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Bellingham will lower developers' fees if they can reduce traffic impacts

JARED PABEN / THE BELLINGHAM HERALD

BELLINGHAM - Developers will get breaks on transportation impact fees if they build in some urban locations and from their projects.

The City Council on Monday, Jan. 24, voted 5-2, with Michael Lilliquist and Jack Weiss opposed, to approve the fee law. Under the law, developers can get discounts of up to 50 percent on their fees. For 2011, the fee is \$1.00 per rush hour trip the project is expected to generate.

Lilliquist and Weiss said they wanted to see changes to the law before it was approved.

Under the law, which was applauded by both anti-sprawl group Futurewise and the Associated General Contractors, developers may earn the following discounts (to a maximum of 50 percent):

- **Urban village area:** They automatically get a 15 percent discount for building in mixed-use urban villages, in Fairhaven and Barkley.
- **Proximity to transit:** They get various discounts depending on how close to a transit line they are, as well as the number of employees. The discounts range from 2 percent to 10 percent. Beyond a quarter mile from a transit line no discount is offered.
- **Buying bus passes:** For each two-year bus pass they provide for each employee or home in the project, the developer gets a 10 percent discount.
- **Trip-reduction plans:** Large businesses required by state law to participate in a commute trip reduction plan (with more employees) get a 10 percent break in the fee.
- **Car-share participation:** They can get 2 percent discounts for helping participation in car-share programs (if the project doesn't have one).

Council members debated whether they should approve the law now or make changes proposed by Lilliquist if he said they saw flaws in the way the law was written. Weiss said there was no reason the city couldn't wait to pass a legally defensible version.

"We're going to have to live with a substandard, if not an unworkable, ordinance," Weiss said immediately before the council approved it.

Proposed changes from Lilliquist involved everything from the areas where the credit would immediately apply to providing discounts for providing two-year bus passes.

Mayor Dan Pike said he supported approving the law as staff drafted it and then making any changes later if council members said they felt staff drafted a defensible law. Council member Gene Knutson said he understood the law and the generally accepted industry methodology they used to ensure it passed legal muster.

The council on Dec. 6 voted to approve the first and second reading of the law, but laws are not approved until the third and final reading. The council was scheduled to take the third and final reading on Dec. 13, but it decided to approve it until January.

SEE LAW DETAILS

Click on the links below to see:

- [A staff report](#) from the city's transportation planner on the law.
- [The council agenda item](#) for Monday's meeting on it.
- [A summary of the changes](#) proposed by council member Michael Lilliquist that were not approved by the cou

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