<u>Coffee/Donut Shop w/o</u> <u>Drive-Thru</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>151,360.59</u>	<u>\$</u> <u>114,843.33</u>
<u>U.S. Post Office</u>	<u>per 1,000</u> <u>square feet</u>	<u>\$</u> <u>77,275.43</u>	<u>\$</u> <u>58,631.96</u>
<u>Hotel</u>			
<u>Hotel</u>	<u>per room</u>	<u>\$</u> <u>6,290.49</u>	<u>\$</u> <u>4,772.85</u>
<u>Motel</u>	<u>per room</u>	<u>\$</u> <u>3,838.27</u>	<u>\$</u> <u>2,912.25</u>

1. Source: ITE Trip Generation Manual, 11th Edition. Vehicle trip rates for weekday, peak hour of adjacent street traffic (4-6pm).

2. A pass-by trip is any trip that may go to a land use, but is part of a larger overall "trip tour." The defining feature of the pass-by trip

is that it is an interim stop that did not initiate the overall need to travel.

3. Vehicle-to-person trip generation rate factors were developed from the 2017-2019 Puget Sound Regional Council Household Travel Survey.

4. Middle housing land use category is an average of ITE code #215 (single family attached/duplex) and #220 (1-3 Story Multi-Family/Townhome/ADU). This category includes all forms of multi-family housing not otherwise listed in the table above.

5. Per RCW 82.02.060 (4) (b), Redmond may exempt qualifying Day Care Centers and other "early learning facilities" as defined by state law, from transportation impact fees.

[FEE SCHEDULE		COST PER UNIT		
LAND USES	STANDARD OF MEASURE <del>1, 2, 3</del>	DOWNTOWN URBAN CENTER	OVERLAKE URBAN CENTER	REST OF CITY
RESIDENTIAL				
SINGLE-FAMILY	DWELLING	\$7,626.50	\$7,889.55	\$9,335.59
MULTIFAMILY	DWELLING	\$5,356.43	\$5,541.19	\$6,556.80
RESIDENTIAL SUITES	RESIDENTIAL SUITE	\$3,266.84	\$3,379.52	\$3,998.93

RETIREMENT COMMUNITY	DWELLING	\$2,447.30	\$2,531.71	\$2,995.74
NURSING HOME	BED	\$1,994.10	\$2,062.88	\$2,440.97
CONGREGATE CARE/ASST LIVING	DWELLING	\$1,540.90	\$1,594.04	\$1,886.20
HOTEL/MOTEL	ROOM	\$7,183.06	\$7,430.82	\$8,792.76
COMMERCIAL - SERVICES				
BANK/SAVINGS & LOAN	SQ FT/GFA	\$90.07	\$93.17	\$110.25
CARWASH	STALL	\$26,693.04	\$27,613.75	\$32,674.91
DAY CARE	SQ FT/GFA	\$20.62	\$21.33	\$25.25
HEALTH CLUB/RACQUET CLUB	SQ FT/GFA	\$26.38	\$27.29	\$32.29
LIBRARY	SQ FT/GFA	\$40.58	\$41.99	\$49.68
MOVIE THEATER	SEAT	\$441.06	\$456.27	\$539.90
POST OFFICE	SQ FT/GFA	\$62.38	\$64.53	\$76.35

SERVICE STATION	FUEL POSITION	\$41,125.51	\$42,544.04	\$50,341.68
SERVICE STATION/MINIMART	FUEL POSITION	\$30,043.56	\$31,079.84	\$36,776.28

COMMERCIAL — INSTITUTIONAL

ELEMENTARY SCHOOL	STUDENT	\$631.45	\$653.23	\$772.95
HIGH SCHOOL	STUDENT	\$615.66	\$636.89	\$753.62
CHURCH	SQ FT/CFA	\$4.07	\$4.21	\$4.99
HOSPITAL	SQ FT/CFA	\$5.86	\$6.07	\$7.17

COMMERCIAL — RESTAURANT

FAST FOOD RESTAURANT	SQ FT/CFA	\$121.01	\$125.18	\$148.14
RESTAURANT	SQ FT/CFA	\$44.41	\$45.95	\$54.37

COMMERCIAL — RETAIL SHOPPING CENTER

UP TO 99,999	SQ FT/GLA	\$24.43	\$25.26	\$29.90
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<del>100,000 — 199,999</del>	<del>SQ FT/GLA</del>	<del>\$23.31</del>	<del>\$24.11</del>	<del>\$28.54</del>
<del>200,000 — 299,999</del>	<del>SQ FT/GLA</del>	<del>\$21.33</del>	<del>\$22.07</del>	<del>\$26.11</del>
<del>300,000 AND OVER</del>	<del>SQ FT/GLA</del>	<del>\$20.56</del>	<del>\$21.27</del>	<del>\$25.16</del>
<del>SUPERMARKET</del>	<del>SQ FT/GFA</del>	<del>\$52.70</del>	<del>\$54.53</del>	<del>\$64.51</del>
<del>CONVENIENCE MARKET</del>	<del>SQ FT/GFA</del>	<del>\$174.82</del>	<del>\$180.85</del>	<del>\$214.01</del>
<del>FREE STANDING DISCOUNT STORE</del>	<del>SQ FT/GFA</del>	<del>\$17.37</del>	<del>\$17.97</del>	<del>\$21.27</del>
<del>MISCELLANEOUS RETAIL</del>	<del>SQ FT/GFA</del>	<del>\$20.62</del>	<del>\$21.33</del>	<del>\$25.25</del>
<del>FURNITURE STORE</del>	<del>SQ FT/GFA</del>	<del>\$2.00</del>	<del>\$2.07</del>	<del>\$2.45</del>
<del>CAR SALES — NEW/USED</del>	<del>SQ FT/GFA</del>	<del>\$15.53</del>	<del>\$16.08</del>	<del>\$19.02</del>
<del>COMMERCIAL — ADMINISTRATIVE OFFICE</del>				
<del>UP TO 99,999</del>	<del>SQ FT/GFA</del>	<del>\$25.37</del>	<del>\$26.24</del>	<del>\$31.05</del>
<del>100,000 — 199,999</del>	<del>SQ FT/GFA</del>	<del>\$21.80</del>	<del>\$22.55</del>	<del>\$26.69</del>

<del>200,000 — 299,999</del>	<del>SQ FT/GFA</del>	<del>\$19.02</del>	<del>\$19.68</del>	<del>\$23.29</del>
<del>300,000 AND OVER</del>	<del>SQ FT/GFA</del>	<del>\$17.83</del>	<del>\$18.45</del>	<del>\$21.83</del>
<del>MEDICAL OFFICE/CLINIC</del>	<del>SQ FT/GFA</del>	<del>\$26.05</del>	<del>\$26.95</del>	<del>\$31.89</del>
<del>INDUSTRIAL</del>				
<del>LIGHT INDUSTRY/MANUFACTURING</del>	<del>SQ FT/GFA</del>	<del>\$11.90</del>	<del>\$12.32</del>	<del>\$14.58</del>
<del>INDUSTRIAL PARK</del>	<del>SQ FT/GFA</del>	<del>\$10.43</del>	<del>\$10.80</del>	<del>\$12.77</del>
<del>WAREHOUSING/STORAGE</del>	<del>SQ FT/GFA</del>	<del>\$3.93</del>	<del>\$4.06</del>	<del>\$4.81</del>
<del>MINI WAREHOUSE</del>	<del>SQ FT/GFA</del>	<del>\$2.33</del>	<del>\$2.41</del>	<del>\$2.86</del>

~~1 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.~~

~~2 GLA = GROSS LEASABLE AREA~~

~~3 GFA = GROSS FLOOR AREA~~

~~NOTE 1: LAND USES ARE DEFINED IN RMC 3.10.030, DEFINITIONS. AMENDMENTS TO THIS FEE SCHEDULE SHALL BE ADOPTED BY THE CITY COUNCIL BY ORDINANCE.~~

~~NOTE 2: TRANSPORTATION IMPACT FEES MAY BE INDEXED TO ALLOW FOR A FEE ADJUSTMENT EACH JANUARY 1. THE JANUARY 1 ADJUSTMENT TO THE TRANSPORTATION~~

~~IMPACT FEES SHALL BE DETERMINED BY CALCULATING CHANGES IN THE CONSTRUCTION COST INDEX (PUBLISHED BY THE ENGINEERING NEWS RECORD) OVER THE THREE CONSECUTIVE 12-MONTH SEPTEMBER 1 TO AUGUST 31 TIME PERIODS IMMEDIATELY PRIOR TO JANUARY 1, OR THE CLOSEST THREE CONSECUTIVE 12-MONTH TIME PERIODS IMMEDIATELY PRIOR TO JANUARY 1.~~

~~NOTE 3: COST PER MOBILITY UNIT (PMT) IS \$3,852.95, EFFECTIVE JANUARY 1, 2024.]~~

3.10.105 Exemptions from the requirement to pay transportation impact fees.

The following are exempt from the payment of all or a portion of transportation impact fees:

A. Affordable housing.

1. An Affordable Housing Unit as defined in RZC 21.78 shall receive a partial exemption of the transportation impact fees required by this chapter. The percentage of the exemption in transportation impact fees depends on the affordability levels of the affordable units as described in Table 1. For the purposes of calculating percentage of the exemption in transportation impact fees, whenever any calculation set forth in these regulations results in a fractional value or whenever any affordability level of an affordable unit results in a fractional value, the fraction shall be rounded to the nearest whole number.

Table 1. Percentage Transportation Impact Fee Reduction by Affordability Level

<u>Percentage of Transportation Impact Fee Exemption</u>	<u>Affordability Level of Unit as determined by Area Median Income (AMI)</u>
<u>60% of Impact Fee Exempted</u>	<u>Units affordable at 51% AMI to 79% AMI</u>
<u>70% of Impact Fee Exempted</u>	<u>Units affordable at 31% AMI to 50% AMI</u>
<u>80% of Impact Fee Exempted</u>	<u>Units affordable at 0 to 30% AMI</u>

2. Any claim for a partial exemption of impact fees under this section shall be made by the time of building permit application. Any claim not so made shall be deemed waived.

3. All Affordable Housing Units exceeding the required number of affordable units, as described in RZC 21.20 or RMC 3.38, shall be eligible to receive an 80 percent exemption of impact fee exemption for transportation impact fees required by this chapter.

B. Early learning facilities.

1. An early learning facility as defined in RCW 43.31.565 shall receive a partial exemption of the transportation impact fees required by this chapter. The percentage of the exemption in transportation impact fees shall be 80 percent.

2. Any claim for a partial exemption of impact fees under this section shall be made by the time of building

permit application. Any claim not so made shall be deemed waived.

3. An early learning facility as defined in RCW 43.31.565 shall not be subject to an impact fee that is greater than that imposed on commercial retail or office development activities that generate a similar number, volume, type, and duration of vehicle trips.

**3.10.110 Impact fees for King County transportation facilities.**

Repealed by Ord. 2610.

**3.10.120 Computing impact fees based on independent fee calculation studies.**

A. As an alternative to payment of impact fees as provided in the schedules set forth in this chapter, any person required to pay impact fees may request that such fees be calculated according to an independent fee calculation study submitted by such person and approved by the Administrator as provided in this section. A person required to pay impact fees may submit an independent fee calculation study for one or more impact fees and use the impact fee schedules in this chapter for one or more impact fees.

B. All independent fee calculation studies shall be submitted to the Administrator for review and approval. The

study shall be accompanied by the fee set by City Council resolution for the review of such studies.

C. The independent fee calculation study shall meet the following standards:

1. The study shall follow accepted impact fee assessment practices and methodologies.

2. The study shall use acceptable data sources, and the data shall be comparable with the uses and intensities proposed for the proposed development activity.

3. The study shall comply with the applicable State laws governing impact fees, including but not limited to RCW 82.02.060 or its successor.

4. The study, including any data collection and analysis, shall be prepared and documented by professionals qualified in their respective fields.

5. The study shall show the basis upon which the independent fee calculation was made.

D. The Administrator shall consider the study and documentation submitted by the person required to pay the impact fees, but is not required to accept the study if the Administrator decides the study is not accurate or reliable. The Administrator may, in the alternative, require the person submitting the study to submit additional or different

documentation for consideration. If the Administrator decides that outside experts are needed to review the study, the applicant shall be responsible for paying for the reasonable cost of a review by outside experts. If an acceptable independent fee calculation study is not presented, the person shall pay the impact fees based upon the process and schedules in RMC 3.10.080 and RMC 3.10.100. If an acceptable independent fee calculation study is presented, the Administrator may adjust the fee to that appropriate to the particular development activity.

**3.10.130 Credits and adjustments to required impact fee payments.**

A. Credits. Required impact fees shall be reduced by the following credits, where they apply:

1. Credit for Conveyance of Land for and/or Construction of Improvements. Whenever a development approval is conditioned upon a developer's conveyance of land for and/or construction of specified system improvements, the developer shall be entitled to a credit against the impact fee that would be imposed for the value of the land or property interest conveyed and/or the actual cost of construction.

a. The land value or cost of construction shall be estimated at the time of development approval and shall be based on acceptable evidence and documentation. The evidence and documentation shall be reviewed and, if acceptable, approved by the Administrator. When land is proposed for conveyance, the person required to pay impact fees shall present property appraisals prepared by qualified professionals. If construction costs are estimated, the documentation shall be confirmed after the construction is completed to assure that an accurate credit amount is provided.

b. The amount of the credit shall be equal to the fair market value of the land conveyed and/or the actual cost of the system improvement constructed; provided, that:

i. The amount of credit granted shall not exceed the impact fee amount allocated by the City toward that cost of the improvement;

ii. The amount of credit granted shall not exceed the amount of the impact fee the developer is required to pay; and

iii. If the land value or construction cost is less than the calculated fee amount, the difference remaining shall be chargeable as an impact fee for the

facility for which the land, system facilities, or improved system facilities were provided.

c. No credit shall be given for project improvements or for land or right-of-way devoted to project improvements. In certain cases a system improvement may function as a project improvement. Where a system improvement functions as a project improvement, the person who is required to pay impact fees shall only receive a credit for the amount of the improvement that functions as a system improvement.

d. Credit against impact fees otherwise due will not be provided until:

i. 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;

ii. Acceptable financial security is received and approved by the Administrator of the City of Redmond, when applicable; and

iii. 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.

e. Credit may be provided before completion of specified system improvement(s) if adequate assurances are given by the applicant that the standards set out in subsection A(1)(d) of this section will be met and if the developer posts a performance assurance device as provided below for the costs of such construction. The Administrator shall determine:

- i. The performance assurance amount; and
- ii. The form of the performance assurance, such as a performance bond, irrevocable letter of credit, or escrow agreement.

f. If the system improvement(s) will not be constructed, dedicated or implemented within one year of the acceptance of the offer by the Administrator, the amount of the performance assurance shall be increased by 10 percent compounded for each year of the life of the performance assurance. The revised performance assurance shall be reviewed and approved by the Administrator prior to acceptance of the performance assurance by the Administrator. If the system improvement(s) is not to be completed or implemented within five years of the date of the fee payer's

offer, the City Council must approve the system improvement(s) and its scheduled completion date prior to the acceptance of the offer by the Administrator.

2. Credit for Park, Recreation, Open Space or Trail Facilities. If a development activity includes park, recreation, open space or trail facilities which meet the requirements of this subsection A(2), then the applicant shall be entitled to a credit for that portion of the park, recreation, open space or trail facilities impact fee to be used for that park, recreation, open space or trail facility type to the extent that the park, recreation, open space or trail system satisfies the needs of the occupants of the development activity or the public.

a. The credit shall equal:

i. The reduction in demand by occupants of the development on the City's park, recreation, open space or trail system that is met by the facility.

ii. The reduction in demand by the general public on the City's park, recreation, open space or trail system that is met by the facility, if the facility is open to the general public and signs at the facility notify the public that they can use the facility. To be eligible for the credit in this subsection, the facility shall be located

in an area which, based upon adopted level-of-service standards, is lacking in needed park, recreation, open space or trail facilities. Credit under this subsection A(2) shall not be given for the portion of any facility which provides a higher level-of-service than that set by the level-of-service standard for that facility.

b. The park, recreation, open space or trail facilities shall meet all of the following criteria to be eligible for a credit:

i. The area or facility shall function as a system improvement and not a project improvement as defined by this chapter, either because it is a system improvement or because it is a project improvement which relieves demand on the City's park, recreation, open space or trail system.

ii. The facilities shall be equivalent to Redmond's adopted standards for park, recreation, open space or trail facilities.

iii. The park, recreation, open space or trail shall be large enough to function as that type of park, recreation, open space or trail system to obtain a credit.

iv. The City may require that legally binding conditions be recorded in the real property records

providing that the facility shall be used by the facility's occupants or the general public. If these facilities are closed or converted to another use, the amount of the credit in current dollars shall be paid to the Redmond Finance Department or its designee or successor before the facilities are closed or converted.

3. Transportation Impact Fee Credit upon Change of Use. Except where exempt as provided below, 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), whenever the use of an existing building, structure, or parcel of land is changed in such a manner as to result in thirty or more net new p.m. peak hour vehicle trips over those generated by the existing use, the applicant shall receive a credit for the existing use of the building, structure, or portion of land and a transportation impact fee shall be paid for the additional or changed use. The impact fee shall be based upon the net increase in person miles traveled associated with the changed use over the person miles traveled associated with the existing use. The impact fee shall be calculated using the fee schedule set forth in RMC 3.10.100 unless an independent fee calculation study is submitted and approved as provided in RMC 3.10.120.

a. The following changes in land use shall be exempt from the requirement to pay an impact as provided above:

i. Changes in land use occurring as the result of a change in tenants of a mixed-use shopping center.

ii. Changes in land use occurring within a multi-building development occupied entirely by a single owner or single tenant, or changes occurring as the result of a lease or sublease within such a development from the single owner or single tenant to another business that provides services only to the single owner or single tenant or its employees at that location.

iii. Changes in land use occurring within a single building occupied entirely by a single owner or tenant, or changes occurring as the result of a lease or sublease within such building from the single owner or single tenant to another business that provides services only to the single owner or single tenant at that location.

4. Credit for Existing Development - Expansion. Whenever the alteration, reconstruction, remodeling, or replacement of existing buildings or structures results in additional gross floor area or additional dwelling units, the applicant shall receive a credit for the existing buildings

or structures and an impact fee shall be paid only for the additional gross floor area or additional dwelling units. The impact fee shall be based upon the net increase in the number of units of development or portion thereof associated with the additional gross floor area or additional dwelling unit over the number of units associated with the existing gross floor area or dwelling units. The fee shall be calculated using the fee schedules set forth in RMC 3.10.080 and 3.10.100 unless an independent fee calculation study is submitted and approved as provided in RMC 3.10.120.

5. Transportation Impact Fee Credit for Vacant Structures. Whenever any existing building or structure or portion thereof for which an impact fee was not paid shall be vacant for a period of three years from and after April 16, 2011, if the vacancy began on or before April 16, 2011, or three years from and after the date the vacancy began, if the vacancy began after April 16, 2011, whichever is later, then any subsequent alteration, reconstruction, remodeling, or replacement shall require the payment of an impact fee for the entire building or structure without credit for existing gross floor area or dwelling units; provided, that vacant single-family dwelling units as defined in RMC 3.10.030.C.3 shall be exempt from this requirement. The fee shall be

calculated using the fee schedule set forth in RMC 3.10.100 unless an independent fee calculation study is submitted and approved as provided in RMC 3.10.120.

B. Adjustments. The Administrator may adjust the required impact fees where the Administrator determines that one of the following circumstances exists and that the discount included in the impact fee formula fails to adjust for the error in the calculation or to ameliorate the unfairness of the fee:

1. The person required to pay the impact fee demonstrates that an impact fee was incorrectly computed; or

2. The person required to pay the impact fee demonstrates that unusual circumstances make the standard impact fee applied to the development unfair or unjust. These circumstances shall not be circumstances generally applicable to similar types of land uses or generally applicable to development activities in the vicinity. Unusual circumstances may include that the development activity will have less impact on the system improvement(s) for which the impact fee is imposed than the other development activities in the same category.

C. Time for Making Claim. Any claim of a credit or adjustment shall be made no later than the time of application

for a building permit. If a building permit is not required for the development activity, the claim shall be made when the fee is tendered. Any claim not made when required by this section shall be deemed waived.

D. Transfer. Credits or adjustments shall not be transferable from one property, project, or development activity to another without the approval of the Administrator.

#### 3.10.140 Payments under protest and appeals.

A. Any decision made by the Administrator, his or her designee, or the Building Official, or his or her designee, in the course of administering this chapter may be appealed in accordance with the procedures for appealing the underlying permit and shall not be subject to a separate appeal process. This shall include the requirement to pay impact fees. Where no other appeal process is provided, an appeal may be made as an appeal of an administrative decision. See Redmond Zoning Code 21.76, Review Procedures. Any errors in the formula for calculating the impact fee shall be referred to the Mayor and City Council for possible modification. Every interlocal agreement made pursuant to this chapter shall specifically incorporate this appeal procedure.

B. Impact fees may be paid under protest to obtain a building permit or other approval or permit.

**3.10.150 Impact fee accounts and disbursements for fire, park, and transportation impact fees.**

A. The City of Redmond Finance Department shall earmark all fire, park, and transportation impact fees collected under this chapter as to the person paying them, the date paid, and the type of impact fee paid. The Finance Department shall promptly deposit all fees collected in appropriate special interest-bearing accounts. A separate account shall be established for each type of impact fee. All interest shall be retained in the account and expended for the purposes for which the impact fee was imposed. While maintaining fees in separate accounts, pooled investments may be used.

B. Impact fees shall only be expended on system improvements which are in conformance with the Capital Facilities Chapter of the Comprehensive Plan and administrative costs. Impact fees shall only be expended on system improvements which are included in the Capital Facilities Chapter of the Comprehensive Plan or which are included in a functional plan adopted by reference in the Utilities Chapter of the Comprehensive Plan or the Capital Facilities Chapter of the Comprehensive Plan. The part of the

Utilities Chapter which adopts functional plans by reference shall be part of the Capital Facilities Chapter of the Comprehensive Plan. Administrative costs shall not exceed three-tenths of one percent of the impact fees collected.

C. Impact fees shall only be used for system improvements within the service areas established under RMC 3.10.040 for the particular type of fee involved.

D. For system improvements included in the Capital Facilities Chapter or a functional plan adopted by reference, impact fees may be expended on facility planning, land acquisition, site improvements, application fees, necessary off-site improvements, required mitigation, construction, engineering, architectural, permitting, financing, and administrative expenses, relocatable facilities, capital equipment, repayment of system improvement costs previously incurred by the City to the extent that new growth and development will be served by the system improvements, and any other expenses which could be capitalized and are consistent with the Capital Facilities Element or a functional plan adopted by reference.

E. In the event that bonds or similar debt instruments are issued for the advanced provision of system improvements for which impact fees may be expended and where consistent

with provisions of the bond covenants, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this section.

F. Impact fees shall be expended or encumbered for a permissible use within ten years of the date they are received by the City of Redmond Finance Department unless the City Council finds that there exists an extraordinary and compelling reason for fees to be held longer than ten years. These findings shall be set forth in writing and be approved by the City Council.

**3.10.160 Impact fee accounts and disbursements of school impact fees.**

The process for administering school impact fees shall be established upon approval of and according to an interlocal agreement between the City of Redmond and the Lake Washington School District.

**3.10.170 Refund of fire, park and transportation impact fees.**

A. All requests for impact fee refunds shall be made by the owner of the property on which the impact fee was paid and shall be made in writing. The written request shall be

submitted to the City of Redmond Finance Department, or its successor, if the City holds the funds. The written request shall be received within one year of the date the right to the claim for the refund arises. Notwithstanding any other provision of this section, where notice of eligibility of a refund is required by subsection B(2) of this section, the written request shall be received within one year of the date on which the City mails the notice that the person may be eligible for a refund.

B. Refunds of Unencumbered Impact Fees.

1. The current owner of property on which impact fees have been paid may apply for and receive a refund of these fees if the impact fees have not been expended or encumbered within the time limits in RMC 3.10.150.F. Refunds of impact fees under this subsection B shall include any interest earned on the impact fees by the City. In determining whether impact fees have been encumbered, impact fees shall be considered encumbered on a first-in, first-out basis.

2. If the City holds impact fees beyond the time limits set in RMC 3.10.150.F, the City shall notify potential claimants by first class mail deposited with the United States Postal Service addressed to the owner of the property as shown

in the county tax records or a commercial compendium of the tax records.

3. Any impact fees that are not expended within the time limits in RMC 3.10.150.F and for which no application for a refund has been made within the one-year period set by subsection A of this section shall be retained and expended on the system improvements for which the impact fees were imposed.

C. Refunds of Impact Fees for When Development Does Not Proceed. Any person who was required to pay impact fees may request and shall receive a refund, including interest earned on the impact fees, when both of the following conditions are met:

1. A final inspection is not requested for the building or, if no building is being constructed as part of the development activity, the use is not started; and

2. No impact has resulted on the facilities for which the impact fee was collected. The owner shall request the refund in writing by the deadline set for claiming refunds. The Administrator shall determine whether to grant a refund, and such decisions may be appealed in the same manner as an appeal of an administrative decision under the Redmond Zoning Code.

D. Should the City terminate any or all impact fee requirements, all unexpended or unencumbered funds, including interest earned, shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the City shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first class mail to the last known address of claimants. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the City, but must be expended for projects identified in the City's adopted capital facility plans. This notice requirement shall not apply if there are no unexpended or unencumbered balances within an account or accounts being terminated.

E. The interest due on the refund of impact fees as required by this chapter or RCW 82.02.080, or its successor, shall be calculated according to the average rate received by the City on invested funds throughout the period during which the impact fees were retained by that local government.

**3.10.180 Refund of school impact fees.**

The process for administering school impact fees, including refunding fees, shall be established upon approval of and

according to an interlocal agreement between the City of Redmond and the Lake Washington School District.

**3.10.190 Annual impact fee report.**

Each year, the City of Redmond Finance Department, or its successor, shall prepare a report on each impact fee account showing the source and amount of all moneys collected, earned, or received and the system improvements that were financed in whole or in part by the impact fees. The City departments receiving impact fee funds shall provide the information needed by the Finance Department, or its successor, to prepare the annual impact fee report by the deadline set by the City of Redmond Department of Finance or its successor. This report may be part of an existing annual report or a separate report.

**3.10.200 Periodic review of fee schedules.**

The City Council shall review the fire, park, school, and transportation impact fees on a periodic basis in order to ensure that the same reflect the current capital improvement program of the City and the current cost of constructing system improvements related to growth. With respect to reviewing school impact fees, the City Council shall consider whether these impact fees have been adopted by other jurisdictions within the Lake Washington School District, including the City of Kirkland, and whether the school impact

fee burden is spread fairly throughout jurisdictions within the Lake Washington School District.

**3.10.210 Interpretation.**

A. Purpose. The purpose of this section is to define the responsibilities, rules, procedures, and requirements for the interpretation of this chapter.

B. Responsibility. The Administrator shall be responsible for interpreting the provisions of this chapter, except where expressly provided otherwise.

C. Request for Interpretation. Any interested person may apply for an interpretation of this chapter where this chapter, or its application to specific circumstances, is ambiguous, i.e., where this chapter is susceptible to two or more reasonable interpretations. Applications for administrative interpretation are processed as Type I reviews and shall be subject to the criteria outlined in the Redmond Zoning Code 21.76, Review Procedures.

Section 4. 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 5.      Effective date. This ordinance shall become effective on January 1, 2025, provided five days have passed since the date of publication of a summary in the City's official newspaper or as otherwise provided by law.

ADOPTED by the Redmond City Council this 19th day of November, 2024.

CITY OF REDMOND

\_\_\_\_\_  
ANGELA BIRNEY, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL XANTHOS, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
DANIEL KENNY, CITY ATTORNEY

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
SIGNED BY THE MAYOR:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO.