

**ORDINANCE 2011-01-003**

**AN ORDINANCE OF THE CITY OF BELLINGHAM AMENDING BELLINGHAM MUNICIPAL CODE (BMC) SECTIONS 19.06.030 C. AND 19.06.040 E. TO ALLOW VEHICLE TRIP REDUCTION CREDITS DESIGNED TO LOWER TRANSPORTATION IMPACT FEES IN MASTER PLANNED URBAN VILLAGES**

**WHEREAS**, the City is required to plan under the Growth Management Act (GMA) (RCW 36.70A.040) and is therefore authorized to impose impact fees on development activity as part of the financing of public facilities (RCW 82.02.050); and

**WHEREAS**, the City has a responsibility to 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 (RCW 82.02.050 (c)); and

**WHEREAS**, the City adopted a Transportation Impact Fee (TIF) ordinance (BMC Chapter 19.06) in 1993 and has since assessed TIFs according to vehicle trip generation methodology accepted within the profession of transportation planning and engineering; and

**WHEREAS**, in April 2010, the City and Sustainable Connections jointly announced the "Ten in '10" initiative to support projects that conserve resources and minimize impact to the environment, including a "Transportation Mode Shift Incentive" to reduce transportation impact fees for performance measures that are proven to reduce on-site trip generation; and

**WHEREAS**, the proposed amendments to BMC Chapter 19.06 "Transportation Impact Fees" are consistent with the transportation and land use goals and policies of the Bellingham Comprehensive Plan and the GMA; 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 (SEP2010-00034) under the State Environmental Policy Act; and

**WHEREAS**, Public Works Transportation Planning staff has engaged in supplemental outreach efforts on the proposed amendments to BMC Chapter 19.06 "Transportation Impact Fees," including a forum for developers on October 26, 2010 and presentations before the Whatcom Community Transportation Advisory Group (CTAG) on November 3, 2010, the Whatcom Transportation Technical Advisory Committee (TTAC) on November 4, 2010, and the Board of Directors of the Building Industry Association of Whatcom County (BIAWC); and

**WHEREAS**, the staff report was emailed and mailed to Transportation Commissioners and interested citizens and made available to the public on November 1, 2010; and

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**WHEREAS**, the Transportation Commission held a public meeting on November 9, 2010, reviewed the proposed amendments to BMC Chapter 19.06 "Transportation Impact Fees," and voted 6-0 (3 Commissioners absent) to recommend that the City Council adopt the proposed amendments to BMC 19.06 "Transportation Impact Fees" in the staff report; and

**WHEREAS**, after mailed and published notice, the City Council held a public hearing on the proposed amendments to BMC Chapter 19.06 "Transportation Impact Fees" on December 6, 2010; and

**WHEREAS**, after considering the staff report, public comment received, and the unanimous Transportation Commission recommendation for approval, the City Council hereby adopts the proposed amendments to sections 19.06.030 C. and 19.06.040 E. of Bellingham Municipal Code Chapter 19.06 "Transportation Impact Fees."

**NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**

**Section 1:** Bellingham Municipal Code Chapter **19.06.030 C. is amended as follows:**

**C.** Reductions in PM peak hour traffic volume from a development as a result of traffic demand management strategies, linked trips, or other incentives to reduce PM peak hour traffic loads will be considered; and if valid, reduce the TIF.

1. Specific vehicle trip reduction credits are available in 19.06.040 E., **Table 2**, for Urban Village development in close proximity to WTA transit. Auto-oriented commercial and drive-through are not eligible.

**Section 2:** Bellingham Municipal Code Chapter **19.06.040 is amended as follows:**

**A. – D. [No changes]**

**E.** To further implement the infill land use strategy and multimodal transportation goals and policies of the Bellingham Comprehensive Plan, new development and redevelopment in Urban Villages with adopted master plans or mixed use urban development center zoning, are eligible for Vehicle Trip Reduction Credits listed in Exhibit A: Table 2. "Urban Village Vehicle Trip Reduction Credits." Auto-oriented commercial and drive-through are not eligible.


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**Section 3.** Table 2, "Urban Village Vehicle Trip Reduction Credits", attached as Exhibit A, is adopted and incorporated into BMC 19.06.030 C.1. and 19.06.040 E.


**Section 4: EFFECTIVE DATE.**

This ordinance shall become effective on Monday, February 14, 2011.

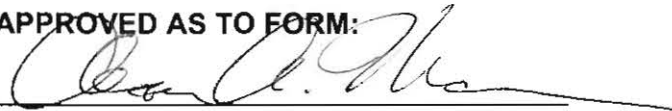
**PASSED** by the Council this 24<sup>th</sup> day of January, 2011.

  
\_\_\_\_\_  
Council President

**APPROVED** by me this 2<sup>nd</sup> day of February, 2011.

  
\_\_\_\_\_  
Mayor

**ATTEST:**   
\_\_\_\_\_  
Finance Director

**APPROVED AS TO FORM:**  
  
\_\_\_\_\_  
Office of the City Attorney

Published:  
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<b>EXHIBIT A: TABLE 2 – “URBAN VILLAGE VEHICLE TRIP REDUCTION CREDITS”</b>	<b>CREDIT</b>
<b>Menu of Location Factors and Performance Measures to Reduce Vehicle Trips</b>	
<i>Note: Reductions below are additive and may not exceed a total of 50%</i>	
<b>1.) MIXED USE URBAN VILLAGE LOCATION</b>	<b>15%</b>
<i>(Based on ITE Internal Trip Capture - Mixed Use Urban Environment)</i>	
<b>2.) WTA TRANSIT PROXIMITY (Only one transit proximity reduction below may be used)</b>	
Development fronts on a high-frequency WTA GO Line	<b>10%</b>
Development within 1/4-mile of WTA GO Line	<b>7%</b>
Development fronts on standard WTA Route (30 - 60 min)	<b>5%</b>
Development within 1/4-mile <sup>5</sup> of standard WTA Route (30 - 60 min)	<b>2%</b>
<b>3.) EMPLOYER MANDATORY COMMITMENT TO COMMUTE TRIP REDUCTION (CTR)</b>	
CTR/TDM commitment combining economic incentives with transportation services	<b>10%</b>
<b>4.) VOLUNTARY ANNUAL WTA TRANSIT PASS PROVISION (Non-CTR)</b>	
2-year transit pass provided for residential units = 1% per unit pass	<b>1%</b>
2-year transit pass provided for employees = 1% per employee pass	<b>1%</b>
<b>5.) VOLUNTARY CAR SHARE PARTICIPATION OR PROVISION (Non-CTR)</b>	
Car Share Vehicle(s) Parked On Residential or Employment Site = 2% per vehicle	<b>2%</b>
Car Share membership fee provided for residential units = 2% per unit	<b>2%</b>
Car Share membership fee provided for employees = 2% per employee	<b>2%</b>

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