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WHATCOM COUNTY COUNCIL  
**Special Planning and Development Committee**

April 3, 2007

Committee Chair Seth Fleetwood called the meeting to order at 1:05 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

Laurie Caskey-Schreiber  
Dan McShane

Absent:

None

Also Present:

Sam Crawford  
Carl Weimer  
Barbara Brenner

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

Hal Hart, Planning and Development Services Director, stated that today, the Committee would first complete its discussions on the Planning Commission's proposed urban growth area (UGA) zoning maps and then discuss technical questions on land supply analysis with City of Bellingham Planner Chris Behee and County staff.

Crawford asked if there would be a new code written to allow transfers of development rights (TDR's) on map 13, area 2.

Cathy Craver, Planning and Development Services Department, stated the committee recommended the City of Bellingham recommendation of urban residential, mixed use (UR-MX) zone for that area. Map 13 would be left unchanged.

Fleetwood stated the committee would begin where they left off, with map 14.

**McShane moved** to adopt the City of Bellingham map for map 14.

Caskey-Schreiber stated there was a lot of public process that went into the Planning Commission's recommendation, but she understands that they shouldn't concentrate density in one location. It should be spread out. She will support the motion.

McShane stated both maps are urban levels, but the City of Bellingham map is more urban.

Crawford stated he supports the motion. It allows consistency with map 13.

Hart stated the City proposes significant transportation improvements in this area. There will also be a new school.

Dave Pros, Whatcom County Planning Commissioner, stated that the Planning Commission decision was based on topography and citizen input.

**Motion carried unanimously.**

1  
2 McShane stated he submits into the record a topographic map that shows the  
3 watershed boundaries of the Lake Padden area (*on file*). The boundary is very small. He's  
4 not sure if the urban impacts to that watershed has been as considered as they should be.  
5 On maps 15 and 16, use the watershed boundary as a boundary line between zoning  
6 designations. Have less density on the watershed boundary side. Stick with the City's  
7 request on the non-watershed side of the boundary. Don't allow density greater than one  
8 house per five acres unless it's pre-existing. Mr. Templeton's proposal is not in the Lake  
9 Padden watershed.

10  
11 Hart stated it's not a new idea. If improved, staff would come back in two weeks  
12 with a map and staff response on implementation. The staff will also engage a discussion  
13 with the City. It's a departure from the existing policy.

14  
15 Fleetwood stated he is inclined to support the request. However, the committee is  
16 voting to recommend approval before it gets the requisite feedback it needs. If the request  
17 is just a technicality, and a recommendation of approval is what gets the staff to look at the  
18 idea, he will support the request, subject to modification later.

19  
20 Crawford asked the reason for the watershed protection zone.

21  
22 McShane stated there were substantial problems in the trailer park lake. There was  
23 severe residential development on the other side of Yew Street Road that had really poor  
24 stormwater management. The fine grain mud ended up in the trailer park lake.

25  
26 Crawford asked if the watershed protection zone in area four is related to the lake at  
27 the trailer park as opposed to Lake Padden. Craver stated she would look into the old staff  
28 report. It might be about both lakes.

29  
30 Brenner asked if there are future plans to put that area on sewer and water. Hart  
31 indicated the location of existing sewer and water on a map.

32  
33 Brenner asked the reason for Councilmember McShane's change. It's not a drinking  
34 water source.

35  
36 McShane read from the environmental impact statement. The water quality is  
37 degraded. It improved with the extension of sewer service, but still suffers for a variety of  
38 reasons. He read the list of threats to the watershed. The problems now are similar to the  
39 problems they heard about for Lake Whatcom 20 years ago. It's not a drinking water  
40 source, but it's a significant community gathering place for a large population.

41  
42 Brenner stated new development will be more protective than past development.  
43 They can't do anything about waterfowl. The water quality is getting better.

44  
45 McShane stated he doesn't have faith in stormwater controls. He can build a record  
46 to support his opinion. When there is increased residential development, no matter how  
47 modern, there are stormwater impacts.

48  
49 Crawford asked why area four has a special designation. Hart stated there was  
50 significant input from the residents, who were concerned about the water quality impacts.

51  
52 Crawford asked if the recommendation for area three is an upzone.

53

1 McShane stated it is.  
2

3 **McShane moved** to establish a zoning boundary along the watershed boundary of  
4 Lake Padden.  
5

6 Caskey-Schreiber stated think about how the zoning applies to the Lake Padden golf  
7 course. Decrease density that matches the sensitivity of the watershed.  
8

9 Crawford stated the golf course is a city park.  
10

11 **Motion carried unanimously.**  
12

13 **McShane moved** to create a zoning designation in the existing urban area that is  
14 approximately similar to Geneva, and not allow lots smaller than five acres. Possibly  
15 consider the area for TDR's.  
16

17 Fleetwood stated he would like to hear from staff about the motion. There are big  
18 implications and questions.  
19

20 Hart stated he will work with City staff on a written response about how they might  
21 manage the watershed. Within the interlocal agreement, there is an opportunity to expand  
22 the coordination of watershed management.  
23

24 *(Clerk's Note: End of tape one, side A.)*  
25

26 Hart continued to state that staff will come back at the meeting on April 17 with  
27 information on how a TDR program might work.  
28

29 McShane stated infrastructure should not always dictate where they grow. Let the  
30 land speak.  
31

32 Crawford stated the correct name for the area referenced in the motion is the Lake  
33 Padden sub-basin of the Padden Creek watershed.  
34

35 **Motion carried unanimously.**  
36

37 Crawford stated it's better to lower the owner expectations on their property density  
38 now.  
39

40 McShane stated many property owners in the area aren't very interested in  
41 subdividing. The expectation of new growth in that area is low, based on surveys and the  
42 willingness of people to subdivide.  
43

44 Caskey-Schreiber asked why the seven-year review area is not an option.  
45

46 Hart stated Mr. Templeton's proposal is outside the urban growth area. If it's  
47 allowed to come into the process, the Planning Commission would take up that issue. He  
48 discussed the history of Mr. Templeton's proposal.  
49

50 Pat Carmen, City of Bellingham, stated the Templeton property was considered,  
51 along with six other properties outside the existing UGA and outside the five-year priority  
52 areas. The City Planning Commission decided it is not appropriate at this time because the  
53 City can accommodate its population within its UGA and proposed five-year review areas.

1 The final recommendations are in the packet she submitted to the County Council. There  
2 was significant analysis on all six applications. Caitec and King Mountain are existing five-  
3 year review areas. The King Mountain property was initiated by this Council, so it was  
4 considered as part of the five-year review areas. The County Planning Commission  
5 identified and the County Council adopted the five-year review areas in 1997. The City  
6 recommends two areas be included in Bellingham's UGA, for transportation purposes. The  
7 County Council will discuss that as it discusses the five-year review areas. The City did not  
8 discuss the merits of the proposal. It considered how the properties would fit into the  
9 existing urban growth area and its impact to the city and surrounding areas.

10  
11 Brenner stated several properties didn't get included in 1997, and now cannot get in.  
12 She asked if they were supposed to look at proposals on the merits of the proposals. They  
13 are dealing with the politics, not the properties. She wants geographic and environmental  
14 reasons for the Templeton properties to not be included.

15  
16 Fleetwood stated that application is not before the committee today.

17  
18 Hart stated the County Council may bring the issue forward. It may not go  
19 anywhere. The County may be at odds with the City on something like that. The City has  
20 received strong negative responses from property owners who are opposed to this particular  
21 proposal.

22  
23 Caskey-Schreiber stated they must look at whether the area is a good place to grow  
24 for the community. Don't make it a political decision. They keep marching development  
25 northward, and refuse to go south at all.

26  
27 Fleetwood stated the City considered it, and had good reason for drawing the line  
28 where it is.

29  
30 Craver stated the Planning Commission recommended not including the Templeton  
31 property. Staff is working with Mr. Templeton and encouraged him to work with the Council  
32 during the five-year review area discussions. It's the City's recommendation not to include  
33 Mr. Templeton's application. Staff has brought forward the County Planning Commission  
34 recommendation. Mr. Templeton will have a chance to speak directly to the Council on his  
35 project.

36  
37 John Templeton, applicant, stated he submitted an application to the County in 2001.  
38 He paid the fee.

39  
40 Caskey-Schreiber stated the Council said this application would be addressed as part  
41 of the UGA process.

42  
43 Templeton stated the Bellingham Planning Commission said that if it's not included in  
44 the UGA, it should be a priority seven-year review area. The process is an endless circle.  
45 He can't get his project past the commissions. The nearest water and sewer is gravity fed  
46 downhill, and is half a mile away. There is no sewer and water at the City park, and there  
47 needs to be.

48  
49 Hart stated the City Council, City Planning Commission, and County Planning  
50 Commission all said no to Mr. Templeton's application. However, this is the appropriate  
51 process for the County to consider Mr. Templeton's application.

52  
53 **Caskey-Schreiber moved** to include Mr. Templeton's property as a proposed UGA.

1  
2 Fleetwood stated he is in favor of considering it, but not at this moment. He will  
3 honor the recommendations of staff, the City, and the Planning Commissions.  
4

5 Hart stated Queen Mountain is another property the Council will have to consider.  
6 The Council will first look at UGA's, then five-year review areas. This area is another way to  
7 look at the five-year review areas. The Council is reserving the right to accept the  
8 presentation, deliberate, and make the final decision.  
9

10 **Caskey-Schreiber withdrew her motion.** Mr. Hart indicated that the time to deal  
11 with it is after they deal with the five-year review areas.  
12

13 **McShane moved** to adopt the City of Bellingham proposed zoning for map 15, to  
14 the north of the watershed boundary.  
15

16 **Motion carried unanimously.**  
17

18 **McShane moved** to adopt the City of Bellingham zoning recommendation for any  
19 areas outside the watershed boundary on map 16.  
20

21 **Motion carried unanimously.**  
22

23 Fleetwood stated they would discuss technical questions on the land supply analysis.  
24 There was discussion about a City ordinance adopted last night that was a result of a  
25 lawsuit.  
26

27 McShane asked about acreage in the city limits for park land supply. Behee stated  
28 they include UGA's in the park land supply analysis. Park areas outside the city limits, in  
29 Geneva, are considered in the City's calculations of the existing inventory because it is in  
30 the UGA. Conservation areas not slated for recreation were not included in the calculation.  
31

32 McShane asked if the City would include County conservation lands near Lake  
33 Whatcom, even if they aren't for recreation. Behee stated park lands must be active  
34 recreation areas, not a watershed management area.  
35

36 McShane asked if they maintained the same ratio for public facilities. Behee stated  
37 public facilities were based on current capital facilities needs. They don't project a need for  
38 great increases. Other things like libraries don't use much acreage. The biggest ticket  
39 items are the schools. The school district already owns two sites in the UGA. There may be  
40 a third site. Those two areas were removed from the land supply.  
41

42 They will probably keep the same level of service for quasi-public facilities, such as  
43 nursing homes, private schools, and social services. It was added on to the total for known  
44 public facilities.  
45

46 Fleetwood stated the approximate population projection is 14,800 units in the City,  
47 UGA, and five-year review area. He asked the percentage that would be within the current  
48 city limits.  
49

50 *(Clerk's Note: End of tape one, side B.)*  
51

52 Behee stated the total amount of population planned for the city is approximately  
53 31,600. Of those, they have already accommodated approximately 4,200 from 2002 to

1 2005 in the city and the UGA. Of that 4,200, about 3,600 were in the city and the rest were  
2 in the UGA. In the future, the city neighborhoods and urban centers will accommodate  
3 about 17,000 additional population, for a total of about 20,600 of the total 31,600. The  
4 growth at 2022 will be about 80 percent in the current city limits.  
5

6 Caskey-Schreiber stated this was done in 2005. There has since been higher density  
7 developed in some areas of the city. She asked if those areas will count against the areas  
8 they are planning for. Behee stated they will. They will be counted against units planned  
9 for the urban centers.  
10

11 Caskey-Schreiber stated she would like information on the land supply, given the  
12 changes the committee made to the maps and what they need to add. Craver stated they  
13 need to also consider the safety factor. There will be a range of estimates.  
14

15 Behee stated his estimates are based on the numbers approved by the City. The  
16 County Planning Commission maps are slightly different, and result in slightly different  
17 population projections. The percentage of difference is negligible.  
18

19 McShane stated the methodology looks at the individual neighborhoods. He asked  
20 how much thought was given to neighborhoods doing neighborhood planning. He asked  
21 how much they anticipate more density being re-developed in neighborhoods. Behee stated  
22 it was not considered to a great degree. Infill was calculated in urban centers. There was  
23 not a huge assumption that neighborhoods would line up to dramatically increase their  
24 density. Any infill in the neighborhoods will go on the vacant or partially-developed land  
25 that remains.  
26

27 McShane asked if the City is confident that it can track the number of units going  
28 into the neighborhoods over the years. Behee stated the City has a tracking system that  
29 can total units by neighborhood.  
30

31 McShane stated a question is to monitor the land supply and adjust it periodically,  
32 rather than have a large safety factor. Behee stated they can monitor that land supply.  
33 The question is which public process it would go through. Frequency of monitoring provides  
34 more confidence in the numbers, but might not eliminate the need for a safety factor. The  
35 data gathering tools aren't completely accurate for their purposes. There will always be  
36 issues with the data.  
37

38 There are 23 neighborhoods in the city. Of those, six are docketed for action in  
39 2007. In 2008, 18 more have signed up to do work next year. The updates range from  
40 some text changes to full rewrites.  
41

42 Hart asked for direction on what to do at next week's meeting.  
43

44 Craver stated that tangible numbers would come before the Committee at its  
45 meeting on April 17. Next week, continue the discussion on land supply analysis and  
46 discuss related policy implications.  
47

48 Caskey-Schreiber asked for information on whether the city is correct in its forecasts  
49 and estimates, and what the different safety factors will look like. Hart stated that  
50 information will be available in two weeks. They will also discuss the possibility of doing a  
51 land supply analysis more often.  
52

1 McShane stated the committee hasn't made major changes to the maps, and won't  
2 affect the need to expand the UGA deliberations. Given that, he is comfortable proceeding  
3 without checking in with the public on these UGA's. They are going to have a public  
4 hearing. The changes won't play a big role in influencing their analysis of the need for more  
5 land in the UGA. Hart stated he would have to really look at the map changes. The  
6 meetings with the public regarding Yew Street included hundreds of people. If the  
7 committee significantly departs from what the public wants, the Council may have several  
8 hundred people testify. He wants to understand how the decisions about Yew Street will  
9 apply on the ground before answering that question. More than any other location, they  
10 had a huge turnout.

11  
12 McShane stated there is significant resistance to a higher density in the Yew Street  
13 UGA. The methodology assumes that this area won't have a lot of density, even if it is  
14 zoned for a lot of density.

15  
16 Brenner stated the survey was unclear and negative. Instead, the County should  
17 interact with the public one-on-one to get them on board.

18  
19 McShane stated some of the changes proposed have to do with the public who came  
20 to the meetings in the Yew Street area. Reducing the development in the Lake Padden area  
21 will recognize what that community is saying.


22  
23 Hart stated that the Council's decisions on these three elements will direct the  
24 Planning Commission on how to look at the remaining chapters, which may not be delivered  
25 until June or later.

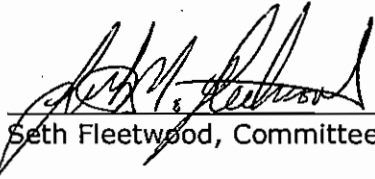
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27

28 **ADJOURN**

29  
30 The meeting adjourned at 3:22 p.m.

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33 \_\_\_\_\_  
34 Jill Nixon, Minutes Transcription

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36  
37 ATTEST:  
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42  
43 Dana Brown-Davis, Council Clerk  
44

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON  
  
  
\_\_\_\_\_  
Seth Fleetwood, Committee Chair