ORDINANCE NO. 2021-06-024

AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON ADOPTING AN ALTERNATIVE ARTERIAL STREET IMPROVEMENT STANDARD FOR JAMES STREET BETWEEN ORCHARD DRIVE AND GOODING AVENUE IN THE KING MOUNTAIN NEIGHBORHOOD.

WHEREAS, in 2009 approximately 900 acres of the northcentral portion of the Urban Growth Area (UGA) were annexed from Whatcom County into the City of Bellingham and became the King Mountain Neighborhood; and

WHEREAS, the annexation included the responsibility for land use planning, zoning, and permitting, as well as funding, maintenance, repair, and reconstruction of many public arterial streets throughout the King Mountain Neighborhood; and

WHEREAS, the City of Bellingham arterial street standards are codified in BMC 13.04 and 13.08, are illustrated in ST-132 of the Public Work Improvement Standards and Development Guidelines and require ADA-compliant sidewalks, curbs, gutters, storm water conveyance, bike lanes, vehicle lanes, and street lighting; and

WHEREAS, BMC 13.04 Street Standards and BMC 13.08 Street Improvements specify that substandard arterial streets along private property frontage must be brought up to City arterial standard at property owner cost when redevelopment occurs; and

WHEREAS, BMC 13.52 Driveways Giving Access to Arterial Streets specifies the number, spacing, management, and construction standards for driveways on arterial streets, as well as safety standards, such as sight distance, turns, and corner clearance.

WHEREAS, James Street is locally classified as a secondary arterial street trending north-south through the middle of the King Mountain Neighborhood, but does not meet arterial standards from Orchard Drive to Gooding Avenue; and

WHEREAS, the 2012 Pedestrian Master Plan, 2014 Bicycle Master Plan, and 2016 Transportation Element of the Bellingham Comprehensive Plan all identify James Street as needing sidewalks and bike lanes on each side; and

WHEREAS, the 2019 James Street Multimodal Feasibility Study (ES-0549) determined that constructing arterial standard sidewalks and bike lanes on each side of James Street would cost $17.8 million (2025 dollars), excluding an additional $6.3 million dollars in fish passage improvements to 3 major culverts beneath James Street; and
WHEREAS, the 2019 James Street Multimodal Feasibility Study (ES-0549) also identified a preferred alternative arterial standard for James Street that includes a 12-foot wide paved multiuse pathway consolidating the pedestrian and bicycle mobility improvements along the west side of James Street determined to cost $8.3 million (2025 dollars), as well as 5-foot-wide concrete sidewalks on portions of three segments on the east side of James Street determined to cost $2.03 million (2025 dollars).

WHEREAS, an additional $5.9 million (2025 dollars) will be required for fish passage improvements to 3 culverts beneath James Street if the preferred arterial standard is constructed, but these are not included as transportation costs for the purposes of voluntary proportionate share contribution from properties; and

WHEREAS, the City of Bellingham will construct several major transportation improvements along the James Street corridor, including the Orchard Drive Extension (ES-0440) from James Street underneath Interstate 5 to Birchwood Avenue in 2021, the Telegraph Road Multimodal Improvements (ES-0537) from James Street to Deemer Road in 2022, and the James-Bakerview Roundabout (ES-0473) in 2023; and

WHEREAS, on June 8, 2020, the Bellingham City Council adopted the 2021-2026 Transportation Improvement Program (TIP) with projects 15 and 17 (Exhibit A) specifically calling for the preferred alternative west side multiuse pathway along James Street to be integrated into all the transportation improvements listed above; and

WHEREAS, per BMC 13.04 and 13.08, properties abutting each side of James Street are responsible for improving it to arterial street standards as development occurs, but at $8.3 million dollars, the cost of the preferred alternative westside multiuse pathway will be significantly less than the $17.8 million dollar cost of traditional arterial street frontage improvements on each side of the street; and

WHEREAS, the preferred alternative westside multiuse pathway is likely to be far more competitive for state and federal active transportation grant funding than traditional arterial street improvements, but it will take many years and multiple funding sources for the City of Bellingham to accumulate enough funding for construction; and

WHEREAS, the City of Bellingham proposes to allow private development abutting each side of James Street to proceed without constructing traditional arterial street frontage improvements on the condition that a voluntary proportionate share funding contribution is made toward the costs to complete both Preliminary Engineering (PE/Design/ROW) and Construction phases for the preferred alternative westside multiuse pathway identified in the 2019 James Street Multimodal Feasibility Study (ES-0549); and

City of Bellingham
CITY ATTORNEY
210 Lottie Street
Bellingham, Washington 98225
Telephone (360) 778-8270

Ordinance Adopting Alternative #2021-06-024
Arterial Standard for James Street (2)
WHEREAS, the calculation to establish the proportionate share contribution amount toward the preferred alternative westside multiuse pathway is based on the cost of active transportation improvements by corridor segment determined in the 2019 James Street Multimodal Feasibility Study (ES-0549), exclusive of fish passage improvement costs, divided by the linear feet of street frontage abutting each property proposed for private development; and

WHEREAS, in a March 22, 2021 work session, the City Council directed Public Works to notify property owners and to hold a public hearing regarding the proposed ordinance to establish a James Street Arterial Standard; and

WHEREAS, after published notice, the City Council held a public hearing regarding the proposed ordinance to establish a James Street Arterial Standard on May 10, 2021; and

WHEREAS, the City Council has considered the options and alternatives and finds this ordinance to establish a James Street Arterial Standard to be in the best interests of the City of Bellingham and its citizens.

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

Section 1. The City hereby adopts a preferred alternative arterial standard for James Street between Orchard Drive and Gooding Avenue, which includes a 12-foot-wide paved multiuse pathway consolidating the pedestrian and bicycle mobility improvements along the west side of James Street and 5-foot-wide concrete sidewalks on select portions of three segments on the east side of James Street, as depicted in Exhibit B ("Preferred Alternative"). The Preferred Alternative is a City-constructed alternative to the arterial street frontage standards in BMC 13.04 and 13.08 and the Public Works Development Guidelines and Improvement Standards.

Section 2. An owner ("Applicant") of property abutting either side of James Street between Orchard Drive and Gooding Avenue ("Property") may elect to proceed with development of the Property without privately constructing the arterial street frontage improvements required in BMC 13.04 and 13.08 and the Public Works Development Guidelines and Improvement Standards if the Applicant voluntarily enters into a financial participation agreement with the City that provides for the Applicant to pay a proportionate share of the City’s estimated cost of designing and constructing the Preferred Alternative at the linear foot rate shown in Table 1 in Exhibit C. Payment shall be made prior to issuance of a building permit or public facilities contract permit for the Property. Proposed developments covered by a financial participation agreement entered into pursuant to this Ordinance must meet all City of Bellingham applicable code, regulations, and requirements, excepting only the frontage improvements required under BMC 13.04. and 13.08.

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CITY ATTORNEY
210 Lottie Street
Bellingham, Washington 98225
Telephone (360) 778-8270

Ordinance Adopting Alternative #2021-06-024
Arterial Standard for James Street (3)
Section 3. Voluntary proportionate funds collected from Applicants developing Property will directly fund the required preliminary engineering, design, and right-of-way phase and construction phase for the entire corridor from Orchard Drive to Gooding Avenue, or any portion thereof, regardless of the segment funds are collected from.

PASSED by the Council this 7th day of June, 2021.

Hannah Stone, Council President

APPROVED by me this 14th day of June, 2021.

Seth Fleetwood, Mayor

ATTEST:

Andy Asbjornsen, Finance Director

APPROVED AS TO FORM:

Office of the City Attorney

Published:

June 11, 2021

City of Bellingham
CITY ATTORNEY
210 Lottie Street
Bellingham, Washington 98225
Telephone (360) 778-8270

Ordinance Adopting Alternative #2021-06-024
Arterial Standard for James Street (4)
EXHIBIT A

Projects 15 and 17 adopted in 2021-2026 Transportation Improvement Program

Project #15: James Street Pedestrian & Bicycle Safety Improvements; Segment 3
(West side James Street from Telegraph Rd to E. Bakerview Rd)

PROJECT NARRATIVE: James Street is the only north-south transportation corridor serving north-central Bellingham between Meridian (SR 539) and Hannegan, which is already zoned for 3,000 or more housing units. James Street provides access to Squalicum Creek Trail and Sunset Pond Park between Sunset Square Shopping Center, Telegraph Road, and East Bakerview Road. Pedestrian and Bicycle Master Plans call for sidewalks and bike lanes and WTA high-frequency Gold GO Line Route 331 service requires sidewalks and crossings to bus stops. Segment 3 is the most financially feasible section to construct and if grant funding can be secured, could be completed in 2023 to complement the Telegraph Road improvements and the James/Bakerview roundabout.

MULTIMODAL TRANSPORTATION BENEFITS: Tier 3 sidewalks, Tier 3 bicycle lanes, turn lanes, increased access, safety, sight distance, and efficiency. WTA Gold GO Line high-frequency transit route 331 and future WTA transit routes as King Mountain Neighborhood continues to develop.


<table>
<thead>
<tr>
<th>No</th>
<th>PROJECT DESCRIPTION</th>
<th>FUNDING SOURCE</th>
<th>Cost Estimates (000's) 2020 Dollars</th>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Previous</td>
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<tr>
<td>15</td>
<td>James Street Pedestrian and Bicycle Safety Improvements; Segment 3</td>
<td>State</td>
<td>100</td>
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<tr>
<td></td>
<td>Segment 3 = Telegraph to Bakerview</td>
<td>Subtotal</td>
<td>100</td>
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</tbody>
</table>

TRANSPORTATION IMPACT FEES COLLECTED: Yes, for local funds
RIGHT-OF-WAY ACQUISITION NECESSARY: No

James Street Preferred Alternative

West Side Shared Use Path

- 11-foot vehicle lanes with a 10 to 12-foot wide bi-directional shared use path on one side
- Vegetated planting strip between path and roadway used for stormwater conveyance and treatment and separation from traffic
- Curbless shoulders in locations where additional sidewalk is needed on the other side of the road

Visualization (looking south just sre Mcleod Rd)

City of Bellingham
CITY ATTORNEY
210 Lottie Street
Bellingham, Washington 98225
Telephone (360) 778-8270

Ordinance Adopting Alternative #2021-06-024
Arterial Standard for James Street (5)
**Project #17: James Street Pedestrian & Bicycle Safety Improvements; Segments 1, 2, & 4**

(West side James Street from E. Orchard to Gooding Rd)

**PROJECT NARRATIVE:** James Street is the only north-south transportation corridor serving the King Mountain Neighborhood, which is zoned for 3,000 or more housing units. James Street provides access to Squalicum Creek Trail and Sunset Pond Park between Sunset Square Shopping Center, Telegraph Rd, and East Bakerview Rd. Pedestrian and Bicycle Master Plans call for sidewalks and bike lanes and WTA high-frequency Gold GO Line Route 331 service requires sidewalks and crossings to bus stops. Significant costs include, removal of a vertical curve sight distance issue on the hill between Orchard and McLeod and reconstruction of culverts beneath James Street between Orchard Dr and Telegraph Rd and Bakerview Rd and Kellogg Rd will require reconstruction for fish passage improvements.

**MULTIMODAL TRANSPORTATION BENEFITS:** Tier 3 sidewalks, Tier 3 bicycle lanes, turn lanes, increased access, safety, sight distance, and efficiency. WTA Gold GO Line high-frequency transit route 331 and future WTA transit routes as King Mountain Neighborhood continues to develop.

**PROJECT STATUS:** Feasibility Study Completed 2019. Unfunded. Grant funds will be sought.

<table>
<thead>
<tr>
<th>Project #17</th>
<th>James Street Pedestrian and Bicycle Safety Improvements: Segments 1, 2, &amp; 4</th>
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</thead>
<tbody>
<tr>
<td><strong>SEGMENT</strong></td>
<td><strong>PROJECT DESCRIPTION</strong></td>
</tr>
<tr>
<td>17</td>
<td>James Street (Study)</td>
</tr>
<tr>
<td>17</td>
<td>Segment 1 = Orchard to McLeod</td>
</tr>
<tr>
<td>17</td>
<td>Segment 2 = McLeod to Telegraph</td>
</tr>
<tr>
<td>17</td>
<td>Segment 3 = Bakerview to Gooding</td>
</tr>
<tr>
<td></td>
<td>Subtotal</td>
</tr>
</tbody>
</table>

**TRANSPORTATION IMPACT FEES COLLECTED**
Yes, for local funds

**RIGHT-OF-WAY ACQUISITION NECESSARY**
Possibly, yet-to-be-determined

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**James Street Preferred Alternative**

*West Side Shared Use Path*

![Visualization](attachment:image)

**SHARED USE PATH**

11-foot vehicle lanes with a 10 to 12-foot wide bi-directional shared use path on one side
Vegetated planting strip between path and roadway used for stormwater conveyance and treatment and separation from traffic
Curbed shoulders in locations where additional sidewalk is needed on the other side of the road

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City of Bellingham
CITY ATTORNEY
210 Lottie Street
Bellingham, Washington 98225
Telephone (360) 778-8270

Ordinance Adopting Alternative #2021-06-024
Arterial Standard for James Street (6)
EXHIBIT B

James Street Arterial Standard from Orchard Drive to Gooding Avenue

SHARED USE PATH
- 11-foot vehicle lanes with a 10 to 12-foot wide bi-directional shared use path on one side
- Vegetated planting strip between path and roadway used for stormwater conveyance and treatment and separation from traffic
- Curbed shoulders in locations where additional sidewalk is needed on the other side of the road

Visualization (looking south just s/o Mcleod Rd)

City of Bellingham
CITY ATTORNEY
210 Lottie Street
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Telephone (360) 778-8270

Ordinance Adopting Alternative #2021-06-024
Arterial Standard for James Street (7)
Ordinance Adopting Alternative #2021-06-024
Arterial Standard for James Street (8)
## EXHIBIT C. Breakdown of Costs by James Street Arterial Street Segment

### Table 1. Costs of Active Transportation Improvements* by Segment of James Street Secondary Arterial Street

<table>
<thead>
<tr>
<th>James Street Road Segment</th>
<th>12-Foot Wide Multiuse Pathway</th>
<th>5-Foot Wide Concrete Sidewalk</th>
<th>Combined West &amp; East Side</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Westside Cost Per Segment²</td>
<td>Eastside Cost Per Segment²</td>
<td>Combined Cost Per Segment²</td>
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<tr>
<td></td>
<td>Per Foot</td>
<td>Per Foot</td>
<td>Per Foot</td>
</tr>
<tr>
<td></td>
<td>Linear Feet</td>
<td>Linear Feet</td>
<td>Linear Feet</td>
</tr>
<tr>
<td>1.) Orchard Dr - McLeod Rd³</td>
<td>1,275</td>
<td>700</td>
<td>1,975</td>
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<td></td>
<td>$3,100,000</td>
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<td>$3,668,750</td>
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<td>$2,431.37</td>
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<td>2.) McLeod Rd - Telegraph Rd⁴</td>
<td>1,275</td>
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<td>2,150</td>
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<td>$2,300,000</td>
<td>$731,250</td>
<td>$3,031,250</td>
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<td></td>
<td>$1,803.92</td>
<td>$812.50</td>
<td>$1,393.68</td>
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<tr>
<td>3.) Telegraph Rd - Bakerview Rd⁵</td>
<td>1,250</td>
<td>900</td>
<td>2,150</td>
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<tr>
<td></td>
<td>$800,000</td>
<td>$731,250</td>
<td>$1,531,250</td>
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<td></td>
<td>$640.00</td>
<td>$812.50</td>
<td>$712.21</td>
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<td>4.) Bakerview - Gooding Ave⁶</td>
<td>2,700</td>
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<td>Total Corridor Lengths &amp; Costs</td>
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<td>$8,300,000</td>
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<td>$10,331,250</td>
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</table>

### Notes:

*Active Transportation costs above include 12-foot wide multiuse pathway (westside) and prescribed sidewalk sections (eastside), but do not include reconstruction of culverts beneath James Street roadway for fish passage improvements.

### Sources of Infrastructure Cost

1. 2019 James Street Multimodal Feasibility Study (ES-0549)
2. 2012 Pedestrian Master Plan Project List
3. Includes cost to remove James St vertical curve/sight distance issue
4. Includes cost of James/McLeod intersection and RRFB crosswalk
5. Does not include James/Telegraph traffic signal (2022) with ES-0537
6. Does not include James/Bakerview roundabout (2023) with ES-0473