

ORDINANCE NO. 2011 -735

**AN ORDINANCE OF THE CITY OF MILL CREEK, WASHINGTON
REVISING THE TRAFFIC MITIGATION PROGRAM USED FOR
ASSESSING TRAFFIC MITIGATION FEES; ADOPTING NEW TRAFFIC
MITIGATION FEE ASSESSMENTS; AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, the City of Mill Creek has the authority to impose traffic mitigation fees under the State Environmental Policy Act ("SEPA"), RCW 43.21C, and Chapters 17.48 and 18.04 of the Mill Creek Municipal Code ("MCMC"); and

WHEREAS, the City's traffic mitigation program and fees are subject to periodic review and evaluation; and

WHEREAS, the City periodically updates and adjusts its Capital Facilities Program ("CFP") in accordance with the Growth Management Act, RCW 36.70A and RCW 36.70B, to keep current with changes in the City and surrounding jurisdictions; and

WHEREAS, the City's CFP was recently updated to include transportation improvements that will be needed by 2017 to support growth and development in an increasingly constrained transportation system and to meet the City's transportation goals and requirements; and

WHEREAS, Public Works Department has determined that the revised traffic mitigation program and fees set forth in **Exhibits A and B** hereto, attached and incorporated by this reference, together with the underlying technical information on file with the Public Works Department, will properly allocate to new development and redevelopment a proportional share of the impacts and costs to the City's street and traffic network arising from said development and redevelopment, and further will enable the City to properly, effectively, and efficiently assess traffic mitigation fees; and

WHEREAS, the City Council has considered and adopted the 2011-2017 CFP and has reviewed the revised traffic mitigation program and fees as set forth in **Exhibits A and B**, and has evaluated the recommendation of the Public Works Department that the revised traffic mitigation program and fees as set forth in **Exhibits A and B**, together with the underlying technical information on file with the Public Works Department, will properly allocate to new development and redevelopment their proportional share of the impacts and costs to the City's streets and traffic network arising from that development and redevelopment, and will allow the City to properly, effectively, and efficiently assess traffic mitigation fees; and

WHEREAS, the new mitigation fee as recommended by the Public Works Department and adopted by the City Council not only reflects the proportional share of the impacts and costs to the City's streets and traffic network arising from development and redevelopment within the City, all in accordance with the City's longstanding traffic mitigation program and formulas, but has been further reduced in amount to insure its fairness to Mill Creek property owners and developers and to reflect the current economic climate; and

WHEREAS, the City Council finds that the revised traffic mitigation program and fees as set forth in **Exhibits A and B** will properly allocate to new development and redevelopment their proportional share of the impacts and costs to the City's street and traffic network arising from that development and redevelopment, and will allow the City to properly, effectively, and efficiently assess traffic mitigation fees; and

WHEREAS, the City Council further finds that the revisions to the traffic mitigation program and fees adopted herein will advance the public health, safety and welfare, and will benefit the public and citizens of Mill Creek by ensuring that new development accounts for its proportional share of impacts and costs to the City's streets and traffic network arising from that new development; and

WHEREAS, this Ordinance, together with **Exhibits A and B** and the underlying technical information on file with the Public Works Department, should be adopted as substantive SEPA policies under MCMC Chapter 18.04 for the purpose of conditioning development and redevelopment within the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILL CREEK, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. The traffic mitigation program and fees set forth in **Exhibits A and B**, attached and incorporated in full by this reference, together with the underlying technical information on file with the Public Works Department, are hereby adopted for use by the City in evaluating and assessing traffic mitigation fees for all new development and redevelopment occurring within the City and within the City's Planning Influence Area Boundary lying in unincorporated Snohomish County.

Section 2. This Ordinance, together with attached **Exhibits A and B** and the underlying technical information on file with the Public Works Department, are expressly adopted as and designated to be substantive SEPA policies under MCMC Chapter 18.04.

Section 3. The traffic mitigation program and fees adopted by this Ordinance shall become effective on the date specified in Section 5 below, and shall remain in effect until changed or modified by action of the City Council.

Section 4. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this ordinance or its application to any other person or situation. The City Council of the City of Mill Creek hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 5. This Ordinance shall take effect and be in full force five days after publication of the attached summary, which is hereby approved.

Adopted this 26th day of July, 2011 by a vote of 5 for, 2 against, and 0 abstaining.
(Cpuncilmembers Ryan and Harmsworth opposed)

APPROVED:



MIKE TODD, MAYOR

ATTEST/AUTHENTICATED:



KIM MASON-HATT, ACTING CITY CLERK

APPROVED AS TO FORM:



OFFICE OF THE CITY ATTORNEY
SHORT CRESSMAN & BURGESS PLLC

FILED WITH THE CITY CLERK: 7/26/2011
PASSED BY THE CITY COUNCIL: 7/26/2011
PUBLISHED: 7/31/2011
EFFECTIVE DATE: 8/5/2011
ORDINANCE NO.: 2011-735

Exhibit A – 2010 Transportation Mitigation Fee Program Update, updated July 14, 2011
Exhibit B – 2011 Traffic Mitigation Fee Determination Memorandum, July 25, 2011



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Memorandum

To: Tom Gathmann, PE
Public Works Director
City of Mill Creek

From: Kris Liljeblad, AICP, PTP
Transportation Planning Director

Date: December 31, 2010; updated July 14, 2011

Re: 2010 Transportation Mitigation Fee Program Update, #20100105.002

Background

This Memo was prepared by Perteet, Inc. to document the review and analysis performed in support of the City of Mill Creek's update of its Transportation Mitigation Fee Program. Perteet was tasked with:

- Briefly reviewing prior studies and reports related to the City's current mitigation fee program;
- Reviewing and evaluating alternative approaches to update the program; and
- Preparing a proposed fee program methodology and related documentation.

The work was initiated on December 6, 2010 and was to be concluded on or before December 31, 2010. Additional analysis was performed in July 2011 to update estimated trips for the PM peak hour.

Review of Relevant Studies and Reports

- a. Draft Memorandum, Scott Smith to Tom Gathmann, *2010 Transportation Mitigation Fee Update*, October 6, 2010

This memo provides a concise, straightforward baseline approach to updating the fee. It defines seven Transportation Mitigation Roadway Segments based on the 2011-2017 Capital Facilities Plan, and would continue the current practice, requiring new development projects to identify their project's trip generation and distribution to each of the seven roadway Mitigation Segments, in order to calculate their mitigation fee. The fee per trip would be \$2,707 per PM peak hour trip based on the CFP cost of \$8,175,000 and 3,020 new PM peak hour trips based on a 2% annual growth rate, consistent with the adopted Comprehensive Plan. Since the memo was prepared, updated traffic volume counts conducted by others for the City can be applied to strengthen the basis for this approach if the City elects to continue it.

- b. *Updated Traffic Volume Counts*, November 2010

Twenty-five tube counts and twenty-four turning movement counts were conducted at locations on streets selected by the City over the period of November 30th - December 2, 2010. Many of these counts coincide with locations counted previously by the City, providing a historic record of traffic volume change. One of these count locations was affected by a heavy precipitation event, but there were still three days of consistent traffic count data available, and Perteet used it for our analysis. The historic average annual change in traffic volume at 15 locations is an increase of 2%. See Table 1 below.



Table 1: Mill Creek Traffic Counts - Multi-Year Average

<u>Loc #</u>	<u>Count Location</u>	<u>Prior Count</u>	<u>Year Count</u>	<u>2010 Count</u>	<u># Years</u>	<u>Change</u>	<u>Ave/year</u>
20	Mill Cr Blvd S/of 161st St SE	10512	1996	12469	14	1957	0.013
21	164th W of SR 527	34014	2002	39683	8	5669	0.021
22	SR 527 So/of 164th St SE	32157	2002	32854	8	697	0.003
23	Mill Cr Rd E of SR 527	16203	2002	17850	8	1647	0.013
24	Old Seattle Hill No/of 166th Pl	553	1995	770	15	217	0.026
4	Dumas Rd E/of No Cr Rd	9875	2002	10520	8	645	0.008
5	136th St W/of 22nd Av SE	3243	1996	3400	14	157	0.003
8	Trillium Blvd E/of 13th Pl SE	4611	2002	4269	8	-342	-0.009
9	35th Ave SE N/of 138th Pl SE	10444	2004	13361	6	2917	0.047
10	SR 527 N/of 151st St SE	20000	2003	29137	7	9137	0.065
11	144th St SE W/of 35th Ave SE	703	2002	890	8	187	0.033
13	Village Grn Dr N/of 148th St SE	3910	2002	4875	8	965	0.031
15	Mill Cr Blvd N/of 153rd St SE	4464	2002	4654	8	190	0.005
16	35th Ave SE S/of 148th St SE	11567	2004	15500	6	3933	0.057
18	Village Gr Dr E/of Country Cl Dr	5049	2002	4431	8	-618	-0.015
Ave/yr							0.020

c. *City of Mill Creek 2011-2016 Transportation Improvement Program*

The currently adopted TIP includes five categories of projects/programs totaling \$17,690,000: Ongoing Programs @ \$4,900,000; Intersection/Signal Projects @ \$2,775,000; Safety Projects @ \$340,000; Repair/Rehabilitation Projects @ \$425,000; and East Gateway Urban Village Projects @ \$9,250,000.

d. *Transportation Mitigation Fees Technical Memorandum, Mirai Associates, July 2007*

This Memo summarizes an analysis of transportation mitigation fees for the City used as the basis for the last update of the fee program in February 2004 for the period through 2013. The current program includes seven Traffic Mitigation Segments with estimated project costs of \$7,775,000 and a forecasted number of 1,965 new segment trips from planned new development, resulting in a cost of \$2,939 per PM peak hour segment trip.

e. *East Gateway Urban Village Traffic Analysis and Development Standards, DKS Associates, November, 2010*

This report summarizes the traffic analysis and development standards prepared for an approximately 50 acre development site at the northeast corner of the City, including 366,300 s.f. of retail use, 66,800 s.f. of office space, 428 housing units and 25,700 s.f. of church facilities served by a planned central spine roadway with three full access points at Seattle Hill Road/136th St SE, 132nd St SE/39th Ave SE, and 132nd St SE/44th Ave SE, and a right-in/right-out partial access on 132nd St SE between 39th and 44th Ave SE. The development would generate an estimated 1,246 pm peak hour trips, and an average of 16,827 trips daily. Based on the PSRC travel demand model, an average annual growth rate of 2% per year was projected to 2020 for background traffic. Intersection improvements were identified to mitigate projected traffic impacts, including traffic signal installations, signal interconnections, and construction of a roundabout.

Evaluation of Alternative Approaches to Fee Program

Two alternative approaches were evaluated for updating the City’s fee program:

1. Extend the existing Mitigation Segments method – this requires only an update to the mitigation fee project list (CFP), updated existing traffic counts, and traffic forecast as documented in section a. above; and
2. Change the method to a single city-wide transportation mitigation fee – this also requires an updated mitigation fee project list, updated traffic counts, and a traffic forecast.

The following were identified as evaluation criteria for comparison of the two alternative approaches:

- Ease of administration by City staff – for day-to-day applications and periodic updating;
- Predictable for the development community – to determine costs prior to approval;
- Defensible – clarity of the linkage between the land use change and amount of the fee; and
- Precedents – similar programs successfully applied by other local jurisdictions.

Table 2: Evaluation of Alternative Approaches (1 low, 4 high)

<u>Evaluation Criteria</u>	<u>1. Mitigation Segments</u>	<u>2. Single City-wide Fee</u>
Ease of Administration	2	4
Developer Predictability	2	4
Defensible Tie to LU change	4	3
Other City Precedents	1	4
Total Score:	9	15

A brief explanation of our ratings in Table 2 follows:

- Ease of administration by City staff – While this is a system that is familiar to City staff, Alternative 1 requires each potential land use development to conduct a traffic study to identify the number of trips generated, how they will be distributed on the roadway network, and how many of the trips will use the identified Mitigation Segments, to calculate their mitigation fee. City staff must review each traffic study and be prepared to argue for changes in how the trips would distribute on the roadway network. With Alternative 2 the City’s technical role for the fee amount is focused on checking that the trips generated are appropriate to the proposed land use. How the trips distribute on the road network would not affect the amount of the mitigation fee, reducing the complexity for both the developer and City staff.
- Developer predictability – With Alternative 1, the developer is unsure what his mitigation fee cost will be until the traffic study has received the City’s approval. With Alternative 2, the developer can more easily quantify and budget for the necessary mitigation fee amount, and it is more likely to be consistent from one project to the next, regardless of the staff reviewer. Developers often cite expediency and predictability as important fee program considerations.
- Defensible linkage to land use change – In order to be defensible, the mitigation fee must be proportionate to the impacts caused by the land use development. Alternative 1 provides the most direct relationship between the land use change and the amount of mitigation fee required, since it is customized for each development project. However the Alternative 2 approach has been challenged and upheld in Washington State, and city-wide trip-based fees now predominate among local jurisdictions statewide.

- Other city precedents – The use of fees customized to individual developments, or to smaller designated subareas of the city, was fairly common through the 1990s. However since then they have largely been replaced by city-wide fee programs. We are not aware of any cities in the area that use a similar mitigation segment approach. Cities in Snohomish County that use a city-wide transportation impact or mitigation fee per PM peak hour trip are Lynnwood - \$5,107 (2011), Bothell - \$4,409 (2011), Snohomish - \$1,422 (2004), Everett - \$900 (1999), and Snohomish County - approximately \$2,670. Marysville applies a \$6,300 rate per PM peak hour residential trip, and \$2,200 per PM peak hour commercial trip. The average of these seven city-wide fee rates is \$3,287.

Proposed Fee Program Methodology

General Guidance - It is important to frame the necessary components for a transportation fee program. In order to be consistent with state law, it must:

- Be a one-time charge;
- Charge development a fair share of project costs for new capacity to serve growing demand;
- The charge must be proportionate to the demand that development places on the system;
- The projects to which the charges accrue must be included in the adopted capital program; and
- The program must allow for adjustments or credits.

The program is not to include the developer's costs for on-site improvements that benefit only his development. It cannot charge development for the total costs of new capacity. It cannot be used to correct existing deficiencies or to pay for operating or maintenance costs.

Changes to Consider - Several additional points should be considered by Mill Creek in conjunction with its fee program update:

- Although it is typical for local jurisdictions to remove projects from their fee program when the construction has been completed, this is not appropriate where:
 - Debt service continues after construction is completed; and/or
 - The constructed transportation facilities continue to provide capacity to serve new growth until they reach LOS F.
- It is typical to reduce project costs in the fee program by the amount of non-local grant funding secured by the local agency. A strong argument can be made that the impacts of growth-related trips on the system are the same regardless, and the full project cost should not be discounted in the fee program to reflect grant funding. An adjustment should be made to reduce fee program costs proportionate to the share of non-local trip demand, and this may be similar to the typical share of grant funding. For example, Marysville uses a 60/40 split for local/non-local trips and funding shares.
- Extending the planning horizon beyond the 6-year CFP should be considered. This would allow the inclusion of more transportation projects, necessitate less frequent updates, and increase predictability for new development. Examples include Everett, which bases its mitigation fee on the long range transportation element of the Comprehensive Plan, and Bellevue, which uses a financially constrained 12-year Transportation Facilities Plan (the CIP + a 6 year forecast). This change would require a revised policy framework for City Council adoption.

Select Link Analysis - Four roadway links on the City of Mill Creek network were selected for analysis using the Puget Sound Regional Council's travel demand model. The purpose of the analysis was to identify the shares of local and non-local travel and the forecast traffic growth through 2015, using a 2006 model base year. The locations of the selected roadway links are:

1. SR 96 (132nd Street SE) east of I-5
2. SR 527 (Bothell-Everett Highway) just north of the Town Center
3. 164th Street SE west of SR 527
4. SR 96 (132nd Street SE) east of 35th Avenue SE

The results of the select link analysis, using PM peak hour trips, are shown in Table 3: Mill Creek Select Link Analysis Summary. A few observations from Table 3 follow:

- Trips with an origin or destination (or both) in Mill Creek comprise a majority of total vehicle trips at three of the four locations, ranging from 46% on 132nd Street SE east of 35th Avenue SE to 69% on 164th Street SE west of SR 527. The local share of total PM peak hour trips at the four select link locations is projected to increase slightly to 57% by 2015 as shown in Table 4.
- The projected 2015 total PM peak hour trips at the four selected locations will increase from 27,295 in 2006 to 28,110 in 2015, an increase of 3% over the nine year period, or .0033%/year. This is considerably lower than the historic average annual volume change shown in Table 1. The historic average is recommended to represent the rate of change for the fee program.
- The largest increase in PM peak hour trips is forecast on 132nd Street SE east of 35th Avenue SE, and this location also has the largest projected gain in the local share of trips.

Table 3: Mill Creek - Select Link Analysis Summary (PM Peak Hour Trips)

	<u>SL#1-SR 96 East of I-5,</u> <u>ODs</u>			<u>SL#2-SR 527 N of Town</u> <u>Center, ODs</u>			<u>SL#3-164th West of SR</u> <u>527, ODs</u>			<u>SL#4-SR 96 East of 35th</u> <u>Ave SE, ODs</u>		
	<u>2006</u>	<u>2015</u>	<u>%Change</u>	<u>2006</u>	<u>2015</u>	<u>% Change</u>	<u>2006</u>	<u>2015</u>	<u>% Change</u>	<u>2006</u>	<u>2015</u>	<u>% Change</u>
Mill Cr OD	4,180	4,388	0.05	3,091	2,729	-0.12	5,337	5,601	0.05	2,580	3,287	0.27
Total Trips	8,303	7,946	-0.04	5,660	5,977	0.06	7,707	7,853	0.02	5,625	6,334	0.13
% of Total	0.50	0.55	0.10	0.55	0.46	-0.16	0.69	0.71	0.03	0.46	0.52	0.13

Source: PSRC Model, Dec 30, 2010: Links #1 = 2277-2294, #2 = 2274-5543, #3 = 2274-2275, #4 = 5263-5000; TAZs 555, 556, 606, 610, 611, 612 & 614

**Table 4: Select Link Totals
PM Peak Trips (all 4 Links)**

	<u>2006</u>	<u>2015</u>	<u>% Increase</u>
Mill Cr OD	15,188	16,005	0.054
Total Trips	27,295	28,110	0.030
% of Total	0.56	0.57	0.023

ODs include all trips with an origin or destination, or both, within the zones that encompass the Mill Creek municipal urban growth area.

Projected Household and Employment Change – The projected land use change within the City is shown below in Table 5 by Transportation Analysis Zone (TAZ) for 2006, 2015 and 2020, with data provided by PSRC (Simonson, 12/16/10). Of the six TAZs that make up the city’s area, four are partial zones, and data for these areas were estimated by Perteet based on area and observed land use character.

Table 5: Forecast Mill Creek Land Use Change

<u>TAZ</u>	<u>Households</u>			<u>Employment</u>		
	<u>2006</u>	<u>2015</u>	<u>2020</u>	<u>2006</u>	<u>2015</u>	<u>2020</u>
556	1359	1841	2221	1517	1706	2383
606	155	165	172	808	949	979
610	2279	2242	2264	1058	1152	1174
611	2343	2502	2538	543	615	631
612	762	770	773	173	177	180
614	281	675	1023	114	203	265
Total	7179	8195	8991	4213	4802	5612

Source: PSRC Dec. 2010; Estimated TAZ shares by Perteet = .55(556 HH), 0.6(556 Emp); .05(606 HH), 0.5(606 Emp); 1.0(All 610 & 611); 0.5(612 HH & Emp); 0.5(614 HH), 0.6(614 Emp)

Estimated PM Peak Hour Trip Change – Based on the forecast land use change through 2020, Perteet estimated the related increase in PM peak hour trips. Average trip rates were derived from ITE for combined residential or employment land use categories, reflecting ranges of trip generation rates from .45 trips/apartment to 1.02 trips/single family residence, and from .46 trips/office employee to 5.25 trips/supermarket employee. While trip rates associated with actual land uses are expected to occur both above and below the assumed rates, the estimate is provided only for the purpose of establishing a mitigation fee rate.

Table 6: Estimated PM Peak Vehicle Trip Growth Based on Land Use Change

	<u>Households</u>	<u>Employment</u>	<u>Trip Growth</u>
2006-2015 Change	1016	589	
Estimated Trips	762	1061	1823
2006-2020 Change	1812	1399	
Estimated Trips	1359	2519	3878

Source: Perteet, Inc. based on average PM peak hour trip rates derived from ITE; .75 trips/HH and 1.8 trips/employee



Traffic Mitigation Fee Methodology – The Mill Creek traffic mitigation fee can be derived by applying the previously identified information as follows:

$(\text{CFP capacity project cost}) \times .57 (\text{local share of trips}) / 2015 \text{ trip growth}$

Using the total of \$8,175,000 from Table 1 of the October 6, 2010 Scott Smith memo, the result would be a transportation mitigation fee of \$2,556/PM peak hour trip for 2015. This number may be adjusted upward or downward by modifying the project array and related costs, again by including completed projects that are still operating at conditions better than LOS F, or by extending the time horizon and including additional planned projects that do not yet have committed capital program funding. This rate is very similar to that obtained through the previously proposed mitigation segment approach, and within the range of impact fees charged by other jurisdictions in the area, especially Snohomish County.

Memorandum Update (July 2011) – Discussions with the City of Mill Creek led to the conclusion that land use development forecasts by city staff would provide the most accurate estimates of new PM peak hour trips within the relatively short timeframe of the 2011-2017 CFP. Trip generation rates from ITE (8th Edition) were then applied by city staff to the land use forecasts to arrive at estimated PM peak hour trips generated by anticipated new development. This information was then used to determine the proposed traffic mitigation fee.

In addition, the 2011-2017 CFP projects to be included in the traffic mitigation fee were revised from those identified in the Draft Memorandum, Scott Smith to Tom Gathmann, *2010 Transportation Mitigation Fee Update*, October 6, 2010, which were identified at the beginning of this Memo. The land use development forecasts and PM peak hour trip generation estimates referenced in this section are available for review at the City of Mill Creek Public Works Department.

MEMORANDUM

TO: Traffic Mitigation Program File – 2011 Update
FROM: Tom Gathmann, Public Works Director
DATE: July 25, 2011

SUBJECT: 2011 TRAFFIC MITIGATION FEE DETERMINATION

REF: (a) Perteet Memorandum of 12/21/2010 updated 7/14/2011
(b) ITE Traffic Generation, 8th Edition

ENCL: (1) Map of potential new development sites within Mill Creek
(2) PMPH trip generation table based on above map
(3) Traffic mitigation projects within the 2011-2017 CFP
(4) Mirai report on Snohomish County reciprocal traffic mitigation fee methodology

The City of Mill Creek Traffic Mitigation Program is being revised primarily to reflect significant road project changes in the adopted 2011-2017 Capital Facilities Plan (CFP). Work performed by Perteet, and summarized in the above referenced memorandum, indicate that on average, 43% of traffic in Mill Creek have no trip end within the city. This means that not more than 57% of the cost of the seven CFP projects can be financed with traffic mitigation fees. Based on current cost estimates, \$6.27 million of the \$11.0 million total cost will be the target for traffic mitigation fee revenue.

Perteet recommended moving from a multiple travel shed program to a single city-wide fee. City staff created the attached map of potential development within the current city limits. The intensity of development and associated PMPH trip generation is summarized in the attached table. The development intensity was based on current zoning or an existing proposed plan, as in the case of the East Gateway Planned Urban Village. Where significant environmental constraints were known to exist, as in the property on the east side of 35th Avenue SE, those limitations were applied to the future development. PMPH figures were obtained by multiplying the development figures by data from the 8th edition of ITE Trip Generation.

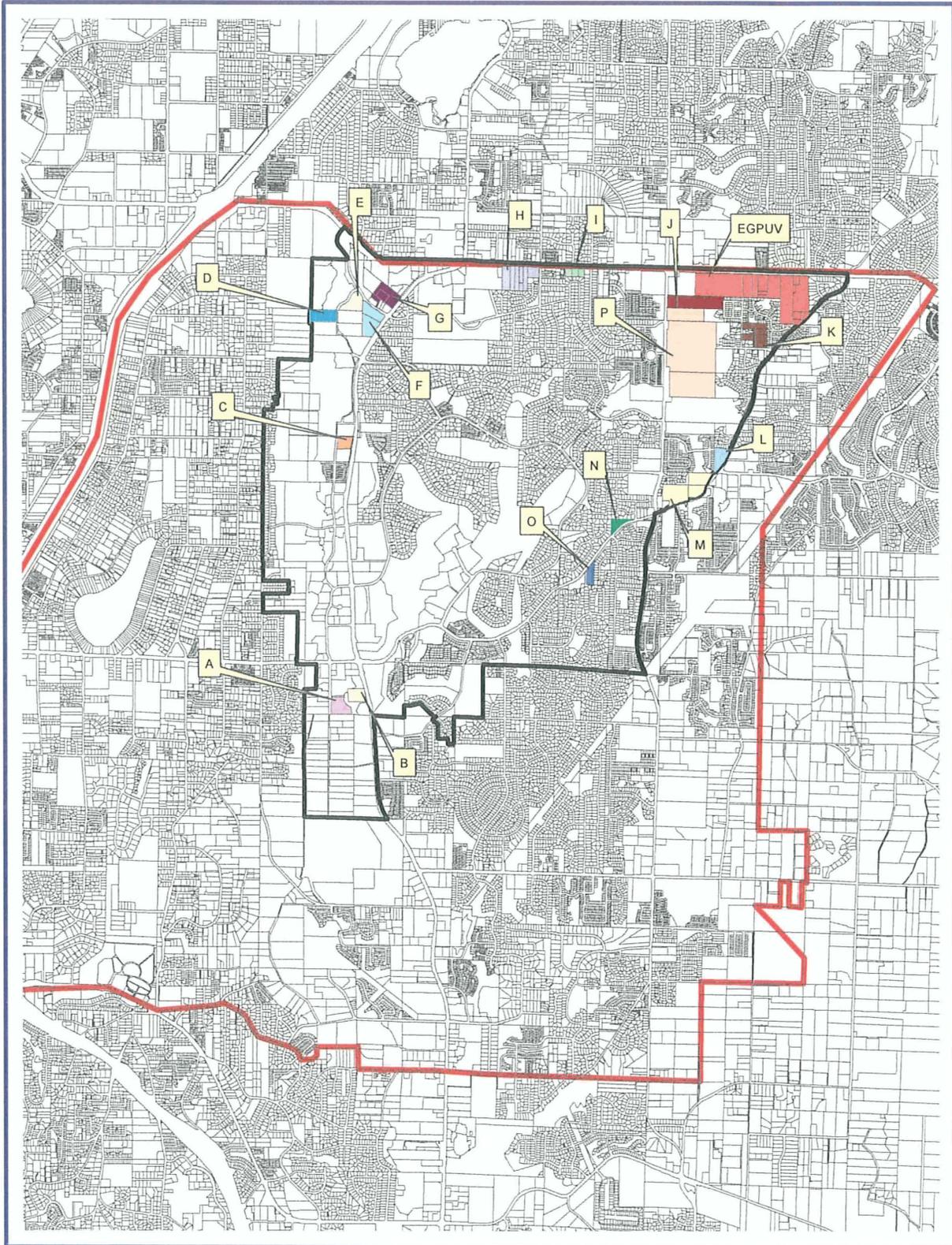
The potential development map represents a reasonable build-out of undeveloped, or under developed land within the city with current zoning. It is very unlikely all this development will occur within the time frame of the current 2011-2017 CFP. However, it is reasonable to assume that somewhere between 50% and 80% of the forecast development will take place by 2017. For the purposes of the Traffic Mitigation Program and fee determination, the mid-point of that range, 65%, was used. The build-out figure of 2,710 new PMPH trips was thus reduced to 1,761 to determine the fee:

$$(\$6,270,000 \text{ eligible costs}) / (1,761 \text{ PMPH trips}) = \$3,560 \text{ per PMPH trip}$$

The current PMPH trip fee is \$2,939. At the July 12, 2011 City Council meeting there was discussion regarding setting the new fee at the full amount of \$3,560 or keeping it at the current fee amount, or some intermediate figure. The final decision set the fee at \$3,000 per PMPH trip.

The cross-jurisdictional traffic mitigation approach used by Mill Creek and Snohomish County in the previous 2004 and 2007 Traffic Mitigation Programs will be carried forward to this 2011 update, but will use the new PMPH trip rate. The methodology is summarized in the enclosed Mirai report.

Potential Development Within the City



LEGEND



2011 City Limits



Municipal Urban Growth Area (MUGA)



Traffic Mitigation Projects & Fee Determination

CFP Proj. No.	Project Title	Budget
T-28B	Seattle Hill Road at 25th Ave SE Traffic Signal	450,000
T-30B	164th Street SE at SR 527 Improvements	300,000
T-33	(Old) Seattle Hill Rd at SR 527 Traffic Signal	1,000,000
T-49	East Gateway Spine Road - Design & ROW	3,150,000
T-50	East Gateway Spine Road - Construction	4,100,000
T-51	132nd St SE at 44th Ave SE Traffic Signal	1,000,000
T-52	East Gateway Rd at Seattle Hill Rd Intersection	1,000,000
	Traffic Mitigation Projects Total	\$11,000,000
	Local Traffic	57%
	Cost Attributable to Local Development	\$6,270,000
	Estimated new PMPH trips at build-out w/current zoning	2,710
	Percent of build-out assumed by 2017	65%
	Estimated new PMPH trips (2011-2017)	1,761
	PMPH Traffic Mitigation Fee	\$3,560

Introduction

The City and Snohomish County have entered into an interlocal agreement under RCW Chapter 39.34 for the purpose of dealing with cross-jurisdictional traffic impacts and reciprocal mitigation. For purposes of implementing that agreement, the City has performed the following analysis and developed a mitigation formula relating to new development within Snohomish County.

For portions of Snohomish County within the City's Planning Influence Boundary, the City of Mill Creek has calculated the average impacts of growth on its roadway facilities. These average impacts represent the proportion of city roadway segments that would be affected by new development occurring within Snohomish County.

Average Impact Calculation

For portions of Snohomish County within the City's Planning Influence Boundary, the City of Mill Creek has calculated the average impacts of growth on city roadway segments. **Table 1** summarizes the proportionate share of impacts for these areas of the County shown in **Figure 1**².

Table 1. Proportionate Share Responsibility for Impacts on City Streets

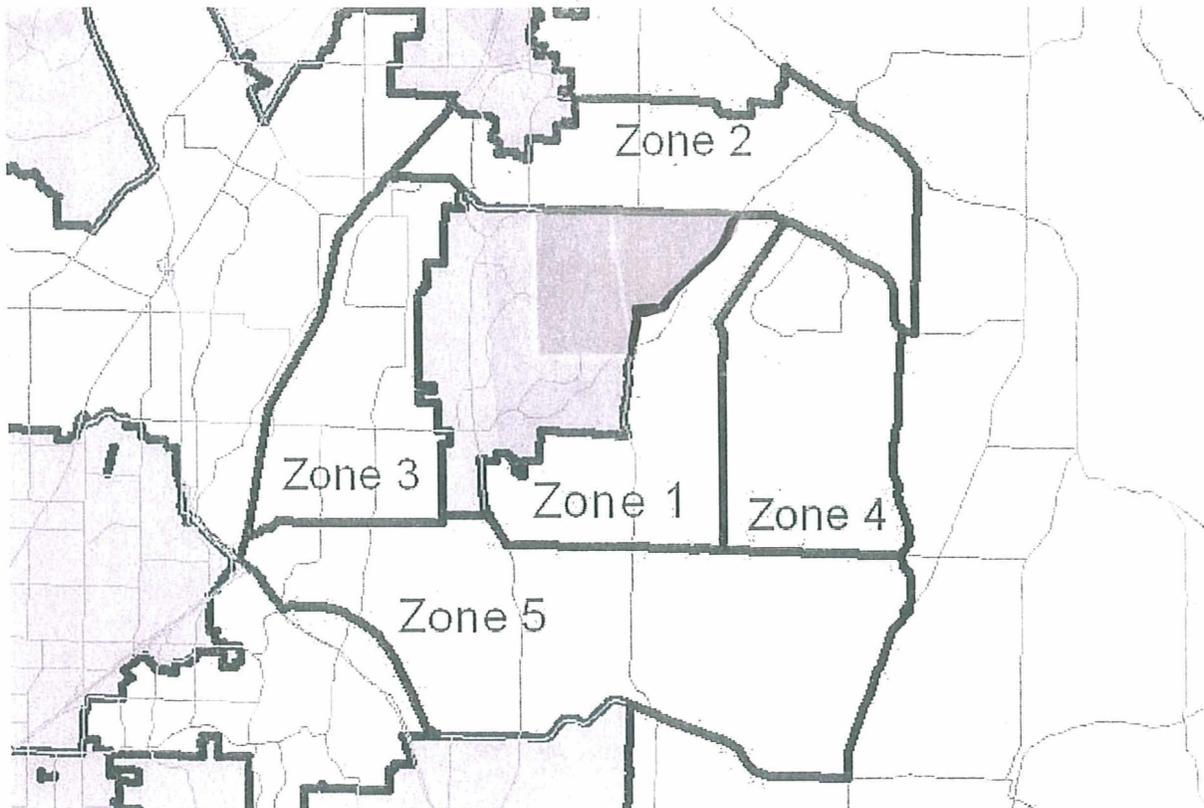
Snohomish County Area (Refer to Figure 1)	Proportionate Share of Impacts
1	56%
2	14%
3	39%
4	40%
5	5%

These shares were determined by using the traffic model feature termed a 'select link'. Selected roadway links were identified in the model, matching projects on the city's traffic mitigation segment list³. Select links were run for 2000 and 2010 conditions; these results were then subtracted to identify the growth trips on the links. Linear interpolation was used to adjust the growth to reflect a 2003 to 2010 time period.

² Detailed calculations and background materials are contained in a traffic mitigation notebook in the possession of the City Engineer and City.

³ Mirai Associates, *Transportation Mitigation Fees, Technical Memorandum*, submitted to City of Mill Creek, December 2003.

Figure 1. Snohomish County Impact Areas for City of Mill Creek Roadway Segments



Zone 1

Northern Boundary Line = 132nd ST SE and 134th PL SE; Southern Boundary Line = 180th ST SE; Eastern Boundary Line Between 134th PL SE and 148th ST SE = Easement for Electric Transmission Lines; Eastern Boundary Between 148th ST SE and 180th ST SE = 47th AV SE or virtual extension of that alignment.; Western Boundary Line = Mill Creek City Limits; South West Boundary Line = SR 527

Zone 2

Northern Boundary Line = Everett City Limits, 116th ST SE or virtual extension of 116th ST SE to 56th AV SE, and Lowell-Larimer Road; Southern Boundary Line = 132nd ST SE and 134th PL SE; Eastern Boundary Line Between 180th ST SE and Cathcart Way = Snohomish AV, 73rd AV SE, and virtual extension of 73rd AV SE to Cathcart Way; Eastern Boundary Between Cathcart Way and Lowell Larimer Road = The line between the western and eastern quarter sections dividing S35 T28 R5E and S26 T28 R5; Western Boundary Line = Interstate 5

Zone 3

Northern Boundary Line = 132nd ST SE; Southern Boundary Line = 178th ST SE and the virtual extension of 178th ST SE to North Creek; Eastern Boundary Line (south to north) = short section of North Creek, and then the Mill Creek City Limits; Western Boundary Line = Interstate 5

Zone 4

Northern Boundary Line = Zone 2; Southern Boundary Line = 180th ST SE; Eastern Boundary Line = Snohomish Avenue/ 73rd AV SE and virtual extension of 73rd AV SE north to Cathcart Way; Western Boundary Line = Zone 1

Zone 5

Northern Boundary Line = Zones 3, 1 and 5 Southern Boundary Line = SR 524 (Maltby Filbert Road) Eastern Boundary Line (south to north) = SR 9 and then a short portion of Snohomish Avenue; Western Boundary Line = Interstate 5

The select links reveal the specific origins and destinations of the trips using those links. In this manner, it was possible to identify where growth within the county is expected to impact city transportation projects.

Table 2 shows how the segment growth was then compared with the total growth in PM peak hour trip ends⁴ within an area. The term 'trip ends' is used in this calculation, since it represents the number of PM peak hour vehicle trips that actually enter and leave a new development. Each trip entering or leaving a development site has one 'trip end' in the development and one trip end elsewhere in the region. The calculation documented in Table 2 produces the proportion of trip ends generated by new development in an area that would be expected to impact the Mill Creek transportation projects. This percentage represents the proportionate share responsibility of new development within the County that will occur in the City's planning area through 2010.

Table 2. Calculation for Proportionate Share Responsibility for Impacts on City Streets

Area	PM Trip Ends Generated in Area (2003 – 2010) ^{***}	PM Trips Generated by Area on Segments (2003 – 2010) ^{***}	Proportion of Trip End Growth affecting City Segments
1	2,209	1,231	56%
2	877	119	14%
3*	284	110	39%
4	1,270	513	40%
5**	1,041	48	5%

*Includes portions of Area 5 proximate to 164th St SW (Shown in Figure 1)

** Excludes portions of Area 5 proximate to 164th St SW (Shown in Figure 1)

*** 2003-2010 Trips and Trip Ends estimated using linear interpolation

Source: Mirai Associates; City of Mill Creek Traffic Model

The proportionate share formula can be applied as follows:

Trip Generation of Development (PM Peak Hour) x Proportionate Share (Table 1) x Cost per Segment Trip (City's current rate)

⁴ A trip end represents the beginning or ending of a trip. For each trip there are two trip ends.

Example:

Development in Area 4 generates 30 PM peak hour trip ends.

Proportionate Share (Area 4) = 40%

Mitigation Calculation = 30 trip ends x 40% share of segment trips x ~~\$2939~~ ^{\$3,000} per ^{PMPH} segment trip = ~~\$35,268~~ **\$36,000**

Note: Cost per segment trip updated July ~~2007~~ **2011**