

ORDINANCE 2009-~~05~~-028

AN ORDINANCE OF THE CITY OF BELLINGHAM AMENDING
BMC 13.70.010 MULTIMODAL TRANSPORTATION CONCURRENCY
AUTHORITY AND PURPOSE AND THE CONCURRENCY SERVICE AREA MAP
DUE TO THE ANNEXATION OF 652-ACRES OF THE BELLINGHAM URBAN
GROWTH AREA.

WHEREAS, the City has a responsibility under State law (RCW 36.70A.070(6)(b)) to measure, monitor, and maintain locally adopted level of service (LOS) standards for the multimodal transportation network; and

WHEREAS, The Transportation Element of the Bellingham Comprehensive Plan adopts Person Trips Available by Concurrency Service Area as the City's LOS standard for the multimodal transportation network; and

WHEREAS, the City is required to adopt transportation concurrency measures to ensure that adequate transportation facilities exist or are provided concurrently with development, according to local land use priorities and LOS standards, or that funding to provide the transportation facilities is in place within a three-year time period; and

WHEREAS, two Urban Growth Areas totaling 652 acres were annexed to the City of Bellingham in February and March of 2009; and

WHEREAS, the map of Concurrency Service Areas in BMC 13.70 covers the incorporated City limits of Bellingham and must be amended to reflect the inclusion of these newly annexed areas within City limits; and

WHEREAS, a new subsection C. is proposed under BMC 13.70.010 to specify how other future annexations shall be evaluated until such time as the Concurrency Service Area map can be amended; and

WHEREAS, the City's SEPA Official has reviewed this Ordinance and related environmental checklist and has issued a Determination of Non-Significant (DNS) environmental impact (SEP2009-00004) under the State Environmental Policy Act; and

WHEREAS, as required by RCW 36.70.106, notice of the City's intent to adopt a new Multimodal Transportation Concurrency Management Ordinance was filed with the Department of Community, Trade and Economic Development on February 13, 2009, and sent to other reviewing agencies at least 60 days prior to the effective date of this ordinance; and

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City Attorney
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1 **WHEREAS**, after mailed and published notice of the proposed amendments to BMC
2 13.70 Multimodal Transportation Concurrency, the Planning Commission held a public
3 hearings on the proposed amendments on March 12, 2009; and
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5 **WHEREAS**, the Planning Commission considered the staff report, engaged in
6 deliberation, and voted 6-0 (Commissioner Sahlin absent) to recommend that the City
7 Council adopt Option #1 proposed in the staff report; and
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9 **WHEREAS**, after mailed and published notice, the City Council held a public hearing
10 on the proposed amendments to BMC 13.70 Multimodal Transportation Concurrency on April
11 13, 2009; and
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13 **WHEREAS**, the City Council has considered the staff report, public comment
14 received, and the Planning Commission Findings of Fact; and
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16 **WHEREAS**, the City Council agrees with and hereby adopts the Findings of Fact,
17 Conclusions and Recommendations of the Bellingham Planning Commission; and
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19 **WHEREAS**, the proposed amendments to BMC 13.70 Multimodal Transportation
20 Concurrency are consistent with the goals and policies of the Bellingham Comprehensive
21 Plan, the Countywide Planning Policies, and the Washington Growth Management Act.
22

23 **NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BELLINGHAM DOES ORDAIN**
24 **AS FOLLOWS:**
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27 **Section 1.** The Findings of Fact, Conclusions and Recommendations of the Planning
28 Commission as shown in Exhibit A are hereby adopted by the City Council.
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30 **Section 2:** Bellingham Municipal Code section **13.70.010 Authority and Purpose** is
31 hereby amended as follows:
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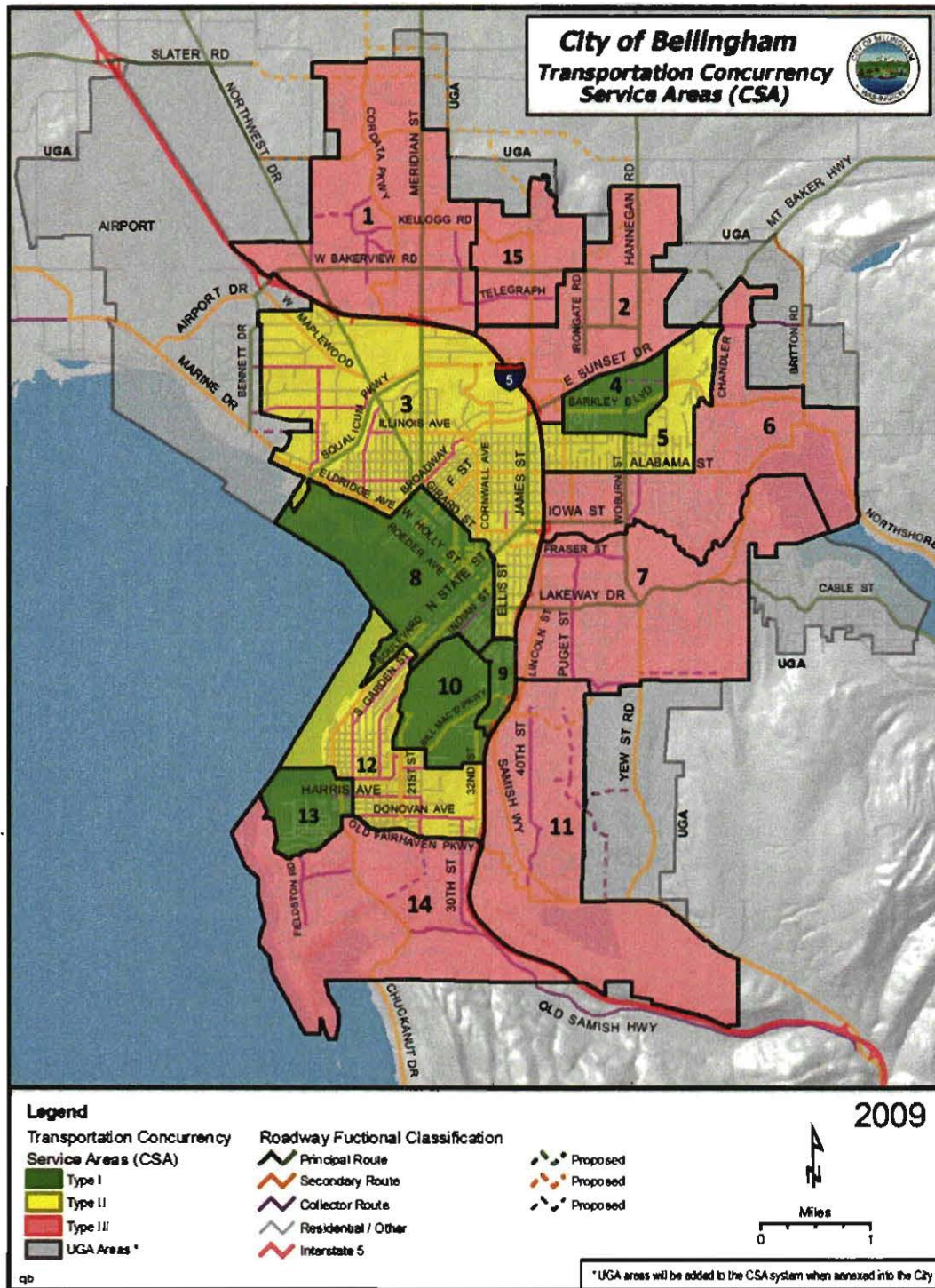
33 **13.70.010 Authority and Purpose**
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- 35 A. An ORDINANCE adopting a Multimodal Transportation Concurrency Management
36 system for pedestrian, bicycle, and transit facilities, as well as arterial streets within
37 the Bellingham City limits, as required by the Growth Management Act (RCW
38 36.70A.070(6)(e)).
39
- 40 B. The purpose of this ordinance is to establish a Multimodal Transportation
41 Concurrency Management program to ensure that adequate multimodal
42 transportation capacity in the form of "person trips" is available prior to, or concurrent
43 with, final approval of development permits.
44
- 45 C. Upon annexation to the City of Bellingham, newly incorporated areas will be classified
46 and evaluated as Type 3 CSA's unless the CSA map indicates otherwise.

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Section 3: The Concurrency Service Area map in BMC 13.70.020 L. is modified as shown, below.



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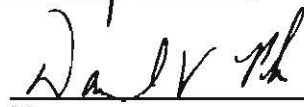
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PASSED by the Council this 18th day of May, 2009.



Council President

APPROVED by me this 26th day of May, 2009.



Mayor

ATTEST: 

Finance Director

APPROVED AS TO FORM:


Office of the City Attorney

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