

ORDINANCE NO. _____
AN ORDINANCE relating to transportation impact fees: adopting a revised traffic impact fee technical program document; setting initial rates based upon the revised technical program document; and setting an effective date.

WHEREAS, Clark County Ordinance No. 1990-09-47 first created a system of impact fees imposed on new development so that the new development would pay a proportionate share of the cost of public facilities to serve new growth in the County; and,

WHEREAS, the transportation capital facilities element of the comprehensive growth management plan provides the foundation for the technical program document that **details the substance and structure of Clark County's Traffic Impact Fee Program**; and

WHEREAS, Ordinance 2014-11-03 revised the capital facilities plan pursuant to changes to the transportation concurrency Ordinance 2014-08-09 and codified in Clark County Code (CCC) 40.350.020; and

WHEREAS, City of Vancouver Resolution M-3842 has terminated the Interlocal Agreement between Clark County and the City of Vancouver for traffic impact fee joint program administration, requiring the County to fully administer its own current program; and

WHEREAS, the traffic impact fee technical program document needs updating to reflect these adjustments to the capital facilities element of the comprehensive plan; and

WHEREAS, the county has undertaken a comprehensive review of its transportation impact fee methodology with options for potential programmatic and technical revisions having been presented in staff and consultant reports, and policy direction having been provided by the board; and,

WHEREAS, the board concludes that it is in the best public interest to immediately implement program revisions relating to a cost allocation methodology for regional projects, including the formation of one rural impact fee district and three urban impact fee districts, as established in the technical program document adopted herein; and,

WHEREAS, additional analysis and public process is warranted as to other potential technical and

programmatic revisions to the traffic impact fee program; and,

WHEREAS, the traffic impact fee technical program document adopted herein is authorized by and in compliance with the provisions of Chapter 40.6 of the Clark County Code (Development Impact Fees) and RCW 82.02.050-100 (Impact Fees); and is consistent with and implements the transportation capital facilities element of the county's comprehensive growth management plan; now, therefore,

BE IT ORDERED, RESOLVED AND DECREED BY THE BOARD OF COUNTY

COUNCILORS for the COUNTY OF CLARK, State of Washington, ASFOLLOWS:

Section 1. Amendatory. Section 6 of Ordinance 1990-09-47, as most recently amended by Section 53 of 2005-04-12, and codified in CCC Section 40.610.040, are each amended to read as follows:

40.610.040 Imposition of Impact Fee

- A. No building permit shall be issued for applicable development in a designated service area as defined in this chapter unless the impact fee is calculated and imposed pursuant to this chapter.
- B. ~~For single family/duplex residential subdivisions and short subdivisions hereinafter approved, the per lot impact fee shall be calculated at the time of preliminary plat or short plat approval, recorded within the Developer Covenants to Clark County, and imposed on a per lot basis at the time of building permit application. For new multifamily and nonresidential development hereafter approved, the impact fee shall be calculated at the time of site plan approval unless deferred to building permit application because the nature of the development is then not sufficiently defined to permit such calculation, and the impact fee shall be imposed at the time of building permit application. Notwithstanding the foregoing, the fee shall be recalculated for building permit applications filed more than three (3) years following the date of the applicable preliminary plat, preliminary short plat or site plan approval. Impact fees shall be calculated at the time of building permit issuance.~~

Section 2. Amendatory. Section 8 of Ordinance 1990-09-47, and codified in CCC Section 40.620.010, are each amended to read as follows:

40.620.010 Traffic Impact Fee Formula

The impact fee component for roads shall be calculated using the following formula:

$$TIF = F \times T \times A$$

- A. ~~“TIF” means the traffic impact component of the total development impact fee.~~
- B. ~~“F” means the traffic impact fee rate per trip in dollar amounts, for each service area. Such rate shall be established in the Traffic Impact Fee Technical Program Document for each service area by~~

estimating the cost of anticipated growth-related roadway projects divided by the projected number of growth-related trips within that service area. Between major program updates, the calculated per trip fee will be adjusted annually to account for inflation using the Engineering News-Record Construction Cost Index for Seattle.

- C. "T" means the trips generated by a proposed development and calculated according to the Traffic Impact Fee Program Technical Document, incorporated herein by this reference. The calculation of "T" described by the Traffic Impact Fee Program Technical Document includes, for some retail commercial land uses, a "business enhancement factor (BEF)" adjustment, based on policy considerations. In the absence of a land use code precisely fitting the development proposal, the Public Works director or designee shall select the most similar code and may make appropriate adjustments to the trip equation applicable thereto. In selecting the appropriate land use code and in making adjustments thereto, the director shall be guided by the most recent edition of the Trip Generation Manual, Institute of Transportation Engineers.
- D. "A" means an adjustment for the portion of anticipated additional tax revenues resulting from a development which is proratable to system improvements contained in the capital facilities plan. Such adjustment for traffic impacts is determined to be fifteen percent (15%), so that "A" equals eighty-five percent (85%).

TIF =

(Size of development by Unit of Measure / Unit of Measure) × (Daily Trips per Unit of Measure) × (Pass-by Factor) × (BEF) × (0.85) × (Fee per Daily Trip by District)

- A. "Unit of Measure" means the associated trip generation rates and other factors by land use type that have been adopted in the Traffic Impact Fee Technical Document. These rates are based on the Institute of Transportation Engineers Trip Generation User's Guide.
- B. "Pass-by factor" means trips that are made as intermediate stops on the way from an origin to a primary trip destination without a route diversion. The pass-by factor can be obtained in the Institute of Transportation Engineer's Trip Generation Manual.
- C. "BEF" means Business Enhancement Factor; a multiplier of 0.70 used to reduce TIF payment for retail and service-related businesses only. Retail and service related businesses have shorter average trip lengths, reducing impacts on the existing transportation infrastructure.
- D. Adjustment of 0.85 is applied for the portion of anticipated additional tax revenues resulting from a development which is proratable to system improvements contained in the capital facilities plan.

Section 3. Amendatory. Section 2 of Ordinance 2001-08-01A, as most recently amended by Section 6 of 2010-07-07, is amended to read as follows:

The traffic impact fee technical program document attached hereto as Exhibit "A" is hereby adopted and codified as Appendix G to the Clark County Code.

Section 4. Effective Date. This ordinance shall go into effect at midnight on October 1,

2015.

Section 5. Instructions to Clerk.

The Clerk of the board shall:

- 1) Transmit a copy of this ordinance to the Washington State Department of Commerce within ten (10) days of its adoption, pursuant to RCW 36.70A.106;
- 2) Record a copy of this Ordinance with the Clark County Auditor; and
- 3) Cause notice of adoption of this ordinance to be published forthwith, pursuant to RCW 36.70A.290.

ADOPTED this _____ day of _____, 2015.

Attest:

BOARD OF COUNTY COUNCILORS
CLARK COUNTY, WASHINGTON

Clerk to the Board

By _____
David Madore, Chair

Approved as to Form Only:
ANTHONY F. GOLIK
Prosecuting Attorney

By _____
Tom Mielke, Councilor

By _____
Christine Cook
Sr. Deputy Prosecuting Attorney

By _____
Jeanne Stewart, Councilor

Exhibit A

TRAFFIC IMPACT FEE TECHNICAL PROGRAM DOCUMENT UPDATED _____

This document provides information on the substance and structure of Clark County’s Traffic Impact Fee (TIF) Program.

Contents

- 1) Trip generation table – Adopted Rates
- 2) Fee inflation methodology
- 3) Incentives for Highway 99 Overlay Sub-Area

Exhibits

- a. TIF District Map
- b. Current Impact Fee Rates
- c. TIF Capital Project List
- d. Regional Project Allocation Table
- e. Highway 99 Overlay District Boundary Map

Trip Generation Table – Adopted Rates

The table below presents trip generation rates and other factors by land use type that have been adopted for use in the TIF program. These rates are based on the Institute of Transportation Engineers Trip Generation User’s Guide. However, by statute, an applicant may choose to do an independent fee calculation (if applicable). Trip generation rates are calculated by land use category according to the following formula:

$$\text{TIF} = (\text{Size of development by Unit of Measure}) / (\text{Unit of Measure}) \times (\text{Daily Trips per Unit of Measure}) \times (\text{Pass-by Factor}) \times (\text{BEF})^a \times (0.85)^b \times (\text{Fee per Daily Trip by district})$$

ITE Land Use Code	Land Use	Daily Trips per Unit of Measure	Unit of Measure ^c	Pass-by Factor
010	Waterport/Marine	171.52	# Berths	1
022	General Aviation	1.97	Average Flights Per Day	1
110	General Light Industrial	6.97	1,000 sq. ft. GFA	1
130	Industrial Park	6.83	1,000 sq. ft. GFA	1
140	Manufacturing	3.82	1,000 sq. ft. GFA	1
150	Warehousing	3.56	1,000 sq. ft. GFA	1
151	Mini Warehouse	2.5	1,000 sq. ft. GFA	1
210	SFR	9.52	Dwelling Units	1
220	Apartment	6.65	Dwelling Units	1
230	Condo/Townhome	5.81	Dwelling Units	1
240	Mobile Home Park	4.99	Dwelling Units	1
251	Senior Adult Housing Detached	3.71	Dwelling Units	1
254	Assisted Living - Alzheimer	2.74	Occupied Beds	1
255	Continuing Care Retirement	2.40	Occupied Beds	1
310	Hotel	8.17	Rooms	1
320	Motel	5.63	Rooms	1
412	County Park	2.28	Acres	1

ITE Land Use Code	Land Use	Daily Trips per Unit of Measure	Unit of Measure ^c	Pass-by Factor
540	Community College	1.23	Student Capacity	1
550	University/College	1.71	Student Capacity	1
560	Church	9.11	1,000 sq. ft. GFA	1
565	Day Care Center	74.06	1,000 sq. ft. GFA	0.45
590	Library	56.24	1,000 sq. ft. GFA	1
610	Hospital	13.22	Beds	1
620	Nursing Home	2.74	Beds	1
710	General Office (<10,000 sf)	11.03	1,000 sq. ft. GFA	1
710	General Office (10,001-100k sf) ^d	13.60 (x) - 26	1,000 sq. ft. GFA	1
710	General Office (100,001-300k sf) ^d	8.87 (x) + 447	1,000 sq. ft. GFA	1
710	General Office (>300k sf) ^d	6.51 (x) +155	1,000 sq. ft. GFA	1
720	Medical Dental	36.13	1,000 sq. ft. GFA	1
750	Office Park	11.42	1,000 sq. ft. GFA	1
770	Business Park	12.44	1,000 sq. ft. GFA	1
813	Free-Standing Discount Superstore	50.75	1,000 sq. ft. GFA	0.72
815	Free-Standing Discount	57.24	1,000 sq. ft. GFA	0.83
817	Nursery Garden Center	68.10	1,000 sq. ft. GFA	.45
820	Shopping Center (<25k)	42.94	1,000 sq. ft. GLA	.45
820	Shopping Center (25,001-50k) ^d	130.16 (x) - 2180	1,000 sq. ft. GLA	.55
820	Shopping Center (50,001-100k) ^d	49.26 (x) + 1865	1,000 sq. ft. GLA	.6
820	Shopping Center (100,001-300k) ^d	35.40 (x) + 3250	1,000 sq. ft. GLA	.65
820	Shopping Center (300,001-600k) ^d	26.31 (x) + 5978	1,000 sq. ft. GLA	.7
820	Shopping Center (>600K) ^d	19.69 (x) + 9947	1,000 sq. ft. GLA	0
841	Car Sales	32.30	1,000 sq. ft. GFA	1
843	Automobile Part Sales	61.91	1,000 sq. ft. GFA	0.57
848	Tire store	24.87	1,000 sq. ft. GFA	0.72
851	Convenience Market Open 24 hours	737.99	1,000 sq. ft. GFA	0.4
852	Convenience Market Open 15-16 hours	345.7	1,000 sq. ft. GFA	0.4
853	Convenience Market w/ Pumps	542.6	Fueling Positions	0.35
854	Discount Supermarket	90.86	1,000 sq. ft. GFA	0.77
857	Discount Club	41.8	1,000 sq. ft. GFA	0.9
862	Home Improvement	30.74	1,000 sq. ft. GFA	0.5
875	Department Store	22.88	1,000 sq. ft. GFA	0.3
880	Pharmacy/Drug Store w/o Drive through	90.06	1,000 sq. ft. GFA	0.45
890	Furniture Store	5.06	1,000 sq. ft. GFA	0.5
912	Drive In Bank	148.15	1,000 sq. ft. GFA	0.45
931	Quality Restaurant	89.95	1,000 sq. ft. GFA	0.55
932	High Turnover Sit Down Restaurant	127.15	1,000 sq. ft. GFA	0.55
934	Fast Food w/ drive thru	496.12	1,000 sq. ft. GFA	0.5
936	Coffee/Donut w/o drive thru	407.5	1,000 sq. ft. GFA	0.32
942	Auto Repair	31.10	1,000 sq. ft. GLA	1
944	Gasoline/Service Station	168.56	Fueling Positions	0.6

- a. BEF means Business Enhancement Factor, a multiplier of 0.70 used to reduce the TIF payment for retail and service related businesses.
b. This adjustment, 0.85, is applied pursuant to CCC 40.620.010(D)
c. Terms: sq.ft.=square feet, gfa=gross floor area, gla=gross leaseable area
d. In Daily Trip Equation – (x) = total sq ft/1,000 sq ft (unit of measure)

Fee Inflation Methodology

In between full-fledged program updates, per trip fees will be updated annually based on the Engineering News Record (ENR) Construction Cost Index (CCI) for Seattle. This will occur annually using **the base year CCI for Seattle with base year value set at \$10,388 from January 2015.**

Annual fee adjustments will be made according to the following formula:

$$\text{(newest January CCI) / (base year CCI) x district fee = inflation adjusted fee}$$

Adjustments to project cost for issuance of credits will be calculated as:

$$\text{(newest January CCI) / (base year CCI) x total project cost = inflation adjusted project cost)$$

Incentives for Highway 99 Overlay Sub-Area

Sub-area plan was designed to incorporate a form-based code to regulate development to achieve a specific urban form. An incentive program has been established “to revitalize” the historic Hazel Dell district. Five incentive opportunities may be available to those parcels identified within Appendix F of Title 40 and authorized by CCC 40.630.060 if certain criteria are met.

Approval Process: Separate review/approval application to be submitted directly to Clark County Public Works. Application must be submitted and approved prior to building permit issuance. There will not be any incentive consideration once building permits have been issued, with the exception of TIF credits given for signal improvements. Process is identified in the land use approval.

Incentive 1: 10% Average Daily Trip (ADT) Reduction for High Frequency Transit

Applicant must submit a transit plan that outlines:

- a. Location of transit stop directly related to the site or within ½ mile of proposed development.
- b. Verification of transit frequency of 30 minutes or better for peak hour service.
- c. Time schedules verified by C-Tran.

Incentive 2: TIF credits for bike/ped/transit amenities

As a condition of approval, applicant to provide publicly owned amenities as identified in Appendix F. Only amenities that are public and are permanent pedestrian or bicycle related amenities are eligible for TIF credit.

Applicant must submit location and types of amenities to be constructed as part of the proposed development. The following are features that are approved to receive up to \$1,500 TIF credit per feature installed:

- a. Pedestrian Furniture
- b. Bicycle Racks
- c. Ground-Mounted Pedestrian-scaled lighting
- d. Informational kiosks
- e. Transit Shelters

If the TIF credits are granted and the amenities have not been installed prior to occupancy, occupancy can be denied until additional TIF fees have been paid. Verification of amenities installed will be conducted prior to occupancy.

TIF credits are awarded on a first come, first serve basis and may be limited, can only be redeemed on the development that has required the amenity.

Incentive 3: Provide TIF credits for Signalization improvements.

Signalization improvements within the sub-area are eligible for TIF credits. Credits can be used within the Hazel Dell District. Same requirements apply as outlined in CCC40.630.060.

Incentive 4: Additional 5% Business Enhancement Factor for under-represented uses.

This incentive is based on the assumption that trip lengths will be reduced, therefore limiting traffic congestion and roadway improvement needs elsewhere.

Applicant to submit a study to show that the proposed development is under-represented by proving that there are less than two like businesses within a five miles radius of proposed location.

Incentive 5: Additional 10% Average Daily Trip Reduction for all development in a designated “Activity” center.

This incentive is based on the assumption that the trip generation rate will be reduced to account for internal trips between uses within the designated activity centers.

Applicant to notify TIF Coordinator that the proposed development falls within a designated Activity center. Adjustment to fees will be made to Tidemark to reflect trip reduction.

Exhibit A

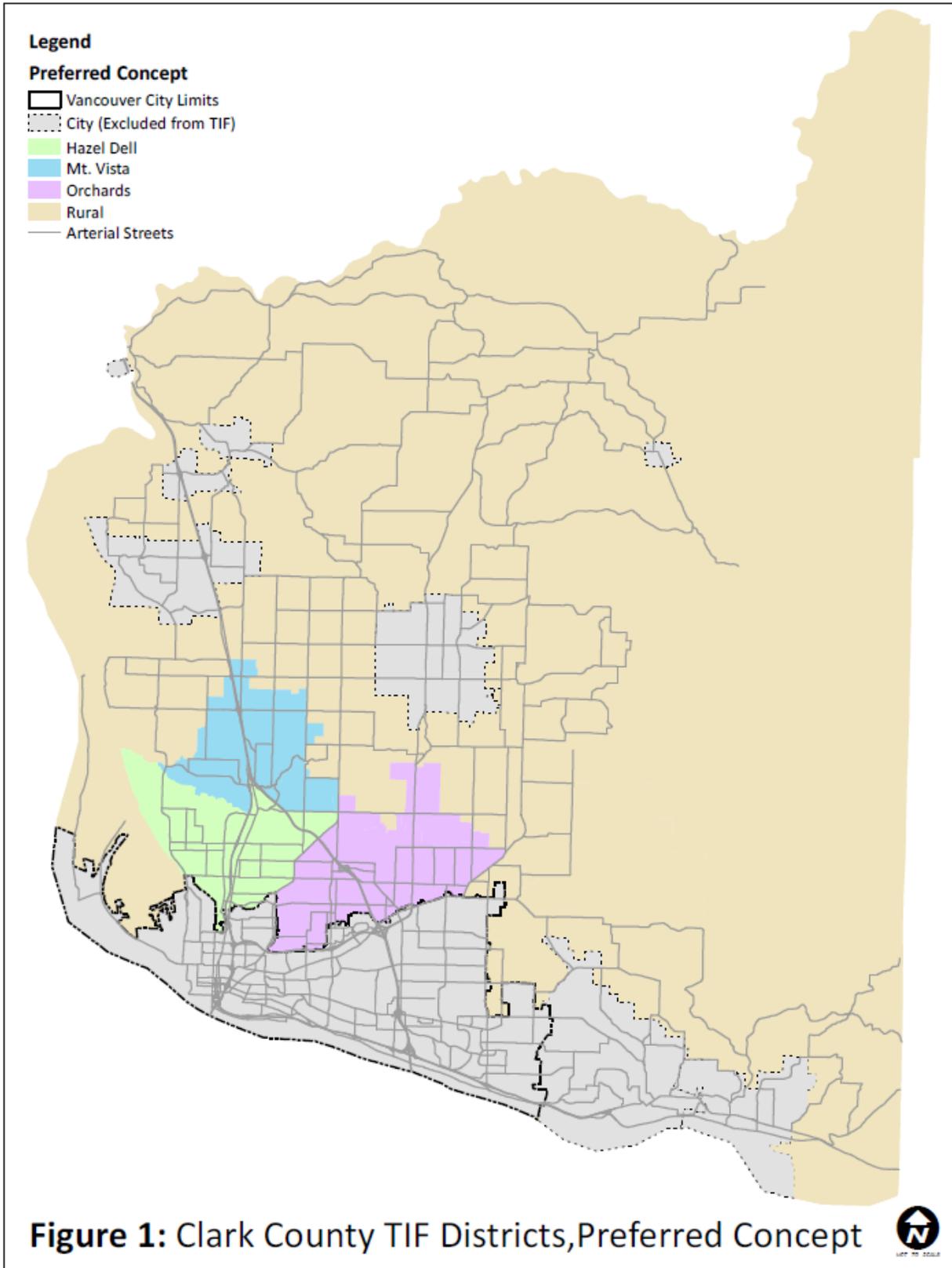


Exhibit B

Impact Fee Rates

District	Fee per Daily Trip
Hazel Dell	\$283
Mt. Vista	\$437
Orchards	\$348
Rural	\$271

Exhibit C

TIF Capital Project List

Projects with a Specific Location				
Road	From	To	Total Cost in 2015 ¹	County Cost Share
NE 119 th St	NE 72 nd Ave	NE 87 th Ave	\$ 15,367,000	\$ 9,713,000
NE 47 th Ave @ NE 78 th St	Intersection		\$ 1,943,000	\$ 919,000
NE 94 th Ave	NE Padden Pkwy	NE 99 th St	\$ 7,945,000	\$ 1,520,000
Highway 99	NE 99 th St	NE 107 th St	\$ 9,015,000	\$ 5,595,000
NE 99 th St	NE 94 th Ave	NE 107 th Ave	\$ 7,684,000	\$ 6,167,000
NE 119 th St	NE 50 th Ave	NE 72 nd Ave	\$ 8,441,000	\$ 7,657,000
NE 47 th Ave	NE 68 th St	NE 78 th St	\$ 3,501,000	\$ 3,303,000
NE 99 th St @ SR 503	Intersection		\$ 2,325,000	\$ 1,281,000
NE 10 th Ave	NE 154 th St	NE 164 th St	\$ 22,538,000	\$ 12,974,000
Padden Pkwy @ Andresen	Intersection		\$ 15,367,000	\$ 15,367,000
Ward Road	NE 88 th St	NE 172 nd Ave Bridge	\$ 9,937,000	\$ 9,937,000
Salmon Creek Ave	WSU Entrance	NE 50 th Ave	\$ 12,396,000	\$ 12,396,000
NE 119 th St	NE 87 th Ave	NE 112 th Ave	\$ 26,841,000	\$ 26,841,000
NE 72 nd Ave	NE 122 nd St	NE 219 th St	\$ 30,734,000	\$ 30,734,000
NE 179 th St/I-5 Interchange	Delfel Rd.	NE 15 th Ave	\$ 15,367,000	\$ 15,367,000
SCIP Phase 2	NE 134 th St	I-205	\$ 17,928,000	\$ 8,196,000
NE 182 nd Ave @ SR-500	Intersection		\$ 1,024,000	\$ 1,024,000
NE 15 th Ave Extension	NE 179 th St	NE 10 th Ave	\$ 7,171,000	\$ 1,537,000
NE 99 th St	NE 107 th Ave	SR 503	\$ 1,024,000	\$ 452,000
NE 10 th Ave	NE 149 th St	NE 154 th St	\$ 2,151,000	\$ 2,151,000
NE 179 th St @ 29 th Ave & @ 50 th Ave	Intersections		\$ 5,122,000	\$ 5,122,000
Unspecified Location General Improvements and Programs				
TSO Projects (5)			\$ 6,270,000	
Rural Road Improvement Program		\$ 2,000,000 Annually	\$ 40,979,000 over 20 Years	
Urban Arterial Intersections			\$ 15,367,000	
Sidewalks and ADA		\$ 600,000 Annually	\$ 12,294,000 over 20 Years	
Urban Development Road Program		\$ 1,250,000 Annually	\$ 25,612,000 over 20 Years	
Traffic Signal Optimization		\$ 300,000 Annually	\$ 6,147,000 over 20 Years	

¹ The total projects costs are derived from the 2014-2033 Capital Facilities Plan and inflated by 2.44% to determine 2015 total project costs. The TIF eligible cost is the private share portion of the 2015 county cost share.

Exhibit D

Regional Project Allocation Table

Project Capacity Share Calculation										
Road	From	To	Project Benefit	Hazel Dell	Mt. Vista	Orchards	Rural	Total	Private Share	TIF Eligible Cost for 2015
NE 119th St	NE 72nd Ave	NE 87th Ave	Regional	16%	22%	44%	17%	100%	32%	\$3,082,000
NE 47th Ave @ NE 78th St	Intersection		Regional	47%	7%	39%	7%	100%	26%	\$236,000
NE 94th Ave	NE Padden Pkwy	NE 99th St	Regional	8%	2%	75%	15%	100%	30%	\$452,000
Highway 99	NE 99th St	NE 107th St	Regional	67%	24%	3%	6%	100%	26%	\$1,437,000
NE 99th St	NE 94th Ave	NE 107th Ave	Regional	7%	7%	73%	13%	100%	30%	\$1,877,000
NE 119th St	NE 50th Ave	NE 72nd Ave	Regional	12%	44%	36%	7%	100%	35%	\$2,670,000
NE 47th Ave	NE 68th St	NE 78th St	Regional	0%	0%	100%	0%	100%	29%	\$974,000
NE 99th St @ SR 503	Intersection		Regional	1%	5%	77%	17%	100%	31%	\$397,000
NE 10th Ave	NE 154th St	NE 164th St	Regional	5%	80%	3%	12%	100%	41%	\$5,326,000
Padden Pkwy @ Andresen	Intersection		Regional	30%	9%	61%	0%	100%	27%	\$4,206,000
Ward Road	NE 88th St	NE 172nd Ave Bridge	Regional	0%	0%	38%	62%	100%	33%	\$3,271,000
Salmon Creek Ave	WSU Entrance	NE 50th Ave	Regional	6%	65%	10%	18%	100%	39%	\$4,847,000
NE 119th St	NE 87th Ave	NE 112th Ave	Regional	16%	20%	44%	20%	100%	32%	\$8,502,000
NE 72nd Ave	NE 122nd St	NE 219th St	Regional	0%	34%	51%	15%	100%	35%	\$10,818,000
NE 179th St/I-5 Interchange	Delfel Rd.	NE 15th Ave	Regional	12%	58%	7%	24%	100%	38%	\$5,812,000
SCIP Phase 2	NE 134th St	I-205	Regional	13%	81%	6%	0%	100%	40%	\$3,249,000
NE 182nd Ave @ SR-5001	Intersection		Regional	5%	5%	42%	48%	100%	32%	\$332,000
NE 15th Ave Extension2	NE 179th St	NE 10th Ave	Regional	13%	56%	5%	26%	100%	38%	\$577,000
NE 99th St	NE 107th Ave	SR 503	Regional	0%	0%	71%	29%	100%	31%	\$140,000
NE 10th Ave	NE 149th St	NE 154th St	Regional	6%	79%	4%	11%	100%	41%	\$877,000
NE 179th St@29th Ave & @50th Ave	Intersections		Regional	11%	64%	4%	20%	100%	39%	\$1,975,000
TSO Projects (5)	Various		UGIP	20%	37%	43%	0%	100%	33%	\$501,000
Urban Arterial Intersections	Various		UGIP	20%	37%	43%	0%	100%	33%	\$5,014,000
Rural Road Improvement Program			UGIP	0%	0%	0%	100%	100%	35%	\$14,353,000
Sidewalks and ADA			UGIP	20%	37%	43%	0%	100%	33%	\$4,011,000
Urban Development Road Prgm			UGIP	20%	37%	43%	0%	100%	33%	\$8,356,000
Traffic Signal Optimization			UGIP	20%	37%	43%	0%	100%	33%	\$2,006,000

Exhibit E

Highway 99 Overlay District Boundary Map

