

ORDINANCE #2018-12-029

AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON REGARDING TRANSPORTATION IMPACT FEES; AMENDING BELLINGHAM MUNICIPAL CODE CHAPTER 19.06 TO ESTABLISH A MULTIMODAL TRANSPORTATION IMPACT FEE SYSTEM; AND ESTABLISHING A 2019 MULTIMODAL TIF RATE

WHEREAS, the City of Bellingham has been assessing transportation impact fees per RCW 82.02 under Bellingham Municipal Code (BMC) Chapter 19.06 since the 1995 adoption of the City's first Growth Management Act (GMA) compliant Comprehensive Plan; and

WHEREAS, in November 2016, the City adopted an updated Comprehensive Plan with specific policy direction to develop a multimodal transportation impact fee system that includes pedestrian and bikeway projects from the Pedestrian and Bicycle Master Plans; and

WHEREAS, the City's Public Works Department and its consultants developed the November 2018 Multimodal TIF Study to establish a multimodal transportation system project list and a multimodal transportation impact fee (TIF) system based on person trips rather than vehicle trips to create the legal nexus necessary to assess new development for non-vehicular transportation system improvements; and

WHEREAS, in October and November 2018, the Public Works Department presented the proposed Multimodal TIF system to the Bellingham Transportation Commission (October 10); the general public (November 6 and 8); and the Building Industry Association of Whatcom County (November 8); and

WHEREAS, on November 19, 2018, the Public Works Department and its consultants presented the proposed Multimodal TIF system to the public at a Bellingham City Council public hearing; and

WHEREAS, on December 3, 2018, the Public Works Department and its consultants engaged in further discussion with City Council in a public works committee session; and

WHEREAS, City Council desires to amend Bellingham Municipal Code Chapter 19.06 in order to implement a multimodal TIF system; and

WHEREAS, City Council desires to increase the existing automatic trip reduction for mixed use environment with relatively complete pedestrian and bicycle networks in the Downtown and Fairhaven Urban Villages from 15% to 20%;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BELLINGHAM DOES HEREBY ORDAIN THAT:

Section 1. Effective January 1, 2019, new development in Bellingham shall be assessed multimodal transportation impact fees (TIFs) based on the November 2018 Multimodal TIF Study.

Section 2. Effective January 1, 2019, the multimodal TIF base rate shall be \$1,864 per person trip and shall increase incrementally over the following six years to a multimodal TIF base rate of \$2,830 per person trip in 2025.

Section 3. Effective January 1, 2019, the automatic TIF reduction for mixed use environment with relatively complete pedestrian and bikeway networks in the Downtown and Fairhaven Urban Villages shall increase from 15% to 20%.

Section 4. Bellingham Municipal Code Chapter 19.06 is amended as follows, effective January 1, 2019:

19.06 MULTIMODAL TRANSPORTATION IMPACT FEES

Sections:

- 19.06.010 Purpose.
- 19.06.020 Definitions.
- 19.06.030 Multimodal TIF ~~Transportation impact fee~~ – Levy, credits, exemptions.
- 19.06.040 Multimodal TIF ~~Transportation impact fee~~ rate schedule, ~~and zone.~~
- 19.06.050 Appeals.
- 19.06.060 ~~TIF a~~Accounts; – Refunds.

19.06.010 Purpose.

The purpose of this Chapter is to establish a multimodal transportation impact fee (TIF) system to ensure that new development pays a fair and proportionate share of the cost of constructing multimodal transportation system improvements to serve new development and growth, consistent with the Bellingham Comprehensive Plan and the multimodal level of service (LOS) standard adopted therein.

~~It is the purpose of this transportation impact fee ordinance to:~~

~~A. Ensure that adequate transportation facilities are available to serve new growth and development.~~

~~B. Promote orderly growth and development by establishing citywide standards by which new developments pay a fair and proportionate share of the cost of citywide transportation facilities necessary to serve new growth.~~

~~C. Provide a means for financing citywide growth-related transportation improvements which allows for the imposition of fees levied through established consistent procedures and criteria.~~

~~D. Maintain a minimum level of service E (LOS E) calculated as a volume to capacity ratio of 0.901 to 1.001 for the qualitative and quantitative service level of arterial street transportation facilities throughout the city, unless an alternative LOS standard has been adopted in the Bellingham comprehensive plan. [Ord. 2006-11-106; Ord. 2006-03-021].~~

19.06.020 Definitions.

For the purposes of this chapter, the terms listed shall have the following definitions and meanings consistent with RCW 82.02.090:

“Capital improvement program (CIP)” means the section of the annual city budget that contains a comprehensive list of the adopted citywide capital improvement needs, including specific multimodal transportation facility/system improvements. The CIP is cross-referenced in the capital facilities element of the Bellingham comprehensive plan and multimodal transportation system capital improvements are derived from the annually adopted six-year transportation improvement program (TIP).

“Development activity” means any construction or expansion or use of a building, structure, or use, any change in use of a building or structure, or any changes in the use of land that creates additional demand and need for public multimodal transportation facilities.

“Development approval” means any written authorization from a county, city, or town which authorizes the commencement of development activity.

“ITE Trip Generation Manual” means Institute of Transportation Engineers Trip Generation Manual (most current edition).

~~“Level of service (LOS)” means the ratio of the forecast peak hour traffic volume to the capacity of an arterial street or signalized intersection compared to the level of service (LOS) standard, as adopted in the transportation element of the Bellingham comprehensive plan.~~

“Multimodal level of service (LOS) standard” means the person trips available within each concurrency service area to serve new development as adopted in the transportation element of the comprehensive plan. Per BMC 13.70 Multimodal Transportation Concurrency, Bellingham and its urban growth area (UGA) are divided into concurrency service areas (CSAs) based on differing land use contexts. The multimodal LOS standard is calculated for each CSA using the following performance measurements:

1. Completeness of sidewalk network;
2. Completeness of bicycle network;
3. WTA transit capacity, transit route frequency, and transit ridership;
4. Vehicle traffic volume to capacity**; and
5. Access to multiuse trails.

**NOTE: The “vehicle traffic volume to capacity” performance measurement compares (a) the ratio of the volume recorded in the most recent pm peak hour traffic count to the

design capacity of an arterial street segment or signalized intersection to (b) level of service "E" in the most recent edition of the Highway Capacity Manual (HCM) published by the Transportation Research Board (TRB). LOS "E" (v/c 0.901 to 1.001) is a qualitative and quantitative measure of vehicle throughput and congestion on arterial streets and signalized intersections throughout the city.

"Multimodal transportation impact fee (TIF)" means a payment of money imposed upon development as a condition of development approval to help pay for multimodal transportation system improvements needed to serve planned growth and development. The multimodal TIF is reasonably related to the new development that creates additional demand and need for such system improvements; is a proportionate share of the cost of such system improvements; and is used for facilities that reasonably benefit the new development. "Multimodal transportation impact fee" does not include a reasonable permit or application fee.

"Multimodal Transportation system improvements" means those publicly funded multimodal transportation facilities projects that are included in the six-year transportation improvement program and capital improvement plan and are necessary to accommodate the multimodal transportation demands generated by land use development as adopted in the Bellingham comprehensive plan. By way of example and not limitation, multimodal transportation system facilities include streets, sidewalks, bike lanes, and trails.

"Owner" means the owner of record of real property, although when real property is being purchased under a real estate contract, the purchaser shall be considered the owner of the real property if the contract is recorded.

"Person trips" means the number of persons who enter/leave the development over a given time period. For transportation impact fees, this is typically defined as the peak hour. A person trip can be made by any mode (e.g., walking, driving a car, a passenger in a car, on a bus, on a bicycle, etc.).

"PM Peak hour project trips" means the ~~traffic~~ person trips estimated to be generated by a proposed development during the one-hour weekday afternoon period during which the greatest volume of traffic uses the road system. The peak hour project trips shall be estimated based on procedures identified in the Multimodal Transportation Impact Fee rate study and the city's development guidelines and improvement standards manual.

"PM Peak hour traffic" means traffic volumes during the one-hour weekday afternoon period during which the greatest volume of traffic uses the road system, as identified separately for each segment of a transportation facility. Bellingham measures the heaviest 60-minute traffic period between the hours of 4:00 p.m. and 6:00 p.m. during weekdays Monday through Friday.

"Project improvements" means site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project, and are not transportation system improvements. No improvement or facility included in a capital facilities plan or

transportation improvement program approved by the governing body of the county, city, or town shall be considered a project improvement.

“Proportionate share” means that portion of the cost of public multimodal transportation system facility improvements that are reasonably related to the service demands and needs of new development.

“Six-year transportation improvement program (TIP)” means the expenditures programmed by the city for capital purposes over the next six-year period in the six-year transportation improvement program pursuant to RCW 35.77.010. The financial plan underlying the adopted six-year transportation improvement program identifies all applicable and available revenue sources, and the plan forecasts these revenues through the six-year period with reasonable assurance that such funds will be timely put to such ends.

“Transportation impact” means the generation of new ~~vehicle-person~~ trips on the citywide transportation network, which reduces the multimodal transportation capacity available to the general public, ~~and/or causes public arterial streets to fall below adopted LOS standards.~~

~~“Transportation impact fee (TIF)” means a payment of money imposed upon development as a condition of development approval to pay for public facilities needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for public facilities, that is a proportionate share of the cost of the public facilities, and that is used for facilities that reasonably benefit the new development. “Impact fee” does not include a reasonable permit or application fee.~~

~~“Transportation service area” means the entire geographic area defined by the incorporated city limits of Bellingham in which the publicly funded transportation network provides service to new and existing development throughout the city. Land in the designated Bellingham urban growth area (UGA) is under the jurisdiction of Whatcom County until annexed into the corporate limits of the city of Bellingham.~~

~~“Transportation strategies” means transportation demand management strategies” and other means transportation industry-accepted techniques or programs that reduce single-occupant vehicle commute travel or improve the people-moving capacity of a multimodal transportation facility and that are approved by the ~~p~~Public ~~w~~Works department. Strategies may include but are not limited to vanpooling, carpooling, and public transit, access management, ~~signalization~~, and channelization.~~

~~“Transportation system improvements” means those publicly funded transportation facilities projects that are included in the six year transportation improvement program and capital improvement plan and are necessary to accommodate the transportation demands generated by land use development as adopted in the Bellingham comprehensive plan.~~

“Travel demand forecast model” is the city’s region’s computerized transportation model, which is used to develop and analyze peak hour travel demands on the city’s transportation facilities throughout Whatcom County. The model is used to forecast vehicular travel demand on the Bellingham arterial street network based on current land use designations,

population, housing, and employment data. This information is used as the basis for the multimodal transportation element chapter of the Bellingham comprehensive plan and in other transportation planning and traffic engineering applications. The Whatcom Council of Governments (WCOG) owns and maintains the regional transportation model.

“Vehicle trip” means the number of vehicles that enter/leave the development over a given time period. For transportation impact fees, this is typically defined as the pm peak hour.

19.06.030 Multimodal TIF – Levy, credits, exemptions. ~~T-transportation impact fee.~~

A. A multimodal transportation impact fee (TIF) shall be levied upon each development that produces one or more pm peak hour projectperson trip(s).

1. The number of pm peak hour projectperson trips generated by a development shall be calculated based upon an annual person trip rate schedule, which is derived from a combination of the latest version of the ITE Trip Generation Manual with vehicle-to-person trip factors derived using household travel survey and/or travel model input data.

2. The multimodal TIF rate shall be determined in a study based upon the distribution of pm peak hour projectperson trips generated by future development throughout the city using the WCOG travel demand forecast model. The multimodal TIF will be calculated by the summation of future developments’ proportionate impact on multimodal transportation system improvement projects identified in the city’s adopted six-year TIP and CIP. The proportionate share factor for computing the cost of the multimodal transportation system improvements reasonably related to growth shall be based upon the ratio of future developments’ pm peak hour projectperson trips to the pm peak hour capacity used by development of the multimodal transportation system facilities required to maintain the city’s adopted ~~arterial street~~ multimodal level of service standard in the Comprehensive Plan, at LOS E. Residential development multimodal TIFs shall be calculated on a per unit basis whereas commercial and industrial development multimodal TIFs shall be calculated on a per square foot basis, as shown on Table 19.06.040(A), Multimodal TIF Rate Schedule ~~Transportation Impact Fee Worksheet, incorporated herein by this reference.~~

3. In all cases, the amount of the multimodal TIF ~~transportation impact fees~~ shall be that which is in effect at the time of application for building permit.

B. The multimodal TIF assessment for each project shall be based on the TIF rate in effect on the date of an application for building permit or tenant improvement. Payment of the multimodal TIF shall be made prior to issuance of a building permit, or if no building permit is required, prior to approval by the city of the development by the city. Payment of the multimodal TIF for single-family detached and attached residential construction may also be deferred as allowed per Chapter 19.10 BMC.

1. The creation of an accessory dwelling unit within an existing single-family structure or detached accessory building that was designed and built for human habitation under

valid City building permits shall be exempt from the payment of multimodal transportation impact fees, provided that: 1) the area being converted to an ADU was constructed as of May 21, 2018, and 2) the scope of the work does not include conversion of a garage, nor a concurrent or subsequent floor area addition to the primary residence or accessory building. In such cases, the impact fee for the ADU shall be assessed with the aforementioned scope of work.

C. Trip reduction credits to a project's multimodal TIF assessment are available if a proposed development can show a reduction in PM peak hour person trips generated. Said reduction could be the result of transportation demand management strategies, linked trips, or other incentives that reduce PM peak hour person trips. Proposals will be considered and the credit applied to the project if approved by the city.~~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 trip reduction credits are available in Table 19.06.040(B) for urban village development in close proximity to WTA transit. Auto-oriented commercial and drive-through developments are not eligible.~~Specific vehicle trip reduction credits are available in Table 19.06.040(B) for urban village development in close proximity to WTA transit. Auto-oriented commercial and drive-through are not eligible.~~

D. The multimodal TIF shall include a credit for the value of any dedication of land for right-of-way, improvement to, or new construction of any multimodal transportation system improvements provided by the developer, to facilities that are identified in the six-year TIP and CIP and are required as a condition of the development.

E. Upon application by the owner, a partial exemption of not more than 80 percent of multimodal TIF~~transportation impact fees~~, with no explicit requirement to pay the exempted portion of the fee from public funds, may be granted to a low-income housing development, as defined below:

1. The ~~d~~Director of ~~p~~Planning and ~~e~~Community ~~d~~Development, after consultation with the ~~d~~Director of ~~p~~Public ~~w~~Works, may grant an exemption to a low-income housing project listed in an annual consolidated action plan approved by ~~e~~City ~~e~~Council.

2. The ~~e~~City ~~e~~Council may grant an exemption to a low-income housing project not included in an annual consolidated action plan.

3. The decision to grant, partially grant or deny an exemption shall be based on the public benefit of the specific project, the extent to which the applicant has sought other funding sources, the financial hardship to the project of paying the multimodal transportation impact fees, the impacts of the project on public facilities and services, and the consistency of the project with adopted city plans and policies relating to low-income housing.

4. An exemption granted under this subsection must be conditioned upon requiring the developer to record a covenant approved by the ~~e~~Director of ~~p~~Planning and ~~e~~Community ~~d~~Development that prohibits using the property for any purpose other than for low-income housing. At a minimum, the covenant must address price restrictions and household income limits for the low-income housing, and require that, if the property is converted to a use other than for low-income housing as defined in the covenant, the property owner must pay the applicable multimodal transportation impact fees in effect at the time of any conversion. Covenants required by this subsection must be recorded with the Whatcom County auditor.

5. "Low-income housing" means housing with a monthly housing expense that is no greater than 30 percent of 80 percent of the median family income adjusted for family size, for Bellingham, as reported by the United States Department of Housing and Urban Development.

19.06.040 Multimodal TIF Transportation impact fee rate schedule and zone.

A. The multimodal TIF rate schedule shall be as shown in Table 19.06.040(A). A revised multimodal TIF rate schedule shall be adopted each year by the city council ~~concurrent~~ ~~with, or~~ subsequent to, the adoption of the six-year transportation improvement program (TIP)~~for arterial streets~~. The public works department shall present TIP projects for adoption each year along with the estimated project costs.

B. Multimodal TIFs will be responsive to the cost of improvements included in the six-year transportation improvement program for arterial streets, and the type of development contemplated.

C. For purposes of this chapter, the city is comprised of one transportation impact fee zone as set forth in Table 19.06.040(A), Multimodal TIF Rate Schedule-Transportation Impact Fee Worksheet, incorporated herein by this reference. A person trip ratio and a multimodal TIF rate is identified for one peak hour ~~project~~person trip for each land use type classified in the ITE Trip Generation Manual.

D. The multimodal TIF rate study and proportionate share calculations shall be ~~determined~~ ~~by~~performed using the computerized WCOG regional travel demand forecast model. A basic multimodal TIF base rate~~fee~~ shall be established for one peak hour ~~project~~person trip. The total multimodal TIF is determined using the ITE Trip Generation Manual, the vehicle-to-person trip conversion factor, and ~~and~~ the land use designation by the development to determine the total number of pm peak hour ~~project~~person trips generated by the development. The total multimodal TIF shall be equivalent to the multimodal TIF rate multiplied by the number of peak hour ~~project~~person trips.

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~~person trip reduction credits listed in Table 19.06.040(B), Urban

Village ~~Vehicle Trip~~ TIF Reduction Credits. Auto-oriented commercial and drive-through developments are not eligible.

Table 19.06.040(A) Multimodal TIF Rate Schedule

Table 19.06.040 (A) Bellingham Multimodal TIF Schedule for 2019

Land Use Group	ITE Code	ITE Land Use Category	PM Peak	Vehicle to	PM Peak	Passby, Diverted Link % ³	Net New Person Trips ⁴	Imputed Fee Per Unit ⁵ @		Urban Village (-15%) WTA GO Line (7%)	Downtown and Fairhaven (-20%) WTA GO Line (-7%)
			Vehicle Trip Rate ¹	Person Trip Ratio ²				Person Trip Rate	\$1,864 per Person Trip		
Residential	210	Single family house	0.99		1.44	0%	1.44	\$2,676	per dwelling unit	\$2,087	\$1,953
	220	1-2 Story Multi/Townhome/ADU	0.56	1.45	0.81	0%	0.81	\$1,514	per dwelling unit	\$1,181	\$1,105
	221	3-10 Story Multi/Townhome/Condo	0.44		0.64	0%	0.64	\$1,189	per dwelling unit	\$928	\$868
	222	3+ Story Multi/Townhome/Condo	0.38		0.55	0%	0.55	\$1,027	per dwelling unit	\$801	\$750
Mix Use Comm/Res	231	1st Floor Commercial; Mid-Rise Apts	0.36	1.45	0.52	0%	0.52	\$973	per dwelling unit	\$759	\$710
	232	1st Floor Commercial; Mid-Rise Apts	0.31		0.45	0%	0.45	\$838	per dwelling unit	\$654	\$612
Hotel	310	Hotel	0.7	1.45	1.02	0%	1.02	\$1,892	per room	\$1,476	\$1,381
	320	Motel	0.58		0.84	0%	0.84	\$1,568	per room	\$1,223	\$1,144
Public Education	520	Public Elementary School	1.37	1.26	1.67	0%	1.67	\$3,115	per 1,000 sq ft	\$2,430	\$2,274
	540	Community/Technical College	1.86		2.27	0%	2.27	\$4,230	per 1,000 sq ft	\$3,299	\$3,088
	550	University/College (WVU)	1.17	1.22	1.43	0%	1.43	\$2,661	per 1,000 sq ft	\$2,075	\$1,942
Private Education	534	Private School K-8	0.26		0.32	0%	0.32	\$591	per Student	\$461	\$432
	536	Private School K-12	0.17	1.26	0.21	0%	0.21	\$387	per Student	\$302	\$282
	565	Day Care Center	0.79		0.96	90%	0.10	\$180	per Student	\$140	\$131
	560	Church	0.49		0.60	0%	0.60	\$1,114	per 1,000 sq ft	\$869	\$813
Industrial	110	Light Industrial	0.63		0.68	0%	0.68	\$1,268	per 1,000 sq ft	\$989	\$926
	140	Manufacturing	0.67	1.08	0.72	0%	0.72	\$1,349	per 1,000 sq ft	\$1,052	\$985
	150	Warehouse	0.19		0.21	0%	0.21	\$382	per 1,000 sq ft	\$298	\$279
	151	Mini-warehouse	0.17		0.18	0%	0.18	\$342	per 1,000 sq ft	\$267	\$250
Offices	710	General Office	1.15		1.40	0%	1.40	\$2,615	per 1,000 sq ft	\$2,040	\$1,909
	715	1 Tenant Office	1.71	1.22	2.09	0%	2.09	\$3,889	per 1,000 sq ft	\$3,033	\$2,839
	720	Medical/Dental Office	3.46		4.22	0%	4.22	\$7,868	per 1,000 sq ft	\$6,137	\$5,744
Recreation	492	Health/Fitness Club	3.45	1.25	4.31	0%	4.31	\$8,039	per 1,000 sq ft	\$6,270	\$5,868
	495	Recreational Community	2.31		2.89	0%	2.89	\$5,382	per 1,000 sq ft	\$4,198	\$3,929
Auto Retail/Services	941	Automobile Sales	2.43	1.25	3.04	0%	3.04	\$5,662	per 1,000 sq ft	\$4,416	\$4,133
	942	Automobile Parts Sales	2.26		2.83	43%	1.61	\$3,002	per 1,000 sq ft	\$2,341	\$2,191
	843	Auto Care Center	3.11		3.89	0%	3.89	\$7,246	per 1,000 sq ft	\$5,652	\$5,290
	944	Gas station	14.03		17.54	42%	10.17	\$18,960	per pump	\$14,789	\$13,841
	945	Gas Station w/Convenience Market	22.36		27.95	56%	12.30	\$22,923	per pump	\$17,880	\$16,734
Retail/Service	816	Hardware/Paint Store	2.68	1.25	3.35	26%	2.48	\$4,621	per 1,000 sq ft	\$3,604	\$3,373
	820	Retail Shopping Store	3.81		4.76	34%	3.14	\$5,859	per 1,000 sq ft	\$4,570	\$4,277
	850	Supermarket	9.24		11.55	36%	7.39	\$13,779	per 1,000 sq ft	\$10,747	\$10,058
	851	Convenience market-24 hr	49.11		61.39	51%	30.08	\$56,069	per 1,000 sq ft	\$43,734	\$40,930
	854	Discount Supermarket	8.38		10.48	21%	8.28	\$15,425	per 1,000 sq ft	\$12,032	\$11,260
	857	Discount Club	4.18		5.23	0%	5.23	\$9,739	per 1,000 sq ft	\$7,597	\$7,110
	876	Apparel Store	4.12		5.15	0%	5.15	\$9,600	per 1,000 sq ft	\$7,488	\$7,008
	880	Pharmacy/Drug Store	8.51		10.64	53%	5.00	\$9,319	per 1,000 sq ft	\$7,269	\$6,803
	881	Pharmacy/Drug Store w/Drive-Up	10.29		12.86	49%	6.56	\$12,228	per 1,000 sq ft	\$9,538	\$8,926
	890	Furniture Store	0.52		0.65	53%	0.31	\$569	per 1,000 sq ft	\$444	\$416
	912	Bank with Drive-Up Teller	27.15		33.94	35%	22.06	\$41,119	per Window	\$32,073	\$30,017
Restaurant/Drinking	918	Hair/Nail Salon	1.45		1.81	0%	1.81	\$3,379	per 1,000 sq ft	\$2,635	\$2,466
	925	Drinking Place	11.36	1.25	14.20	75%	3.55	\$6,617	per 1,000 sq ft	\$5,161	\$4,831
	930	Fast Casual Restaurant	14.13		17.66	0%	17.66	\$32,923	per 1,000 sq ft	\$25,680	\$24,034
	931	Quality Restaurant	7.8		9.75	44%	5.46	\$10,177	per 1,000 sq ft	\$7,938	\$7,430
	932	High Turnover Restaurant	9.77		12.21	43%	6.96	\$12,976	per 1,000 sq ft	\$10,121	\$9,472
	934	Fast food, w/Drive-Up	32.67		40.84	50%	20.42	\$38,061	per 1,000 sq ft	\$29,687	\$27,784
	938	Drive-Up Coffee Stand	43.38		54.23	90%	5.42	\$10,108	per 1,000 sq ft	\$7,884	\$7,379

¹ ITE Trip Generation (9th & 10th Editions): 4-6 PM Peak Hour Vehicle Trip Generation Rates for Adjacent Street Traffic (weekday 4-6PM); Worksheet represents only most common uses in Bellingham and is NOT all-inclusive

² The ratio of vehicle trips to person trips as extracted from the 2014 PSRC Household Travel Survey and validated against similar data in the 2004 WCOG Travel Model Development Report

³ Excludes pass-by trips: see "Trip Generation Handbook: An ITE Proposed Recommended Practice" (2014). For Restaurant sit-down uses, percentage of new trips based on peer studies with higher pass-by trip levels to be more consistent with trends expected in Bellingham.

⁴ PM Peak Person Trip Rate multiplied by the Passby, Diverted Link percentage

⁵ dwelling = dwelling unit, sq ft = square feet, pump = vehicles servicing position/gas pump, room = available hotel/motel room, window = number of drive through teller windows/ATM drive through positions

Table 19.06.040(B) – Urban Village Vehicle-Trip Reduction Credits

<i>Bellingham Urban Village Trip Reduction Credits¹</i>	<i>Credit</i>
Mixed Use Urban Village Location:	
Downtown and Fairhaven	20%
Other Urban Villages	15%
WTA Transit Proximity (only one transit proximity reduction below may be used)	
Development fronts on a high-frequency WTA GO Line	10%
Development within 1/4-mile of WTA GO Line	7%
Development fronts standard WTA Route (30-60 minute frequency)	5%
Development within 1/4-mile of standard WTA Route (30-60 minute frequency)	2%
Employer Mandatory Commitment to Commute Trip Reduction ²	10%
Voluntary Installation of City-Approved Bicycle Racks (4-bike capacity)	1%
Voluntary Annual WTA Transit Pass Provision (Non-CTR), see below:	
2-year transit pass provided for residential units = 1% per pass per unit	1% per pass
2-year transit pass provided for employees = 1% per pass per employee	1% per pass
Voluntary Car Share Participation or Provision (Non-CTR)	
Car share vehicle(s) parked on residential or employment site = 2% per vehicle	2% per vehicle
Car share membership fee provided for residential units = 2% per unit	2% per membership
Car share membership fee provided for employees = 2% per employee	2% per membership
Note: ¹ Reductions in this table are additive and may not exceed a total of 50% ² CTR program details must be approved by City staff	

19.06.050 Appeals.

A. A multimodal TIF determination may be appealed to the pPublic wWorks dDirector in writing describing the alleged defect of the multimodal TIF determination within 10 days of the appellant being notified of the multimodal TIF determination.

B. The pPublic wWorks dDirector's decision under this section may be appealed to the Bellingham hHearing eExaminer for resolution pursuant to Chapter 2.56 BMC by filing a written request for hearing with the hHearing eExaminer, with a copy to pPublic wWorks, within 10 days of the pPublic wWorks dDirector's decision.

C. Only the following determinations may be appealed pursuant to this section and the provisions of this chapter shall be presumed valid:

1. Multimodal TIF rate applied to development project, based on date of permit application.
2. Total number of pm peak hour projectperson trips.
3. Interpretation of the HTE Trip Generation Manual multimodal TIF rate schedule.
4. Reduction of the multimodal TIF rate.

D. The appellant shall have the burden of producing and presenting technical evidence that clearly shows the basis and substantiation of the appeal upon submittal.

E. The pPublic wWorks dDirector and the hHearing eExaminer shall have authority to affirm, modify or reverse the determination upon appeal. The multimodal TIF may be modified upon a finding that the original determination was erroneous or when, due to unique circumstances of the development, the multimodal TIF as determined by this chapter imposes upon the development more than its fair pro rata share of the cost of multimodal transportation facilities in the six-year transportation improvement program.

F. A multimodal TIF may be paid under protest in order to obtain a permit or approval of development activity.

19.06.060 TIF aAccounts; —Refunds.

A. All multimodal TIF receipts shall be retained in a separate interest-bearing account of the street program. Multimodal TIFs and interest thereon shall only be expended for the purpose for which the multimodal TIFs were imposed.

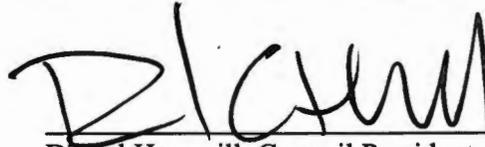
B. Multimodal TIFs shall be expended or encumbered within 10 years of receipt, unless the eCity eCouncil, in writing, finds that there are extraordinary or compelling reasons for the multimodal TIFs to be held longer than 10 years.

C. In the event a multimodal TIF is not expended or encumbered within 10 years of receipt, or such longer period of time as is established in this section, on public facilities intended

to benefit the development for which the multimodal TIF was paid, the current owner of the property for which the TIF was paid may receive a refund of the unspent and unencumbered portion of the multimodal TIF, together with interest earned thereon. In order to receive a refund, the request must be submitted to the city in writing within one year of the expiration date. Notice of a potential refund is placed in the U.S. Mail, First Class, to the property owner as is then shown on the records of the Whatcom County assessor. Any multimodal TIF not expended within the above-stated time limits for which no request for a refund is received shall be held and expended on the indicated multimodal transportation system facility.

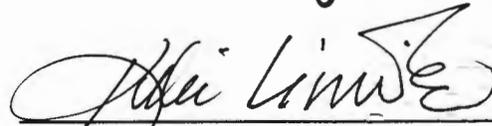
D. A developer who has paid a multimodal TIF but does not proceed with a development, shall receive, upon request, a refund of the multimodal TIF, together with interest earned thereon, provided no person trip impact has resulted from the development, minus an appropriate administrative processing fee.

PASSED by City Council this 10th day of December, 2018.



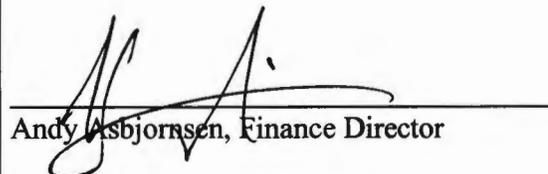
Daniel Hammill, Council President

APPROVED by me this 2nd day of January, 2019.



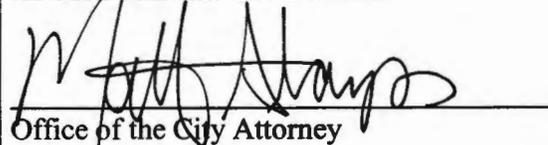
Kelli Linyille, Mayor

ATTEST:



Andy Asbjornsen, Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

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