The City of Kent adopted Transportation Impact Fees (Ordinance 3971) with an effective implementation date of August 5, 2010. Amendments were adopted by Ordinance____ with an effective date of September 16, 2010. These ordinances are codified as Kent City Code Chapter 12.14.

This bulletin is designed to assist you in understanding the Transportation Impact Fees. We tried to make it as reader-friendly as possible, but if we inadvertently said anything that is not consistent with Kent’s code and administrative rules, the code and rules will prevail.

**What are Transportation Impact Fees?**

Impact fees are charges on new development to pay for capital improvements that are needed to serve new development. These impact fees are collected to improve the transportation system to accommodate the higher travel demand added by the new development.

The Revised Code of Washington (RCW 82.02.050) defines transportation impact fee programs as intended to: ensure that adequate facilities are available to serve new growth, establish standards by which new growth and development pay a proportionate share of the cost of new facilities needed to serve new growth and development and ensure that impact fees are imposed through established procedures and criteria so that specific developments do not pay arbitrary fees or duplicative fees for the same impact.

**When are Transportation Impact Fees Due?**

Transportation impact fees (TIF) will be calculated at the time a developer submits the completed application for a building permit or a permit for a change in use. The TIF will be due and payable before the building permit or permit for a change of use is issued by the City.

Until December 30, 2013, at the time of issuance of any single family residential building permit, the Feepayer may defer payment of the impact fee by executing a first

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position lien in favor of the City of Kent in the amount of the transportation impact fee to be in effect at the time of the lien. The City will record the lien against the real property and the lien amount shall be paid by the seller to the City at the time of closing of the sale of the real property and single family residence.

**Exemptions:**

The following development activities are excluded from the obligation to pay traffic impact fees:

- Alteration or replacement of an existing non-residential structure that does not expand the usable space.
- Miscellaneous improvements which do not generate increased p.m. peak trips, including, but not limited to, fences, walls, residential swimming pools, and signs.
- Demolition or moving of a structure when additional p.m. peak hour trips are not generated.
- A change of use that does not generate one or more additional p.m. peak hour trips.

The Director of Public Works is authorized to determine whether a particular development activity falls within an exemption identified here or under other applicable law. Determinations of the Director will be in writing and will be subject to the appeals procedure set forth in KCC 12.14.110.

**Transportation Impact Fee Methodology**

The transportation impact fee rates adopted by KCC 12.14.190 are generated from the formula for calculating impact fees set forth in the Rate Study and the Downtown Kent Rate Memorandum, which are available at the City of Kent Permit Center, City of Kent Public Works reception counter, and online at [www.ci.kent.wa.us/permitcenter](http://www.ci.kent.wa.us/permitcenter) under the Transportation Impact Fee section.

The full transportation impact fee rate established by the rate study is $13,614.00 per p.m. peak hour trip. The rates beginning August 5, 2010 through June 30 2011 will be 30% of the maximum allowable amount and will be determined by the specific land use category that applies to each development or each portion of each development.

The City will annually adjust the maximum allowable transportation impact fee rate based on changes to the Washington State Department of Transportation Construction Cost Index. The first adjustment will occur in July 2011.

In addition to the annual Construction Cost Index adjustment, the fees are scheduled to increase at approximately 11% per year for six years, subject to review by City Council.
How do I calculate the amount of my Transportation Impact Fee?

Transportation impact fees will be determined by the City based on the fee schedule in effect at the time of the determination.

A spreadsheet to assist in calculations is available for download on the City’s website at www.ci.kent.wa.us/permitcenter. This spreadsheet is for estimating purposes only. Final fee calculations will be completed by the City.

You can calculate an estimate of your amount due using the impact fee calculator on the City’s website, which follows these simple steps for many projects:

1. Determine whether your project is located generally within the City limits or if it is within the specific Downtown Kent Rate Area as shown on the map.

2. Determine the applicable Land Use Category (LUC) for your project from the Fee Rate Schedule on pages 8 and 9.

3. Calculate the ‘Units of Measure’ for your project (i.e. square footage, number of dwelling units, etc.)

4. Multiply the ‘Units of Measure’ by the rate for your LUC, making sure you are using the General Kent Rate or the Downtown Kent Rate, where applicable. This is your Transportation Impact Fee (TIF).

5. Multiply the Traffic Impact Fee by 1%. Is it greater than $300? The larger of these two numbers is your Administrative Fee. (Traffic Impact Fee X 1% or $300, whichever is greater.)

6. Calculate the total TIF payment by adding together the Transportation Impact Fee and the Administrative Fee. (Note that the transportation impact fee may be offset by credits as described below.)

Independent Fee Calculations:

An applicant may request an adjustment to the transportation impact fees determined according to the fee schedule by preparing and submitting an independent fee calculation. The submittal must show the basis upon which the independent fee calculation was made. An independent fee calculation will be limited to adjustments in trip generation rates and lengths used in the Rate Study, and may not include travel demand forecasts, trip distribution, transportation service areas, costs of road projects, or cost allocation procedures.
Any applicant submitting an independent fee calculation will be required to pay the City of Kent a $500.00 fee to cover the cost of reviewing the independent fee calculation. The fee must be paid by the applicant prior to initiation of the review.

**Appeals:**

An applicant may appeal determinations regarding transportation impact fees to the hearing examiner as described in Chapter 12.01 of Kent City Code. Impact fees may be paid under protest to avoid delays in building permit issuance. A “Notice of Appeal/Payment of Appeal Fee Form” is available at the City of Kent Permit Center, located at 400 West Gowe Street, Kent, WA 98032 or on the City’s website at www.ci.kent.wa.us/permitcenter

**Refunds:**

An applicant may request and shall receive a refund, including interest earned on impact fees when:

1. The permitted development activity is not pursued, and
2. The City has not expended or encumbered the impact fees in good faith prior to the application for refund.

If the City has expended or encumbered the fees in good faith, no refund shall be forthcoming, but the amount of the impact fee may be a credit against future impact fees for the same parcel.

Owners seeking a refund of transportation impact fees must submit a written request for a refund of the fees to the Director within one (1) year of the date the right to claim such refund arises or the date that notice is given, whichever is later.

**Credits:**

An applicant is entitled to a credit against the applicable impact fee for the value of any dedication of land for, improvement to, or new construction of any of the Transportation Impact Fee roadway or intersection improvement projects listed in below, In order to receive the credit, the facilities must be:

1. Provided by the applicant, and
2. Constructed at acceptable quality as determined by the City; and
3. Serve to offset impacts of the applicant’s development activity; and
4. Are for one or more of the projects listed in the Rate Study as the basis for calculating the TIF.

Any claim for credit must be made within thirty (30) calendar days after the submission of an application for a building permit or a permit for a change in use.

Any applicant seeking a credit must fill out a Request for Credit Form which can be obtained at the City of Kent Clerk’s Office, Permit Center, Public Works Engineering, or online at www.ci.kent.wa.us/permitcenter
## 2010 List of Transportation Impact Fee Projects

<table>
<thead>
<tr>
<th>Transportation Project Description</th>
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<tbody>
<tr>
<td>72nd Avenue S (S 200th Street to S 196th Street) – Extend roadway to connect to S 196th St.</td>
<td>SE 256th St-Phase II (SR 516 (Kent Kangley Rd) to 116th Ave SE) – Construct a 5 lane roadway with bike lanes.</td>
</tr>
<tr>
<td>108th Avenue SE (SE Kent Kangley Road (SR 516) to SE 256th St) – Extend roadway connection to SE 256th St.</td>
<td>SE 256th St-Phase III (32nd Ave SE to 148th Ave SE) - Widen to 5 lanes with bike lanes</td>
</tr>
<tr>
<td>116th Avenue SE (SE 240th St to SE 256th St) Phase I - Widen to 5 lanes with bike lanes</td>
<td>SE 256th Street and 132nd Ave SE – Extend northbound left, southbound left, and westbound left turn pockets. Construct new eastbound and southbound right turn lanes.</td>
</tr>
<tr>
<td>116th Avenue SE (SE 208th Street to SE 240th St) Phase II - Widen to 5 lanes with bike lanes</td>
<td>S 272nd Street/Military Road – Add a southbound through lane at intersection. Add northbound dual left turn lanes.</td>
</tr>
<tr>
<td>132nd Ave SE-Phase I (SE 288th Street to Kent Kangley Rd (SR 516)) - Widen to 5 lanes with bike lanes</td>
<td>S 288th Street/Union Pacific Railroad - Grade Separation.</td>
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<tr>
<td>132nd Ave SE-Phase II (Kent Kangley Rd (SR 516) to SE 248th St) - Widen to 5 lanes with bike lanes</td>
<td>Kent-Kangley Road/108th Avenue SE – Add eastbound and westbound dual left turn lanes. Add eastbound right turn pocket. Change northbound right turn phasing.</td>
</tr>
<tr>
<td>132nd Ave SE-Phase III - SE 248th St to SE 224th St - Widen to 5 lanes with bike lanes</td>
<td>W Meeker St Phase I (64th Ave S to Green River Bridge – Widen to 5 lanes.</td>
</tr>
<tr>
<td>132nd Ave SE-Phase IV - SE 224th St to SE 208th St - Widen to 5 lanes with bike lanes</td>
<td>Meeker Street/Washington Ave – Modify signal phasing. Add eastbound and westbound right turn pockets.</td>
</tr>
<tr>
<td>S 196th Street &amp; 80th Avenue S – Change intersection phasing and lane approaches.</td>
<td>Military Road S (S 272nd St to S 240th St) – Widen to provide a center turn lane, bike lanes and sidewalks.</td>
</tr>
<tr>
<td>S 212th/208th Street (SR167 to 108th Avenue SE) Widen to 5-6 lanes.</td>
<td>Smith Street/Lincoln Avenue (Smart Growth Initiative) - Add eastbound left turn pocket including the construction of new traffic signal.</td>
</tr>
<tr>
<td>S 212th Street/Union Pacific Railroad - Grade Separation.</td>
<td>Smith Street/Central Avenue – Revise southbound and northbound turn lane assignment.</td>
</tr>
<tr>
<td>S 212th Street/Burlington Northern Santa Fe Railroad - Grade Separation.</td>
<td>Willis Street (SR 516)/Union Pacific Railroad - Grade Separation.</td>
</tr>
<tr>
<td>S 224th St (84th Ave S to 104th Ave SE (Benson Rd-SR515) – Extend roadway to connect to E Valley Hwy and widen existing road to 3-5 lanes.</td>
<td>Willis Street (SR 516)/Burlington Northern Santa Fe Railroad - Grade Separation.</td>
</tr>
<tr>
<td>SE 248th St (116th Ave SE to 132nd Ave SE) – Construct a 3 lane roadway. TIP starts at 109th Ave.</td>
<td></td>
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Impact Fee Projects

Legend
Type of Project
Street Widening
New Street
Intersection Improvement
Railroad Grade Separation

Refer to Table 1 for project descriptions.