

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

WHATCOM COUNTY COUNCIL
Planning and Development Committee

April 17, 2007

Committee Chair Seth Fleetwood called the meeting to order at 2:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

Laurie Caskey-Schreiber
Dan McShane

Absent:

None

Also Present:

Sam Crawford
Barbara Brenner

1. DISCUSSION REGARDING BELLINGHAM'S URBAN FRINGE SUBAREA PLAN (AB2006-309)

Crawford read from a handout submitted by Jack Petree regarding the City of Bellingham's recommended safety factors for different areas. He asked if the County Council will adopt different safety factors.

Cathy Craver, Planning and Development Services Department, stated the County staff agrees with the City's lower safety factors in certain areas. The County is using the same assumptions.

She submitted the newest version of the zoning maps (*on file*) according to the committee's recommendations. There were no changes made to the first few maps.

McShane asked about the airport approach zone on map 4. Craver stated staff presented a report on that issue three weeks ago. Staff followed the criteria set out in an ordinance the Council adopted a few years ago.

McShane stated he is comfortable with the zoning as it is for map 4.

Caskey-Schreiber stated she agreed. Leave the density as it is. If it's a future problem, those people can be bought out.

Craver explained the changes to maps seven, eight, and eleven. She submitted aerial photos of the Hillsdale, Geneva, and Padden areas (*on file*). For Hillsdale, there can be approximately 93 more units.

McShane stated his idea for an overlay of the Hillsdale area was to not have an urban residential, three units per acre (UR-3) zone at all. Instead, create a new Lake Whatcom urban growth zone that would prevent any new additional lots that are smaller than five acres. However, the development rights would still be attached to the properties, which could then be sold. There would also be a mandatory transfer of development rights (TDR's) process in that zone. This is one of those cross-jurisdictional boundary areas in terms of stormwater. The whole stormwater system in that area is problematic, which is why it may be okay to leave that area in the urban growth area (UGA). Throughout the

1 UGA, the zoning code should reflect what the City will actually do and to also protect the
2 development rights of the folks who have been in the UGA all this time.
3

4 Crawford referenced map 11 and asked if the zone would have to still be urban
5 residential, three units per acre (UR-3) with an overlay, or else the properties may lose the
6 density that can be transferred. Craver stated that she would have to figure out the
7 underlying zoning.
8

9 McShane stated they should be clear about why they are doing this. Areas outside
10 the watershed boundary on map 11 would remain in the UR-3 zone.
11

12 Craver stated the watershed boundary line on the map is not exact to the actual
13 watershed boundary.
14

15 In the Geneva area, map 12, there can be approximately 213 more units. The 25-
16 year restriction is in place in this area.
17

18 McShane stated this area should have the same new zoning overlay. Craver stated
19 she would discuss the option of a new zoning overlay in those areas with staff.
20

21 Crawford stated not all the lots are developed today, so they haven't paid their
22 hookups to the Lake Whatcom Water and Sewer District. There is potential hookup for
23 already-platted lots and potential subdivision. It may not be a huge burden to Lake
24 Whatcom Water and Sewer District to not have the potential lots subdivided.
25

26 McShane stated it may be burdensome for some property owners who already paid
27 for the hookups, but who haven't subdivided yet.
28

29 Craver continued to explain maps 13 through 16.
30

31 McShane stated create a new Lake Padden zone inside the Lake Padden watershed
32 boundary.
33

34 Brenner asked if there is water and sewer utility service in this area. Craver stated
35 there is.
36

37 Brenner stated services are available in this area. This area is just as sensitive as
38 other areas. She doesn't like the line where the committee is drawing it.
39

40 Crawford stated that if the area isn't served now, it soon will be. He asked if the
41 residents of these areas have been notified that they are creating a new zone. He asked if
42 the residents are okay with the transfer of development rights (TDR) zone. He asked the
43 total number of units that would be removed from the Geneva, Hillsdale, and Padden areas.
44 The total is about 700 potential new units. The Council must notify all of those owners.
45

46 McShane stated they must look at the sewer and water service area. When running
47 sewer and water lines in this area, the City will run into bedrock. A question is whether the
48 Council will protect Lake Padden, combined with the infrastructure investments the City
49 already made. This is a sensitive lake. Urban growth areas in that watershed aren't going
50 to become a part of the city. They must protect this lake.
51

1 Brenner stated they must talk to the City and the property owners first to find out
2 what's been promised there. She is not comfortable with how this is going to affect other
3 areas. She's not optimistic about TDR's.
4

5 Crawford stated people in that area have no intention of subdividing and getting all
6 this density. That is why the Planning Commission lowered the density in all those areas.
7 He wants to hear from the property owners.
8

9 McShane stated he is not interested in the UGA expansion discussion until these
10 maps are figured out.
11

12 *(Clerk's Note: End of tape one, side A.)*
13

14 Fleetwood asked if staff would put together a proposal for a new zone for all three
15 areas. Craver stated they would.
16

17 Caskey-Schreiber stated she would like a very accurate watershed boundary map for
18 these areas.
19

20 Craver gave a presentation on the different safety factors *(on file)*. The greater the
21 safety factor, the more land is taken out of that supply. Fewer units will be accommodated.
22 Safety factor is discretionary, but not arbitrary. They must decide the level of uncertainty
23 they are comfortable with and the assurances that population will be accommodated
24 accordingly. She indicated the population accommodation of five-year review areas on the
25 presentation and described the five-year review areas.
26

27 Crawford asked the difference between net and gross acres. Craver stated net
28 acreage is the amount left over after critical areas and other things are removed
29

30 Brenner stated those areas should be able to develop the same amount. Only the
31 configurations would be different. Craver stated the owner gets the density of the zone.
32 How much is taken away differs between single- and multi-family development. Either way,
33 the owner must achieve the density.
34

35 They will consider different safety factors for different properties.
36

37 Caskey-Schreiber asked why the Planning staff recommended a ten percent safety
38 factor. Craver stated staff recommended an 18 percent safety factor. The ten percent
39 safety factor was a proposal at the Planning Commission level. With the future land supply
40 monitoring program in the land use policy proposals, the lower safety factor may be more
41 appropriate so they can expand the UGA boundaries incrementally, ensure that UGA infill is
42 happening adequately, and ensure there is progressive and uniform movement.
43

44 Hal Hart, Planning and Development Services Director, stated there is a cost to
45 developing the land supply more often. He would have to ask for more resources to do that
46 analysis more often. Also, they must review the City plans for more park acquisition.
47

48 Caskey-Schreiber asked if staff is okay with a deficit in areas where they don't
49 project growth, if the Council chooses an 18 percent safety factor. Craver stated there is a
50 margin of error in the estimates with which the staff is comfortable.
51

52 Fleetwood stated these numbers still have to be adjusted to reflect the numbers
53 they've removed from the Hillsdale and Geneva areas.

1
2 McShane stated the safety factors would be applied to areas added to the UGA.
3 Figuring out those numbers are straightforward. The Planning Commission recommended
4 one safety factor for all areas. He would rather apply a variety of safety factors depending
5 on the individual characteristics of the areas. The committee must consider whether to
6 accept the safety factors and methodologies for areas within the city limits. He has some
7 concerns about some of the methodologies and safety factors. He believes that the
8 neighborhoods will redevelop. The deficit is a small percent of the total number of proposed
9 residences. Analyzing the proposed UGA expansion areas is easy. Analyzing the city safety
10 factors is more difficult. They must justify whatever factor they choose.
11

12 Hart stated it's difficult to influence City policy within city boundaries. The County
13 works with the City on their calculations. The County has been making investments in the
14 City. The County has a voice in deciding the density that the City will get.
15

16 Caskey-Schreiber asked if these totals reflect the minimum or maximum densities.
17 Craver stated the estimates reflect the minimum densities. The areas could be developed at
18 a higher density. She can develop information on the minimum and maximum densities.
19

20 Crawford asked if they should spend time on understanding how the City arrived at
21 its densities. He asked if the City planned on high rise residential towers being built. There
22 doesn't seem to be a market or financing for that type of development.
23

24 Fleetwood stated the decision-makers must decide to what extent they feel safe in
25 the City's analyses and assumptions regarding the safety factor, and to what extent it will
26 inform the County Council's decisions. If they're comfortable with it now, they can look at it
27 more closely.
28

29 McShane stated he just wants to understand how the City came up with its
30 methodology and numbers. He is not interested in saying the City must come up with a
31 new method. The City's methodology will influence his decision on the safety factor needed
32 in a given area, which influences the decision on the needed UGA expansion. High rise
33 towers won't work in Bellingham now, but they are planning for 25 years. In 25 years, this
34 city will experience some kind of re-development as market conditions change.
35

36 They need to have a safety factor because they have a difficult time tracking these
37 things. Development in his neighborhood is happening faster than anticipated. Therefore,
38 the methodology was off a bit, and there was no need for a safety factor at all.
39

40 *(Clerk's Note: End of tape one, side B.)*
41

42 McShane continued to state that they are assuming no new significant neighborhood
43 planning will occur in the city in the next 25 years. The County must protect resource lands
44 and see if the cities are making efforts to meet their densities, which is difficult. They must
45 come up with an appropriate safety number.
46

47 Pat Carmen, City of Bellingham, stated the County Council should speak with City
48 Planner Chris Behee. There could be a joint City/County work session. They don't have the
49 money and resources at this point to develop the towers they'd hoped to begin renewal in
50 the city. The City envisions a denser community in all areas in the future. The City
51 Comprehensive Plan reflects the community vision of future development.
52

1 Crawford asked why the City is simultaneously talking about creating infill and
2 removing the square footage allotment for lots, which is an infill tool.
3

4 Kurt Nabbefeld, City of Bellingham, stated the City Council directed the Planning
5 Department to look and one and one half rule and one and three-quarter rule provision to
6 see if it is being properly used and whether it's a detriment to the neighborhood characters.
7 City staff has prepared a staff report on the history and options. He explained the
8 provisions.
9

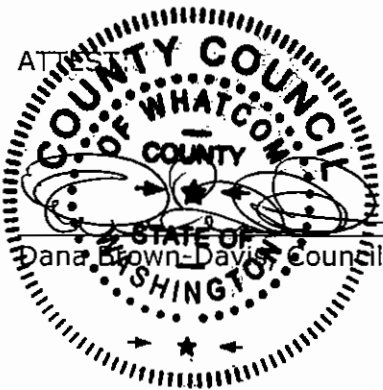
10 Crawford asked if the population projection densities took into consideration these
11 two provisions. Carmen stated there are many exceptions to the rule that allow the City to
12 increase or decrease the lot sizes. She doesn't know if Mr. Behee included those exceptions
13 in the safety factor.
14

15 Fleetwood stated the City and County staff should discuss future meetings. At the
16 next meeting, they will have presentations from five large landowners and possibly more
17 discussion with City staff. He explained the timeline for upcoming meetings on this issue.
18
19

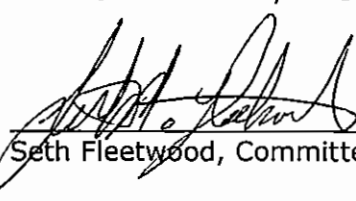
20 **ADJOURN**

21
22 The meeting adjourned at 3:55 p.m.
23

24 
25 _____
26 Jill Nixon, Minutes Transcription
27

28
29 ATTEST
30 
31
32
33
34 _____
35 Dana Brown-Davis, Council Clerk
36

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Seth Fleetwood, Committee Chair