

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Matt W. Aamot	MA	11/6/2017		11/21/2017	Finance Committee
Division Head: Mark Personius	MP	11-7-17		12/05/2017	Introduction Public Hearing
Dept. Head: Sam Ryan	SR	11-7-17			
Prosecutor: Royce Buckingham	R.B.	11-8-17			
Purchasing/Budget: Brad Bennett					
Executive: Jack Louws	JL	11/13/17			

TITLE OF DOCUMENT:
Ordinance amending the 2017 Whatcom County Unified Fee Schedule by adding a Density Credit fee.

- ATTACHMENTS:**
1. Memorandum with attachments
 2. Draft Unified Fee Schedule Ordinance Amendment No. 2 and Exhibit A

SEPA review required? () Yes (X) NO	Should Clerk schedule a hearing? (X) Yes () NO
SEPA review completed? () Yes () NO	Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This proposed ordinance amends the 2017 Unified Fee Schedule by adding a Density Credit fee. The density credit program would allow increased land use intensity under the Zoning Code if a developer contributes funds to the County's Purchase of Development Rights Program. The proposed density credit program only applies to specific areas and uses set forth in the Zoning Code. The density credit program would be entirely voluntary. If a developer chooses not to use the program, they can simply develop as currently allowed by the Zoning Code.

COMMITTEE ACTION:	COUNCIL ACTION: 11.21 introduced to 12.1 adopted 6-1 Brenner opposed
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Related County Contract #:	Related File Numbers: AB No. 2017-319	Ordinance or Resolution Number:
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Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.



Memorandum

November 6, 2017

TO: The Honorable Jack Louws, Whatcom County Executive
The Honorable Whatcom County Council

FROM: Matt Aamot, Senior Planner *MA*

THROUGH: Mark Personius, Assistant Director *MP*

RE: Unified Fee Schedule Amendment / Density Credits

The Whatcom County Council is considering a proposed new "Density Credits" chapter in the Zoning Code that would allow increased residential density in the Birch Bay Urban Growth Area (UGA) if the developer contributes funds to the County's Purchase of Development Rights or PDR Program (see Agenda Bill No. 2017-319). The proposed density credit program is entirely voluntary. If a developer chooses not to use the program, they can simply develop at the density currently allowed by the Zoning Code.

The Density Credit chapter, along with proposed changes to the Planned Unit Development (PUD) chapter, would allow doubling the density from 7 units/acre to 14 units/acre for single family residential development in the Birch Bay Resort Commercial zones if:

- The dwellings are located outside the floodplain; and
- No other residential density increases are granted; and
- Density credits are acquired.

The draft Density Credit chapter states that "The price per density credit is set by the County Council in the Unified Fee Schedule. . . ." (proposed WCC 20.91.030). Any revenue raised from developers purchasing density credits to increase density would go to the County's PDR program, which purchases easements from willing land owners to retire development rights in agricultural and rural areas.

Two County advisory committees have issued recommendations on the price of a density credit:

- The Purchase of Development Rights Oversight Committee recommended a density credit price of \$4,000 at their August 25, 2017 meeting.
- The Transfer of Development Rights/Purchase of Development Work Group recommended a density credit price of \$4,000 per additional residential unit in the Birch Bay Urban Growth Area at their November 1, 2017 meeting.

Therefore, an ordinance has been drafted for consideration by the County Council that would set a fee of \$4,000 for each bonus dwelling unit. For comparison, we would note that the City of Bellingham has a voluntary PDR program that charges \$5,000 for each bonus unit in the city. The money raised from the Bellingham program goes towards Lake Whatcom Watershed preservation.

Thank you for your review and consideration of the draft proposal. We look forward to discussing it with you.

PDR Oversight Committee

Term Begins			
Term Expires	Last	First	Perspective
7/28/2015	D'Agnolo	Sean	Farmer
7/28/2019			
2/11/2016	Ebe	Greg	Farmer
1/31/2020			
2/7/2014	Harting	Mark	Farm Supplier
1/31/2018			
5/1/2016	Glyzinski	Jen	Real Estate/ Banker
5/1/2020			
02/07/2014	Steensma	John	Farmer
1/31/2018			
2/7/2014	Gilles	John	Non-Farmer, Inc.
1/31/2018			
			Non-Farmer, Unincorp.
Ex-Officio Members			
Farm Friends	Bierlink	Henry	
CD	Boggs	George	
WSU	Benedict	Chris	

TDR / PDR Work Group

FIRST NAME	LAST NAME	PERSPECTIVE
Chris	Behee	City of Bellingham
Michael	Jones	City of Blaine
Rollin	Harper	Cities Everson, Nooksack, and Sumas
Jori	Burnett	City of Fernale
Dave	Timmer	City of Lynden
Bill	Henshaw	Building Industry
Betty	Sanchez	Realtors
Myrle	Foster	Rural Property owner
Ralph	Black	TDR User
Phil	Thompson	Economist
Steve	Powers	Affordable housing
Brad	Rader	Agriculture
Karlee	Deatherage	Environmental
Rud	Browne	Council Member

PROPOSED BY: _____
DATE: _____

ORDINANCE NO. _____
AMENDMENT NO. 2 TO ORDINANCE NO. 2016-049 ADOPTING THE 2017
WHATCOM COUNTY UNIFIED FEE SCHEDULE

WHEREAS, the County Council approved the 2017 Unified Fee Schedule on November 22, 2016, and

WHEREAS, a new Density Credit fee is proposed in accordance with WCC 20.91.030.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the Planning and Development Services section of the Whatcom County Unified Fee Schedule is hereby amended as presented on Exhibit A.

ADOPTED this _____ day of _____, 2017

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


ATTEST:

Dana Brown-Davis, Council Clerk

Barry Buchanan, Chair

APPROVED as to form:

Approved Denied



Civil Deputy Prosecutor

Jack Louws, Executive

Date: _____

Unified Fee Schedule Amendment No. 2 – Exhibit A

<u>UFS#</u>	<u>Description</u>	<u>2017 Rate</u>	<u>Rate Basis</u>	<u>Authorization</u>
New	Density Credit	\$4,000	per dwelling unit	WCC 20.91.030