Regional Transportation Concurrency System in Spokane County
A Feasibility Study

TECHNICAL MEMORANDUM # 8

Interviews with Stakeholders

Prepared for

SRTC
Spokane Regional Transportation Council

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November 2006
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EXECUTIVE SUMMARY

To gain a better understanding of local concerns regarding the formation of a Regional Transportation Concurrency Management System (RTCMS) in Spokane County, Washington, stakeholders in the Spokane Region were interviewed. Interviewees included elected and agency officials from the various cities within the region, Spokane County, as well as representatives from the Development and Business Community. In addition to the stakeholders’ interviews, a meeting with the Transportation Technical Committee (TTC) and Spokane Regional Transportation Council (SRTC) staff with the project consultant held on August 16, 2006 discussed the concerns and issues of implementing a regional approach to concurrency. The views and comments in those interviews and discussions are summarized in this memorandum. The following are some of the major concerns and issues raised:

- There is generally support for a regional approach to concurrency. While there are cautions as to how such a regional approach might be implemented, the notion of a regional approach is generally perceived as beneficial to the Spokane Region.

- Support for a regional approach stems from a perception of greater continuity in the approach to review and approval of development proposals and continuity in regulations. This perception of benefit appears to be shared by both the public sector and development/business community.

- Majority perceived there are major hurdles to implementation of a regional concurrency management system, which include among others interlocal agreements, developing a uniform metric for measuring impacts and mitigation fees, politics, CIP development, funding, proportional share of mitigation costs, and project prioritization.

- While several expressed the political reality that it will be difficult to implement policies/procedures in a multi-jurisdiction setting, they are also of the view that such political hurdles can be overcome.

- There was general agreement as to the need for streamlining the concurrency process. Suggestions included devising a methodology within the statutes to
develop a mechanism where the mitigation fee is to be agreed upon based upon science (logical and factual) and where developers would receive a “concurrency certification”, in exchange for paying a predetermined mitigation assessment (as opposed to completing an individual TIA). A regional model that is maintained by a regional organization responsible for the regional concurrency management system could be used as a tool for a streamlined concurrency mitigation fee process.

- Most agreed that a scientifically based methodology for determining impacts and assessing mitigation fees was essential to the success of this or any other program; especially a program that will extend across jurisdictional boundaries.

- Stakeholders are against the idea of a “State run” concurrency management system. There is a general lack of confidence that a state regulated concurrency system, similar to the approach in Florida, would do better than the current practice. The level of distance from staff in Olympia and the bureaucracy are not perceived well. There is a negative perception toward WSDOT’s decision-making as regard to looking at issues from the local perspective.

- Many stakeholders expressed concern of the State’s (DCTED) ability to develop a model that would successfully work for many different kinds of communities. The concern is that a “one-size-fits-all” approach will be mandated; and that the approach will be skewed to address issues and priorities in the Central Puget Sound Region with little regard for the Spokane Region and/or smaller communities.

- On the issue of the potential to incorporate Highways of Statewide Significance, which are currently exempt under the existing GMA framework, stakeholders recognized problems with the current practice where some developments are taking advantage of HSS routes being exempt from concurrency; and the end result that these actions lead to some serious safety issues. On the other hand, stakeholders are concerned that inclusion of HSS facility would negatively impact economic development and affordable housing if the huge mitigation cost is tacked just on new development. They want the State pay for the cost of mitigating those state facilities.
INTRODUCTION

This memorandum provides a summary of stakeholder interviews conducted to gain a better understanding of local concerns regarding the formation of a Regional Transportation Concurrency Management System (RTCMS) in Spokane County, Washington. The stakeholders interviewed included elected and agency officials from the various cities within the region, Spokane County, as well as representatives from the Development and Business Community. The views and comments summarized in this memorandum also include those from members of the Transportation Technical Committee (TTC) and Spokane Regional Transportation Council (SRTC) staff during the August 16, 2006 meeting and discussion with the project consultant.

The primary purpose of the discussions and conversations with stakeholders was to gather additional input on local perspectives regarding how a Regional Transportation Concurrency Management System may or may not work successfully in the Spokane Region. The structure of the interviews was an open-ended discussion. Some of the questions posed as talking points to steer the discussion included:

- What are your fears or concerns about Regional Concurrency?
- Do you see some benefit (in the implementation of a regional concurrency management system) in it for the Region as a whole?
- What do you think might be the challenges or hurdles that the Region would have to get over in order to define and implement such a plan?
- What should be included in Regional Concurrency? Should it just be arterials? Should it include all roadways? Should it be a two-tiered system where local agencies would maintain control (at a local level) on certain types of roadways or functional classifications of roadways; and other roads would be more appropriately defined as part of the Regional System and handled in such a manner that actual improvements, planning and concurrency implementation was handled on a Regional basis?
- Do you think that the prioritization of projects and/or how the money gets distributed is going to be one of the major challenges?
The views and comments from these open-ended questions and the ensuing discussions are summarized in this memorandum by major issues and/or topics.

List of Stakeholders Interviewed

Stakeholders in the Spokane Region that participated in the interviews are listed in the table below. The list is sorted alphabetically.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position/ Agency</th>
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<tbody>
<tr>
<td>Tom Arnold</td>
<td>Director of Engineering Services, City of Spokane</td>
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<tr>
<td>Susan Ashe</td>
<td>Director of Legislative Affairs, City of Spokane</td>
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<tr>
<td>Derrek Braaten</td>
<td>Government Affairs Liaison, Spokane Homebuilders Association</td>
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<tr>
<td>Bob Brueggerman</td>
<td>Engineer, Spokane County</td>
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<td>Ron Edgar</td>
<td>Spokane County Air Pollution Control Authority</td>
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<td>Chuck Freeman</td>
<td>City Manager, City of Airway Heights</td>
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<tr>
<td>Allan Gainer</td>
<td>Mayor, City of Cheney</td>
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<tr>
<td>Mike Gribner</td>
<td>Washington Department of Transportation</td>
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<tr>
<td>Ed Hayes</td>
<td>Senior Transportation Planner, Spokane Regional Transportation Council</td>
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<tr>
<td>Bill Hemmings</td>
<td>Spokane County</td>
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<tr>
<td>Dennis Hession</td>
<td>Mayor, City of Spokane</td>
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<tr>
<td>Roger Krieger</td>
<td>City of Deer Park</td>
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<tr>
<td>Don MacDonald</td>
<td>Public Works Director, City of Cheney</td>
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<tr>
<td>Valla Melvin</td>
<td>Spokane Regional Transportation Council</td>
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<td>John Mercer</td>
<td>City of Spokane</td>
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<tr>
<td>Glenn Miles</td>
<td>Director, Spokane Regional Transportation Council</td>
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<tr>
<td>Inga Note</td>
<td>City of Spokane Valley</td>
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<tr>
<td>Matthew S. Pederson</td>
<td>Mayor, City of Airway Heights</td>
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<tr>
<td>Brenda Redell</td>
<td>Council Member, City of Medical Lake</td>
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SUPPORT FOR A REGIONAL TRANSPORTATION CONCURRENCY MANAGEMENT SYSTEM

There is generally support for a regional approach to concurrency. While there are cautions as to how such a regional approach might be implemented, the notion of a regional approach is generally perceived as beneficial to the Spokane Region. On the other hand, a minority view thought that it is best to manage concurrency at the local level through interlocal agreements. Support for a regional approach held by the majority of stakeholders includes:

- Regional concurrency is possibly achievable as long as things (requirements) are consistent.

- Some expressed support for a regional approach to concurrency with the ideal that such a holistic view would help preserve the quality of life in the Spokane community. The economy in the region has picked up substantially; people are moving to Spokane and there is quite a bit of growth relative to historical levels. It is recognized that “now is the time” to take appropriate steps to ensure that the quality of life in Spokane will not be jeopardized by the creation of gridlock either within the City (Spokane) Limits or out in the County areas.
• The City of Spokane is strongly supportive of the concept of a regional approach to concurrency. The City being the heart of the Inland Northwest is the center of commerce, and therefore, is impacted by traffic generated by new development irrespective of where it occurs in Spokane County; and, including traffic growth outside of the County.

• There is a perception that the absence of a regional approach to concurrency would hinder the City of Spokane's efforts to move forward with their own concurrency approach, which could be different from the other cities. If the City implements a more restrictive concurrency, then development would likely go elsewhere in the County or even outside the Spokane Region. This potential outcome is seen as an economic development issue and adverse impact to the economy of the entire region. Likewise, it would be counterproductive to the GMA goal of anti-sprawl if new developments were allowed to “create” larger urban growth areas, which in turn would create more traffic impacts to the City and other areas of the Spokane Region.

• Some thought the situation in Spokane County, where there are two large cities and a number of smaller cities; and a significant volume of commuting from within a 15-mile radius of downtown, would be very suitable for a regional approach.

• The Development and Business Community is generally in favor of a regional approach to concurrency. They perceive a regional approach as potentially increasing the effectiveness of development, and making the various processes more efficient through more predictability in the “rules and regulations”; possibly resulting in more affordable housing. They perceive a regional approach to concurrency as providing continuity in approach and regulations, which is favorable for economic development. They see consistency in a regional concurrency approach as a healthy environment for doing business. They would favor a regional approach because it provides for predictability and it also provides an assurance that the transportation needs would be fixed. They would like to see certain criteria implemented; which could include things like transparency of the dollars, and making sure the dollars are somehow regionalized in a way that the dollars contributed by a development results in completed projects within some proximity of the development, so they (the developers) can go back to their home buyers and say, “Yes there is this X amount of fee being charged for transportation
concurrency, but it is going to be applied toward the infrastructure in this area, which in the end creates a better quality of life for you.”

- While the Development and Business Community thought of the general idea of a regional approach beneficial, they are also cautious about how a regional concurrency system might be implemented. They felt that the positive outcome of such a regionalized system totally depends on how it is going to be implemented; and only during the process of developing the details of the system, will the impacts to the development community be known.

- Small Cities have recognized the fact that the City of Spokane is the hub of the Spokane Region. Traffic coming from Cheney, for example, cannot go to Liberty Lake without passing through Spokane. There is recognition (by the Small Cities) that increasing traffic congestion in Spokane would have significant adverse impacts, not only on Spokane, but on how the entire region grows. Small Cities’ views display some significant open-mindedness and an understanding of how this whole concurrency matter with regard to priorities is a good direction for the Spokane Region.

PERCEIVED MAJOR HURDLES TO IMPLEMENTATION OF A REGIONAL CONCURRENCY MANAGEMENT SYSTEM

- Interlocal agreements (already a requirement, but few are in place); historically instead of executed interlocal agreements (agreed upon by elected officials), what successes have occurred have been because of negotiated coordination between agency staff.

- Agencies have been unable to agree on joint planning areas.

- Each jurisdiction currently has its own concurrency requirements (ordinances) and LOS Standards that are not necessarily consistent with each other.

- Highways of Statewide Significance (HSS) are exempt from concurrency.

- A big issue is the cost of projects versus the amount of money that can be collected. Having the developer build mitigation for problems not associated with its development would result in a claim of proportional share.
• The issues of measuring impacts and funding of improvements keep getting intertwined, and are separate issues.

• Difficulty in developing a uniform (regional) metric that is acceptable to all of the politicians.

• Discussions and adoption should include a wide array of stakeholders including the Downtown Association, Home Builders Associations, etc.

• Some of the bigger issues are likely to be on agreeing what the improvements ought to be and what the assessments ought to be.

• How do regional fees affect local imposed impact fees? Are they in addition to local fees, or do they replace a portion of the local fees? What is equity? What is the nexus to regional fees?

• How will projects be prioritized?

• What happens if a development is responsible for a large mitigation project that is to be completed in phases as the development is completed; and the development stalls leaving a portion of a jurisdiction (or a separate jurisdiction) with unmitigated impacts?

• Politics, CIP development, funding, and predictability.

• How to account for and/or bring Kootenai County, Idaho into the mix so that there is equity between neighboring communities across State Lines?

CONSISTENCY/ PREDICTABILITY/ EFFICIENCY

As stated earlier, support for a regional approach stems from a perception of greater continuity in the approach to review and approval of development proposals and continuity in regulations. This perception of benefit appears to be shared by both the public sector and development/business community.

• The Development and Business Community cited the current challenge for developers is dealing with multi-jurisdictions, for example, two different jurisdictions often means two different standard levels, two different requirement levels, and potentially conflicting
expectations (resulting in coordination issues and difficult working relationships). Under such a scenario, developers face greater challenges, time delays, greater expenses, development of additional traffic studies and then ultimately paying both jurisdictions (e.g., the City and the County) for development rights. The inefficiency in such a multi-jurisdiction process with no good intergovernmental coordination is negative to the Development and Business Community.

EQUITY CONCERN

Stakeholders cited the following equity-related issues:

- How the money gets distributed will be one of the major challenges in a regional concurrency system.

- For small cities, an equity issue cited is its proportional share. Likewise, how much to pay to each jurisdiction in a case involving multi-jurisdiction impacts.

- Several stakeholders raised the issue of equity with the current practice where the first guy in or the last guy in pays for the required road improvements. An example was cited in a case of an intersection that is operating at a desirable level of service before a new development came in. The community may have known for years that the intersection, at some point, is going to become overloaded (potentially from growth in background traffic), but they haven’t had the funding to make improvements. In comes new development and the level of service drops to such a point that the intersection needs to be improved. Did the new development create the deficiency? Or was the deficiency caused by the cumulative effect of background traffic growth, other development that had occurred with little noticeable impact and the new development? A valid question was asked, “Does the XYZ development pay for that intersection improvement even though its 50 trips really aren't the impact, rather the primary impact was due to the other 850 trips that were previously there?” Five years ago if XYZ had built this development he wouldn't be the one whose trips “created” the deficiency and therefore, someone else would be paying for the mitigation.

- The equity issue described above is a very big issue and a significant concern for developers when it comes to concurrency management systems. Developers are
supportive of a “scientific” (or mathematical) approach to determining a consistent and equitable methodology for calculating mitigation (fees). To the developer, equity, predictability and consistency reduce risk and costs, and make their end-product more affordable to the consumer.

- Jurisdictional leaders and business people, alike, expressed the hope and goal for a regional approach and methodology that would provide equity for everyone; such that pipeline projects, recently completed projects, as well as, the current proponent’s project would all be considered in the impact analysis (so that the first guy in or the last guy doesn’t assume the burden that was the result of several developments, or even just community growth in general).

- It was suggested that a methodology be developed with a mechanism whereby an “in lieu of” mitigation fee would be established, that would allow a developer to “pay and go” in exchange for a concurrency certification. Such a procedure would remove the requirement of having to do traffic impact analysis (TIA) on every project along a corridor that may previously have had several different traffic studies completed for different developments. The development community representatives noted that TIAs are both costly and time consuming, and time adds up to cost to developers. It was their suggestion that it is better to put, for example, that $50,000 into infrastructure than to do a traffic impact analysis when it is already known where the problems are. The benefit would be that the money would actually be going toward the improvement as opposed to more and more studies. A streamlined process of determining concurrency mitigation fee is vital.

- A regional model that is maintained by a regional organization responsible for the regional concurrency management system could potentially be used as a tool for a streamlined concurrency mitigation fee process. When a developer would come in with a project proposal (because there is a model already sitting there all of the pipeline projects presumably accounted for), the model could be run quickly and somewhat inexpensively (compared to doing a “full blown” traffic study), by the regional agency. The regional agency would then advise the developer of its impacts and mitigation determination. Again, according to individuals interviewed, developers payment would not be spending $25,000 or $50,000 doing a TIA, and instead that money would be
going directly towards solutions. The developer could review the regional agency's determination and either agree to the mitigation or challenge it by providing its own TIA, which would then be reviewed by the agency.

- Another issue of equity from the developers' perspective has to do with paying the fair share of the burden. Developers are opposed to any requirement that results in new development paying to correct existing deficiencies. The development community representatives that were interviewed recognize that new development (growth) results in impacts and they generally seem to be willing to mitigate those associated impacts. They are concerned, however, about carrying the burden of other (previous) developments and overall community growth impacts.

ECONOMIC CONCERN

As previously stated, support for a regional process stems from the perception that it will yield greater consistency in the overall approach to identifying growth impacts and assessing mitigation. The possibility of developing a consistent methodology that would reduce risks (for both the private and public sectors) was viewed as a positive economic step.

- Representatives of the development and business community cited the challenges that developers/business owners face when dealing with regulatory requirements of multiple jurisdictions. Such a process often leads to confusion, miscommunications, unidentifiable risks, delays and additional costs. These costs are then passed along to the consumer, which can have an adverse impact on economic growth.

- Public sector representatives voiced support of a regional process as a vehicle to “establish a level playing field” for new development. It would provide consistency in regulations between jurisdictions thus reducing/eliminating unhealthy competition (to avoid payments of fees) that potentially would result in undesirable growth or poorly planned growth.

- Private sector interviewees also cited a concern over the current practice (in some jurisdictions) of voluntary fees and varying fees charged by different jurisdictions as being counter-productive to well-planned growth (and meeting the intent of GMA). They likewise agreed that a consistent regional process would be advantageous, would
minimize the “shopping around for less regulation” approach to development, would ultimately reduce risks and costs, and would be viewed as a positive step in promoting economic growth. ("The current practice is essentially voluntary which is inadequate to take care of the concurrency issue.... If this mitigation type fees differs from municipal government to municipal government, and the county, then it creates a potential problem of shopping for a place to locate rather than the availability of land or rather than the best economic opportunity. There is a tendency to migrate to the area that charges the least, which is not economically a healthy outcome for the communities.")

- Some concern was raised that currently there is no baseline established from which to assess the various impacts of a regional system vs. current local systems. ("A baseline study is lacking with incomplete information to make sound assessment as to the potential impacts of a regional concurrency approach. A benchmark would be the equitable approach in dealing with vacant structures.")

AFFORDABLE HOUSING CONCERN

- Depending on how a regional concurrency system is defined and how it is implemented/enforced, is of interest to stakeholders (private sector). Their questions centered on the details and how it might impact housing pressures - affordability, market rate housing, and long term impacts? Public sector representative were also concerned with the details of such a regional system and the potential impacts that it might have on housing, because, in many cases, it is the “bread and butter” of the smaller communities.

- From the point of view of developers, the cost impacts of implementing a regional approach to concurrency may be less than maintaining the status quo. They did express concern that there are many unknowns, at this time, until the details are developed. However, the perception is still that under a regional approach there is more predictability and consistency in doing business, and thus, the impact to affordable housing is likely to be positive.

- There were concerns raised with regard to strictly defined concurrency or high standards having an adverse impact on housing costs and affordability.
POLITICAL CONCERN

- While most interviewees agreed that a coordinated approach to mitigating growth impacts and maintaining concurrency would be beneficial, most expressed concern over reaching agreement on the details.

- Several expressed the political reality that it will be difficult to implement policies/procedures that result in a jurisdiction collecting mitigation fees and then releasing them to another jurisdiction for expenditure on a project in the second jurisdiction.

- The prioritization of projects and expenditures was raised as a concern as fees collected from several jurisdictions are “pooled” for use in financing solutions on the regional system.

- Individual political concerns; loss of autonomy and loss of control relative to land use and zoning decisions, transportation system improvements and priorities, etc.

INTERGOVERNMENTAL COORDINATION/ INTERLOCAL AGREEMENTS

- There was a concern raised that there is a very strong need for intergovernmental coordination between the City of Spokane and the County as new development occurring in the County has significant impact on the City’s transportation infrastructure. There is the recognition that much of the open space available for development is located contiguous to and outside of the City of Spokane in unincorporated Spokane County.

- The current absence of interlocal agreements tends to put a “strangle-hold” on development because developers are not able to work through the political arrangements between the City and County. (“There are just no mechanisms in place at this point.”)

- An example of the lack of an interjurisdictional coordination between Liberty Lake and Spokane Valley was mentioned. Liberty Lake realizes the need to participate in improvement projects that cross jurisdictional lines into Spokane Valley. However, there is no current mechanism between the two jurisdictions to deal with such an issue.
Currently (and historically), interlocal agreements get hung up at legal review and political approval. Without interlocal agreements, the agencies have no legal clout and enforceability for collecting mitigation. The flaw in the current “procedure” is that it often results in costly litigation, extra staff time, etc. - costs that are not being accounted for in agency budgets. The advantages to interlocal agreements are predictability, consistency, and economics. Another hurdle (to both Interlocal agreements and an associated regional approach) is the question of whether everyone must be a participant. Will consensus be required? Can an agency opt out?

TWO-TIER REGIONAL CONCURRENCY SYSTEM

- Many of the interviewees favored a two-tiered approach that would establish a “regional system’ and a local system. Most generally felt that the regional system should be composed of Principal and Minor Arterials. One comment separated the two-tiered system into immediate needs vs. more expensive/long-range needs. (“It makes sense to define a two-tier system because one tier takes care of the immediate while the other tier takes care of the more expansive impacts.”)

- There is a general concern as to the “nuts and bolts” of how a regional concurrency system would operate; how it would be structured; if there would be duplication in assessments; etc.

- Developer/business representatives expressed concerns with regard to payment of mitigation assessments under any kind of regional system. (“Would a new development be assessed mitigation for both local concurrency and regional concurrency, and be required to write a check to the local jurisdiction and a check to the regional agency?”)

- A concern was raised on the issue of the potential to incorporate Highways of Statewide Significance, which are currently exempt, under the existing GMA framework.

TOP DOWN APPROACH TO CONCURRENCY

- A top down approach to concurrency as practiced in Florida is not a favored approach. It is perceived that such an approach would not work better than the current practice in Washington State.
ADMINISTRATION OF REGIONAL CONCURRENCY

When asked about how a regional concurrency management system would function, there was general consensus from the interviewees that a regional body with representation by all jurisdictions should implement and manage the program. There were a number of comments with regard to the management of a regional program: actual administration of the regional concurrency review process may have to occur in interlocal agreements within the due jurisdictions that touch boundaries. Staff internally could manage the interlocal agreements after getting through the big political and scientific hurdles, i.e., defining what concurrency is; how to measure concurrency; and so forth.

- There was some support for SRTC (as it is currently configured) to play some sort of an oversight role. The added responsibilities of managing transportation concurrency seemed, to many, a “fit” with the current role of SRTC.

- Although there was little to no support for “another layer of government”, some thought that a modified SRTC (although undefined) could serve as the forum to manage a regional concurrency system.

- There was a suggestion that the regional body that would manage the system should be structured with representation from all jurisdictions and that each jurisdiction would be allowed only one vote - the comment was that this structure would provide for a “... more level playing field.”

- Most expressed concern over any one existing government agency managing the system. Again, the general consensus was that the managing agency should be “neutral”.

- Others expressed neutrality as to what agency should take charge of implementing a regional transportation concurrency management system; however, felt that the personnel who would be involved, was much more important and relevant.

- Most respondents agreed that a “regional” authority should be established to implement and manage the system; and, that this regional agency should have the responsibility
for prioritizing projects, collecting fees and disbursing the funds. All agreed that defining how all of this would work would be a major challenge.

BASELINE STUDY AND BENCHMARK OF CONCURRENCY MEASURE

- Several stakeholders, in particular the Development and Business Community, expressed the need for a region-wide baseline traffic study or model. The absence of such baseline information makes it very difficult to quantify how much impact is truly attributable to new growth vs. how much is attributable to an existing deficiency, past (recent) projects and general community background growth. The lack of a baseline study (model) poses a significant challenge to evaluating the existing deficiencies in the roadway system.

- (“…. The importance of baseline information underscores the legislative requirement that new development is not required to pay for the old “ills” and if you don’t have a proper baseline established, then how do you know what the old ills are? Moreover, such lack of baseline data would result in not being able to collect the right amount of impact fees or mitigation fees for the needed infrastructure improvements, both short-term and long-term.”)

- There was considerable discussion regarding the idea of moving toward some common understanding of how to deal with interrelated traffic issues and concurrency. In addition, interviewees stressed the importance of developing a baseline measure for concurrency and a common measure for assessing impacts; one that all parties could agree upon.

- Most agreed that a scientifically based methodology for determining impacts and assessing mitigation fees was essential to the success of this or any other program; especially a program that will extend across jurisdictional boundaries. (“…. To have a defensible procedure and methodology for determining impacts and mitigation or solutions would take the subjectivity out of the process making it more objective.”)

- Another comment was made with regard to the establishment of fees and the importance of having a logical methodology rather than relying on “guesses” or the use of “premium payments” to expedite a project. (“…. How to measure the impacts in a
scientific way that everybody can agree upon rather than staff from one jurisdiction saying ‘well, you know we are not completely sure of the numbers, but we know it is going to impact this so we want a $500 per lot impact fee to come to our jurisdiction’, which has happened, and/or if the developer pays $1,000 per lot to allow the project to go forward and not fight for their SEPA. This is totally unscientific process and unsupportable.”)

• (“The benefit of at least establishing the benchmarks of how we measure concurrency as well as to come out with some recommended policy that would be “apolitical” would be something that would be very helpful to come out of this regional concurrency feasibility study.”)

METHODOLOGY USE FOR MEASURING LOS AND DEVELOPMENT IMPACTS

• The Development and Business Community in general supports a Regional approach as they perceive that under such an approach there would be a consistent methodology of measuring the level of service (LOS). It confuses developers if Spokane Valley is using one LOS because they think this is the way it should be while the City of Spokane is using a different one. Who (especially across jurisdictional lines) is development going to impact and how are the (various) jurisdictions going to assess the impacts just confuses things. (“.... The big issue that developers have is being blind-sided, i.e., developers are operating in an environment where they think they are doing what they are supposed to be doing because that was what they did last time, but this time it is not right. Just like everyone else, developers want to know what to expect, although they usually get behind ideas that make things simpler and more efficient.”) Again, the development community is generally positive about a regional approach to establishing a methodology for measuring LOS and impacts.

• It was suggested that there was a need to have a clear definition of roadway standards, especially in the urban growth areas (outside of existing city limits) where there is a natural transitional between urban and arterial road standards.
• Other respondents commented that typical road sections on the regional system should be Standardized as much as possible (recognizing obvious differences between urban and rural standards).

• Frustration was expressed (regarding the current system) that there was no consistency in how trips between the city and the county are to be measured, including through trips. Developers can feel that they are being held hostage with differing measurements and requirements and that they are caught between the city and the county, without any resolution.

• As discussed under the section on Equity, it was generally suggested that some type of “facts based”, consistent methodology was needed. In general, nearly all interviewees agreed that a logical, defensible methodology to determine LOS, impacts and assessments was needed and would be beneficial to all concerned. The details of such a program should include a baseline study or model, a streamlined (and consistent) approach to traffic impact analysis, and perhaps a “pay-and-go” provision (again based on some defensible logic).

STREAMLINING OF THE CONCURRENCY REVIEW PROCESS

There was general agreement as to the need for streamlining the process. Suggestions included devising a methodology within the statutes to develop a mechanism where the mitigation fee is to be agreed upon based upon science (logical and factual) and where developers would receive a “concurrency certification”, in exchange for paying a predetermined mitigation assessment (as opposed to completing an individual TIA). A regional model that is maintained by a regional organization responsible for the regional concurrency management system could be used as a tool for a streamlined concurrency mitigation fee process.

• An example at Liberty Lake was cited as a case for streamlining of the concurrency review process. What has been done at Liberty Lake (on a very small scale) is the implementation of a voluntary impact fee that a developer can pay in lieu of completing an individual traffic impact analysis. Alternatively, the developer may submit its own TIA and have it reviewed by the City. (“... The point is, once a base model is established, you can offer to the development community that you have run the model and show the
sphere of impact of each proposed development, which also includes an assessment of how much it will cost to mitigate any impact. The developer has the option of either agree to that and set up a payment schedule, or challenge the computation and instead opt to do their own traffic impact analysis. Most likely what happens is invariably they look at the analysis and they say if I look at the analysis I am just going to end up paying the fee anyway because clearly the modeling shows these intersections are failing or this will be the impact, so you end up with 100% compliance in paying the voluntary mitigation fee.”

VIEWS ON THE CURRENT CONCURRENCY EXEMPTION OF HSS FACILITIES

• (“One big concern for inclusion of HSS facility is that if it is tacked just on new development, it will deal a deathblow to economic development and to affordable housing. A direct mitigation or impact fee from local developments is not going to be a blip on the screen for handling the state projects. The state should be responsible with the current taxing structure to handle those roadways.”)

• (“Throwing the HSS into the whole mix is a terrible idea in that it will impose a great burden on developments. Instead of trying to encourage development in the denser downtown areas where zoning permits it, the high mitigation cost involving HSS would simply drive developers away.”)

• (“Under the current practice of exempting HSS from concurrency, local jurisdictions are approving developments without requiring improvements to State facilities resulting in some State Legislators …. calling for changes in GMA implementation - a proposed move to revise the GMA in the 2007 Session such that the WA State Department of Community, Trade and Economic Development (DCTED) would assume control for GMA compliance.”)

• An example of the undesirable outcome of the current practice of exempting HSS facilities from concurrency evaluation was cited concerning US-195, south of I-90 towards Pullman. There is significant development occurring along that corridor without any requirements for mitigation of impacts to US-195. The result is that congestion is increasing along with higher potential for accidents. (“....That is an area where
developments are occurring right now, that people are saying ‘well that’s great but what happens when it gets to 195 and the State has plans to widen and improve 195, but there are no resources for it?’ WSDOT has a big plan for doing lots of things, but they are not doing anything with Highway 195. So, it is getting to be a problem right now. Just accessing that road, for example, the alternative would be to put a bunch of stop lights on it. Any other location, if you are taking that number of cars off an access road to the highway, would require a stop light, but then you have to put a stop light on a state highway and that’s not going to happen.”

- (“The frustration of people where you have developers putting in developments adjacent to 195 can be seen somewhat with impunity because they don’t have to deal with the issue of what happens when they get to 195.”)

- There were comments with regard to the issue of developments taking advantage of HSS routes being exempt from concurrency; and the end result that these actions lead to some serious safety issues. US-195 was again cited as an example. At the location where traffic comes off the South Hill along Hatch Road where there is a stop controlled intersection that experiences heavy traffic volumes (on the minor leg of the intersection). (“…. Without a signal on 195, people are doing weird things like going over 4 lanes of traffic to turn, with an island going down the middle. Those are situations where the highway is acting almost like a river and you are trying to figure out how to get people across it. It is this kind of situation that the city and the local jurisdictions have no influence or control over how that .... impacts their community.”)

- (“The cities and the county local government need to have a better lever to correct those kinds of situations [US-195 examples cited above] and in concert with the WSDOT needs to be more aware of and for the lack of a better word, sympathetic to some of the local needs rather than a tunnel vision WSDOT approach that we are just moving traffic across the state and that’s all we are interested in.”)

LOCAL VERSUS STATE CONTROL OVER CONCURRENCY

- Stakeholders characterized the idea of a “State run” concurrency management system as frightening. Even more so if HSS facilities are included as part of the concurrency
equation, unless the State will pay for the cost of mitigating those state facilities. (“A direct mitigation or impact fee from local developments is not going to be a blip on the screen for handling the state projects. The state should be responsible with the current taxing structure to handle those roadways.”)

- It was suggested that developing a means to “fold” some type of HSS provision into local (or regional) concurrency plans was a better approach than revising the legislation (and practice) to a statewide concurrency concept.

- Representatives from a number of the smaller cities felt that the issue of local versus state control over concurrency is a double-edged sword. Many small cities have a State Route that passes through the community – oftentimes as the Main Street. Smaller cities tend to recognize that they have very limited resources and want the majority of the financial burden and upkeep of their main thoroughfare (the State Route) to remain the responsibility of the State. However, the cities still want to have some control over the changes that need to be made within their communities. Small cities want the decision-making of required changes to remain their function.

- There is a general lack of confidence that a state regulated concurrency system, similar to the approach in Florida, would do better than the current practice. The level of distance from staff in Olympia and the bureaucracy are not perceived well. There is a negative perception toward WSDOT’s decision-making as regard to looking at issues from the local perspective. Past experiences with WSDOT were generally characterized as unsuccessful due to conflicting priorities (goals) and in some cases the inability of local jurisdictions to provide matching (local) funds for projects.

- Many stakeholders expressed concern of the State’s (DCTED) ability to develop a model that would successfully work for many different kinds of communities. The concern is that a “one-size-fits-all” approach will be mandated; and that the approach will be skewed to address issues and priorities in the Central Puget Sound Region with little regard for the Spokane Region and/or smaller communities.

- There is also a general perception that the concurrency mandate is essentially unfunded, which makes it hard to implement on any given level.
• Most stakeholders thought that if there has been a failure to address concurrency, it is significantly tied to cost; and, (“…. that everybody wants to find the appropriate amount of growth and encourage developers to invest their resources and to build housing and other developments in places that are available for them to do that.”)

• Nearly all of the stakeholders interviewed realized that the collective wisdom of the adjacent municipal governments to find solutions is a much better approach to dealing with the Region’s concurrency management issues than (“…. going to Olympia”).

SEPA INTEGRATION

• It was suggested that the SEPA and concurrency processes should be combined in some fashion, so they are not two tandem processes. Some stakeholders thought that (“…. the outcome of SEPA and concurrency is pretty similar so why not combine them. The advantages of combining involve less of a timeframe impact and less of additional study.”)

TRANSPORTATION SYSTEM UNDER-FUNDING

• Stakeholders express their frustrations of the continuous under-funding of the transportation system. They argued that one of the challenges in implementing concurrency is the lack of funds for roadway improvements. The issue of equity (or lack of equity) on new developments and the burden of mitigating for concurrency requirements was often raised.

COLLECTION, PRIORITIZATION AND USE OF MITIGATION FEES

• A number of stakeholders suggested that the funds collected to satisfy regional impacts should then become “regional funds”. These regional funds would then be allocated under some logical and defined prioritization process to various regional projects. These funds would then be used to finance or leverage additional funds for the project to which they were allocated.

• Another suggestion on the use of these regionally collected funds was to devise a system whereby projects could “trade or borrow” funds from one another for the
purposes of getting projects built. The following scenario might serve as an example: Project A is awarded regional funds for the current year. Project A is a high priority but lacks complete funding. In the same prioritization exercise, the regional authority ranks Project B very high and awards a certain sum of money to that project. Project B is not programmed for implementation (design and construction) until two years later. Project B also has all of its funding in place. Under the stakeholder suggestion, Project A could apply to “borrow” regional funds from Project B, to be paid back over a certain period of time and at a certain rate of interest. While the details of such a program are undefined, the stated intent of such a program would be to facilitate timely completion of projects so as to maintain concurrency and not delay managed growth opportunities.

- A number of stakeholders expressed concern about collecting mitigation fees for developments with major regional impacts where construction of improvements is not immediately required in some areas and the collected fees are then prioritized to improvements in the other impacted areas of the development. In the event of a change in the economy which halts (or slows down) development, the collection of mitigation fees also ceases. In this situation a portion of the needed improvements are still required in the area where the mitigation fees were collected. However, the collected funds were already spent on improvements in other areas impacted by the development. The result is that an unfunded need remains, the development has paid their “fair-share” and that local jurisdiction is left without a solution (and is out of compliance). The concern expressed in this situation is one of equity.

VESTING AND TRIP CREDITS

- A question was raised that pertains to differences in vesting and about the length of vacancy of buildings, with regard to vesting of rights and proportional share of roadway capacity.

- The issue of vesting and trip credits is an important one for redevelopment of downtown areas. The current practice is such that “vested trip credits” for vacant buildings is purged from consideration in the traffic model every three years. According to comments received from the business community, this means that the owner/developer of that building loses the trip credit that “belongs to that building”. If the building owner
then wishes to redevelop the facility, all trips generated by the new use are considered “new trips” and subject to impact assessment. The reaction of the business community is that these trips “have been given away to other new development.” The result is that it becomes even more expensive to redevelop downtown core facilities resulting in limited incentive for complying with the intent of GMA – that is to promote infill development, greater densities and discourage sprawl.

- Representatives of the business community agree that there should be some limits to vesting, but suggest that the vesting period should be longer than 3 years, given the time it takes to bring a project online. Some suggested a 5 or 10 year period for maintaining vested rights.

ISSUE OF IDENTIFYING IMPROVEMENTS IN THE SIX YEAR CIP PLAN

- The development community again argues that projects need to be identified and developed in such a manner as to equitably assess impacts and causes of deficiencies (“…. Not all deficiencies are caused by new development.”)

- The idea of establishing a baseline traffic study or model was again emphasized.

- Developers expressed concern and frustration about the absence of specific improvements (details) identified within the six year CIP plans. The CIPs often only state, for example, “improve roadway XYZ from this intersection or for this segment to an arterial standard” without specific details of whether the improvement would widen the roadway, add a median, or add a parking lane. Developers want to know the specific improvement as this provides the basis for the impact fees, or mitigation fees for concurrency.

MEASURE OF THE EXTENT OF IMPACTS

- The question was raised about how far impacts for different types of development will be measured for the purpose of regional concurrency determination. For instance how far do we draw the impact of a proposed 200 unit residential development or a proposed 5000 square feet of commercial development? Is it measured to the nearest
HSS route? Is it “carried” to the point where the impacts no longer cause a drop in LOS, or cause the LOS to drop below the adopted standard?

SAFETY AND NETWORK CONNECTIVITY

- Stakeholders from the smaller cities raised concerns over safety and network connectivity; concern over safety issues with regard to traffic volumes, congestion, and development. They suggested that safety issues along major routes should be looked at on a regional level. They expressed the need for safer roadways. Further, they expressed concerns over the lack of staff and funds for small towns to keep up with necessary roadwork maintenance and improvements.

- Connectivity and safety were expressed by nearly all interviewees.