

**Whatcom County Planning Commission
November 9, 2006 Work Session
DRAFT Land Use Policies**

BELLINGHAM SUBAREA PLAN: August 24, 2006 Draft

Chapter IV. LAND USE GOALS AND POLICIES

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A. Land Use Alternatives Considered/EIS Process

The Bellingham Subarea Plan Final Environmental Impact Statement published July 1, 2004 examines four growth alternatives for a twenty-year planning period.

1. NO ACTION

Under this alternative, the forecasted 20-year population and employment growth would be accommodated on vacant and underused lands within existing city and UGA boundaries. Current zoning, environmental and development regulations would not change. The No Action alternative is required by SEPA for analysis purposes. New residential and commercial development would occur on available vacant land or through redevelopment.

2. INFILL

“Infill”, in terms of land use planning, is the process of developing vacant or under-used land within existing urban areas that are already largely developed. Under this alternative, the City’s existing UGA boundaries would accommodate the expected land demand for housing and employment over the next 20-years. All neighborhoods in the Greater Bellingham Area would be expected to accommodate some additional housing under this alternative. This alternative emphasizes concentrating new development on land within the existing boundaries of the City of Bellingham and the UGA to accommodate projected population growth. New zoning and regulatory mechanisms would be established to increase zoning density in the City of Bellingham and the existing UGA, and to encourage infill and emphasize residential development in areas close to employment and service centers for more compact growth.

3. ADJUSTED (EXPANDED) UGA

Expand the UGA boundaries to accommodate projected population growth. Under this alternative, land inside the current City and UGA boundaries would retain existing zoning and residential densities. Much of the projected population growth would be accommodated in areas that would be added to Bellingham’s UGA and rezoned for urban densities and uses. Alternative 3 examines several areas outside the existing UGA boundary for potential inclusion in the UGA and rezones to urban densities.

4. INFILL AND ADJUSTED (EXPANDED) UGA

Increase density in the City of Bellingham and the existing UGA, and adjust the UGA boundaries to provide more area to accommodate projected population.

Under this alternative, the net projected population growth would be addressed by a combination of zoning revisions in both the City and the existing UGA to allow/require higher residential densities along with an expansion of the UGA boundary. This alternative would create a more compact urban area surrounded by high to medium to low densities radiating out from the urban core.

B. Intergovernmental Coordination and Cooperation (IG)

Planning under the Growth Management Act needs to occur in a coordinated and comprehensive manner that draws on the cooperation of the affected jurisdictions.

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Whatcom County and the City of Bellingham have coordinated efforts to develop this subarea plan. This section lists goals and policies to achieve common goals and establishes a framework for cooperation between Whatcom county and the City of Bellingham.

Goal IG-1: To ensure cooperation between Whatcom County and the City of Bellingham in directing and managing growth and development in and adjacent to Bellingham's Urban Growth Area.

Goal IG-2: To ensure that a full range of urban services is provided in the UGA at adopted levels of service. These services include, but are not limited to sewer, water, stormwater, fire, police, transportation, park, recreation and open space.

Policy IG-1: Whatcom County and the City of Bellingham will designate land uses in Whatcom County's Bellingham Subarea consistent with the Growth Management Act, County-wide Planning Policies, the Whatcom County Comprehensive Plan, the Bellingham Comprehensive Plan, and other agency plans applicable to the planning area (such as Bellingham International Airport Master Plan and Whatcom Transit Authority Strategic Plan.)

Policy IG-2: Whatcom County will work with the City of Bellingham on the Transfer of Development Rights (TDR) program to determine the terms of incentives and the sending and receiving areas in the County and the City, thereby reducing development rights in the Lake Whatcom Watershed and other areas as designated in the TDR program.

Policy IG-3: The City of Bellingham shall identify appropriate sending and receiving areas in the City for the TDR program.

Policy IG-4: The City of Bellingham and Whatcom County will cooperate and coordinate with special purpose districts and other governmental agencies to ensure efficient provision of urban services.

Policy IG-5: The City of Bellingham and Whatcom County will amend the 1997 Interlocal Agreement by December 31, 2006 to address:

1. Annexation

- Require a timeline for annexation of all existing service extension zones within the UGA.
- Require annexation same as or before extending City services.
- Criteria for orderly annexation with logical boundaries.
- Economic balance among commercial, industrial, residential and other lands within the UGA.
- Fiscal analysis and capital facilities plans addressing impacts to infrastructure and environmental systems within and adjacent to the UGA.

2. Tax Revenue Sharing and Cost Allocation

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- A methodology for sharing and allocating costs and revenues prior to and after annexation.
- Allocations of costs and revenues between the City of Bellingham and Whatcom County for construction of capital facilities in the Subarea to accommodate urban levels of growth prior to annexation.
- Balancing the needs of the City of Bellingham, Whatcom County, and special purpose districts when planning for transition of services and annexation within the UGA.

3. Urban Services and Infrastructure

- Assurance of adequate public services including transportation, parks, stormwater, schools and administrative services.
- Timing of service extensions
- Delivery of Urban Services
- Requirements to annex areas zoned for urban densities at the same time as, or before, extension of or delivery of urban services.
- A strategy to guide transition of services from the County or from other rural service providers (such as fire and utility districts) to City services.

4. Growth Management in UGAs Prior to Annexations

- Joint City/County Master Plans and Capital Facilities for the UGA. The plans should:
 - Establish procedures that protect the interests of both the City and the County
 - Recommend that City development standards and adopted levels of service apply in the UGA.

5. Critical Areas Protection

6. Parks and Open Space Designation and Management

- Link green belts and open space

7. Stormwater Facilities Management

8. Transfer of Development Rights

9. Rural Development

- Establish development requirements in Bellingham's UGA that do not preclude urban densities.
- Implement appropriate strategies to manage growth in rural and resource areas.

10. Land Supply Monitoring

C. Urban Form (UF)

Establishing appropriate urban form standards is crucial to managing growth and creating desirable neighborhoods. Coordinating strategies to address urban form is necessary to achieve both City and County policies and to meet the goals of the GMA.

Goal UF-1: To ensure logical, contiguous, orderly growth in the urban core outward in a manner that promotes urban densities, prevents sprawl and leapfrog development

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within the UGA, and assures the cost-effective provision of services.

Goal UF-2: To ensure the most efficient use of resources to prevent urban sprawl and adverse economic and environmental impacts.

Goal UF-3: To ensure that the City of Bellingham and its UGA are meeting infill, density, and housing targets, with the intention that the City of Bellingham should infill prior to development in its UGA.

Policy UF-1: Whatcom County and the City of Bellingham shall develop options for addressing ongoing land supply monitoring needs, including timelines, jurisdiction and staff responsibilities, a protocol for initiating further studies regarding Bellingham's land supply, a protocol for amending the urban growth area, and any other relevant issues. The County and City shall adopt a "Buildable Lands Program" as outlined in RCW 36.70A.215, that reviews and monitors land supply.

Policy UF-2: In accordance with the Bellingham Comprehensive Plan and Growth Forum Strategy Action Step 7, the City of Bellingham will monitor and evaluate its progress in achieving infill planning and development objectives on an annual basis.

Policy UF-3: The City of Bellingham and Whatcom County will monitor and report annually to their respective Planning Commissions and Councils on land supply. The reports should provide current data and analysis on at least the following:

- The number, type and location of housing units permitted in the City of Bellingham and in the UGA (Short Term Planning Area)
- The net density of infill that is occurring
- The affordability of the housing produced

Policy UF-4: Whatcom County will work with the City of Bellingham to study and identify appropriate areas for neighborhood parks, trails, open space, schools and other public facilities to make higher density in Bellingham's UGA more attractive.

Policy UF-5: Consider adjustments to the UGA boundaries only if projected growth cannot be accommodated inside Bellingham and the UGA through infill and rezones.

Policy UF-6: Any adjustment of the UGA boundary will minimize impacts on agricultural, forestry, and mineral resource lands, watersheds, water resources, and critical areas.

Policy UF-7: Impacts on City and County road networks, parks, recreation, open space facilities, schools, urban sewer, water, police, fire protection, and emergency services shall be mitigated and identified before Whatcom County approves any expansion or enlargement of Bellingham's UGA and/or city boundaries. This plan shall analyze the cost effectiveness of providing urban services to areas considered for addition to the UGA.

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D. Development Review and Design Criteria (DR)

Consistency and quality in Development Review is key to implementing local control over community design, while achieving Growth Management Act goals. Community design ensures, as much as possible, that new development reinforces the community's identity and design preferences. Community design can be thought of as those elements of the city that convey the visual impressions of that environment and give the city its "character." The elements of community design can be grouped into several broad categories:

- The natural setting of the City
- The physical development
- The public infrastructure (the visible part— streets, sidewalks, and overhead utilities)

Goal DR-1: To ensure consistency and predictability in the process of development review and land use permitting.

Goal DR-2: To provide for a single permitting authority for urban development and one set of development regulations, standards, guidelines and other requirements in the Urban Growth Area.

Goal DR-3: To ensure that future development complements the role of Bellingham's downtown and waterfront as the focal points of the community, while also preserving community identity in Bellingham's varied, unique neighborhoods.

Policy DR-1: Urban levels of development in Bellingham's UGA shall not be permitted without annexation to the City and provision of a full range of urban services.

Policy DR-2: Require all new urban development in the UGA to comply with the current version of Bellingham's development standards and design guidelines.

Policy DR-3: Retain Rural and Resource lands in the Bellingham Subarea under Whatcom County jurisdiction for permit and development purposes.

Policy DR-4: Mixed-use neighborhoods will define the new urban fabric of the community. Locate higher density housing and commercial/ office/ public services in a number of "urban centers". The neighborhood and pocket-sized centers will become neighborhood focal points with neighborhood oriented retail and service businesses, transit stops and neighborhood parks or other public facilities. Where feasible, trails will connect the centers to nearby housing, parks and schools.

Policy DR-5: Use flexible design standards to enhance the character of individual neighborhoods.

Policy DR-6: Establish design guidelines and site improvement standards through the City's Master Plan process for urban center development.

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Policy DR-7: Adopt incentives to include functional open space, and preserve resource lands in Bellingham's Subarea.

Policy DR-8: Encourage Transit-Oriented Development. Locate and concentrate moderate and high-density housing with complementing public uses, jobs, retail and services in mixed-use developments at strategic points along a regional transit system to enhance the pedestrian environment and reinforce public transit use.

Policy DR-9: Implement Low-Impact Development techniques that minimize impervious surfaces and treat runoff to protect water resources and watershed hydrology. Low-Impact Development protects and uses onsite natural features, with engineered, small-scale stormwater controls, to maintain pre-development watershed hydrologic functions.

E. Annexation (AN)

The GMA states, "In general, cities are the units of local government most appropriate to provide urban services." Large portions of the existing UGA have urban levels of development enabled by the extension of sewer and water services. Whatcom County and special districts provide the majority of the urban services in these areas, except for sewer and water. It is appropriate to annex these areas in a timely manner into the City of Bellingham so that citizens can enjoy a full range of urban services at adopted urban levels, as intended by the GMA.

Goal AN-1: To assure the most cost-effective provision of urban services and infrastructure (including future maintenance and replacement costs), to prevent sprawl, and to strengthen Bellingham and Whatcom County's tax base.

Goal AN-2: To maintain the County's role in providing regional planning for rural and natural resource protection.

Goal AN-3: To assure that urban growth areas that are provided urban levels of service and are currently urban in nature are under the land use and environmental jurisdiction of the City of Bellingham.

Goal AN-4: To direct projected growth into established urban areas prior to moving into areas more rural in nature.

Goal AN-5: To assure that areas being considered for annexation have been master planned as outlined below.

Policy AN-1: Before approving an annexation, the City of Bellingham shall provide the area with a master plan to address:

- Regional environmental impacts and mitigation.
- Regional transportation network impacts and mitigation.
- Capital facilities levels of service.

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- Future mix and location of land uses.
- Timing and financing of infrastructure provision, including but not limited to, public sewer and water, stormwater, transportation, and parks.
- Timing and financing of public services, including but not limited to police, fire protection, emergency services, parks, recreation, open space, and schools.
- Residential, commercial, and industrial design guidelines and standards.

Policy AN-2: Annexation shall occur at the same time as, or before, the City of Bellingham extends any utility service zones.

Policy AN-3: Allow exceptions to annexation policies only to protect public health, safety, and welfare, to reduce density within the Lake Whatcom watershed, or as agreed to by the County Council.

Policy AN-4: Plan utility extensions to allow for a predictable progression of development, and prevent “leap frog” development.

Policy AN-5: The City of Bellingham, Whatcom County and special purpose districts will develop interlocal agreements prior to and upon annexation.

Policy AN-6: Establish a timeline for the annexation of all existing service extension zones within the UGA through the interlocal agreement, and prior to annexation of any “5 year review area.”

F. Urban Services and Facilities (SF)

Planning urban services and facilities in the UGA is key to managing growth, preventing sprawl, and providing cost-effective service. Effective provision of services and facilities is essential to quality of life, for residents in both the County and the City.

Goal SF-1: To provide the UGA with a full range of urban services upon annexation.

Goal SF-2: To provide the necessary capital facilities and services for Bellingham’s existing and future population without decreasing levels of service (LOS) below adopted standards.

Goal SF-3: To resolve service planning and revenue sharing issues between jurisdictions and special purpose districts.

Policy SF-1: The City of Bellingham will be the primary provider of urban services and facilities in its UGA, including sewer, water, stormwater, roads, police, fire protection, emergency services, parks, recreation and open space.

Policy SF-2: Plan utility extensions that allow for a predictable progression of development and prevent leapfrog development.

Policy SF-3: The City of Bellingham and Whatcom County will cooperate and

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coordinate with special purpose districts and other government agencies to ensure efficient provision of a full range of urban services in the UGA.

Policy SF-4: The City of Bellingham, Whatcom County and special purpose districts will coordinate plans to manage growth in Bellingham's UGA, and will develop interlocal agreements to transition service provisions to the City as urban development occurs.

G. Urban Growth Area (UGA)

This section establishes a tiered urban growth area to address the GMA's intent "that an urban growth area may include territory that is located outside of a city only if such territory is characterized by urban growth" and "urban growth should first located in areas already characterized by urban growth that have adequate existing public facilities and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing and any needed public facilities that are provided by either public or private resources."

Further, the goals and policies implement the GMA Legislative Finding that "It is in the public interest that citizens, communities, local governments and the private sector cooperate and coordinate with one another in comprehensive land use planning."

Phased Urban Growth Areas - Short Term and Long Term Planning Areas

The concept of Short Term and Long Term Planning Areas in Whatcom County UGA is discussed in the 2005 Whatcom County Comprehensive Plan beginning on page 2-16, in Goal 2-S and policies 2S-1 through 2S-3. It is consistent with the Visions for Bellingham Goal Statement VB-2, the Bellingham Growth Forum policy recommendations (GF Action Step 20), and the Whatcom County County-Wide Planning Policy D.3.

Goal UGA-1: To promote infill and density goals within the City of Bellingham, and to encourage redevelopment.

Goal UGA-2: To achieve orderly, logical development patterns and efficient land use.

Goal UGA-3: To provide facilities and services that are necessary to achieve attractive, high quality urban development in a cost effective manner.

Goal UGA-4: To maximize density and infill objectives, minimize sprawl and leap frog development, and ensure the efficient use of infrastructure by phasing growth through a phased or tiered UGA.

Policy UGA-1: The City of Bellingham and Whatcom County shall use the following criteria, which should be achieved to the extent possible, to evaluate proposed changes to Bellingham's UGA:

- Inclusion of sufficient developable land to accommodate Bellingham's 20-year forecasted population growth.

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- Inclusion of land adjacent to the City that is characterized by urban development.
- Provision for urban services and utilities to be provided in a cost-effective manner during the 20-year planning period.
- Acknowledgement of historic urban development patterns.
- Adhesion to parcel and ownership boundaries and, in some cases, natural features as appropriate.
- Land use designation that permits urban levels of development while minimizing adverse impacts to resource lands and environmentally sensitive areas.

Policy UGA-2: Each tier of the UGA shall accommodate approximately six years of the adopted 20-year population projection.

Policy UGA-3: A six-year transportation and capital facilities plan will be developed prior to conversion of a UGA tier from Long Term to Short Term Planning Area.

Policy UGA-4: Tier 1 UGA Current Urban Growth Area - Short-Term Planning Area

- Tier 1 is characterized by urban development and has existing public utility capacity. Tier 1 consists of areas within the UGA established in 1997.
- Require annexation prior to the extension of utilities. Utility extensions and urban levels of development may occur upon annexation.
- Amend the interlocal agreement and establish a program to annex areas already within a utility service zone as of 2005.
- Require use of TDRs as a prerequisite for annexation, as per Bellingham City Council policy. (Lake Whatcom Watershed and other areas as designated in the TDR program).
- Monitor the buildable land supply to determine the need to add land from the Long-Term Planning Area to the Short-Term Planning Area.
- Prohibit subdivision of land without urban services into parcels smaller than 10 acres.
- Tier 1 shall have sufficient capacity to accommodate at least six years of the adopted twenty-year population forecast.

Policy UGA-5: Tier 2 Intermediate Urban Growth Area - Long-Term Planning Area

- Tier 2 is characterized by urban development, and has existing public utility capacity. Tier 2 consists of areas within the UGA established in 1997, the "5-Year Review Areas", and adjacent to areas characterized by urban development.
- Prohibit annexation, utility extensions (except for public health emergencies) and urban development until rezoned to a Short-Term Planning Area.
- Designate as *Rural* with a maximum density of one dwelling per 10 acres until rezoned to a Short-term planning area.
- Prohibit subdivision into parcels smaller than 10 acres.

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- Require the following for proposed rezones of Intermediate Urban Growth Areas (Long-Term) to Current (Short-Term) Urban Growth Areas:
 - Adoption of a revised interlocal agreement.
 - Adoption of a land supply monitoring program.
 - Adoption of regulations for Urban Villages as outlined in the Bellingham Growth Forum policy recommendations.
 - Adoption of master plans of the area that address parks, open space, stormwater, critical areas and habitats, transportation routes and general neighborhood layout.
 - Adoption of both a capital facilities plan and a transportation improvement plan that addresses impacts and infrastructure requirements on a subarea scale.
 - Implementation by the City of Bellingham of reasonable measures to require increased densities, infill, and redevelopment where appropriate. These measures could include:
 - Allowing one accessory dwelling unit per residence in all single family neighborhoods
 - Establishing minimum densities in all planning areas and limiting single family residences in multi-family zones
 - Eliminating off street parking requirements for all residential development.
 - Implementation by the City of Bellingham of measures to require increased densities, infill and redevelopment where appropriate. These measures shall include:
 - Efficient use of industrial and commercial land.
 - Planned Unit Development standards.
 - Transferable development rights.
 - Increased density where appropriate (upzones).
 - Modification of development standards for building heights, street and right-of-way, setbacks and access.
 - Clustering on all parcels.
 - Demonstration that there is not sufficient land in Tier 1 to accommodate six years of the adopted twenty-year population forecast.

Policy UGA-6: Tier 3 Intermediate Urban Growth Area - Long-Term Planning Area

- Tier 3 consists of the “ 5-Year Review Areas” and adjacent to areas characterized by urban development.
- Annexation, utility extensions (except for public health emergencies), and urban

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development may not occur until rezoned to Short-Term Planning Area.

- Designated as *Rural* with a maximum density of one dwelling per 10 acres until rezoned to a Short-Term planning area.
- Prohibit subdivision into parcels smaller than 10 acres.
- Require the following criteria for proposed rezones of Intermediate Urban Growth Area (Long-Term) to Current (Short-Term) Urban Growth Area:
 - Adoption of a master plan of the area that addresses parks, open space, stormwater, critical areas and habitats, transportation routes and general neighborhood layout.
 - Adoption of a capital facilities plan and a transportation improvement plan that addresses impacts and infrastructure requirements on a subarea scale.
 - Demonstration that there is not sufficient land in Tier 1 and Tier 2 to accommodate six years of the adopted twenty-year population forecast.

Policy UGA-7: Ultimate 60 – 100 year Urban Growth Area - Long-Term Planning Area - Not part of UGA

- Establish a 20 or 40-acre “holding” zoning that would prevent parcelization to ensure efficient, future and orderly urban development, and to prevent interim development that precludes future buffering areas.
- Develop criteria to allow reasonable uses within the Ultimate UGA that would preclude future transition to urban growth.

H. Land Use Designations and Policies (LU)

The land use designations and policies address residential, commercial, industrial, and institutional development. It also directs the concentration of land use in urban centers and the preservation of rural areas and resource lands. The following section provides the overall land use goals and policies for all types of development.

Goal LU-1: To provide for land uses in the Bellingham Subarea and Bellingham's Urban Growth Area that conform to the Growth Management Act, County-wide Planning Policies, the Whatcom County Comprehensive Plan, the Bellingham Comprehensive Plan, and other agency plans applicable to the planning area (such as the Bellingham International Airport Master Plan and the Whatcom Transit Authority Strategic Plan).

Goal LU-2: To establish the Bellingham Urban Growth Area to protect rural areas, and accommodate urban development through annexation to the City of Bellingham.

Goal LU-3: To establish urban growth boundaries that reduce service inefficiencies associated with sprawl and dispersed development patterns, and to produce a more compact overall urban development pattern that can be served more efficiently. Urban growth boundaries also facilitate more efficient timing of growth, as the urban areas are generally developed more intensely before the boundary is extended into the adjacent rural area.

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Goal LU-4: To promote efficient use of land, reduce low-density sprawl, encourage alternative modes of transportation, safeguard the environment, promote healthy neighborhoods, and maintain a sense of community through carefully planned levels of development, as population increases in Bellingham and its Urban Growth Area.

Goal LU-5: To assure that permitted land use and development in Bellingham's UGA does not preclude future urbanization and densification.

Goal LU-6: To encourage affordable, attractive, stable and diverse residential neighborhoods while providing for a variety of housing opportunities.

Goal LU-7: The County shall encourage the City through the interlocal process and other collaborations to assure more compact development patterns that allow for the most efficient and cost-effective delivery of services within the existing city limits.

GOAL LU-8: The City shall promote infill by allowing accessory dwelling units (ADU) in single-family zones.

Goal LU-9: To provide for a better balance of jobs and housing to minimize the distance people travel between home, workplace, shopping, and recreation.

Goal LU-10: To guide planning decisions and the physical development of areas adjacent to the city limits so that forecasted growth occurs in designated areas where the necessary public facilities and services can be efficiently provided.

Goal LU-11: To ensure a smooth transition from Whatcom County jurisdiction to the City of Bellingham jurisdiction as both developed and undeveloped areas in the UGA are annexed to the city.

Goal LU-12: To provide certainty to residents, property owners, developers and the community regarding the nature and extent of future development in Bellingham's UGA.

Goal LU-13: To promote the integrity and character of each planning area within Bellingham's Urban Growth Area through community input.

Policy LU-1: Promote a compact development pattern with increasing densities around small neighborhood centers and along key transportation corridors.

Policy LU-2: Support adopted goals to limit growth in rural areas, environmentally sensitive areas, and in agricultural and resource lands.

Policy LU-3: Limit development in the Bellingham Subarea that lies outside the UGA, to single-family homes on existing lots of record. Subdivision into parcels smaller than 20 acres is prohibited.

Policy LU-4: Encourage infill and rezones to higher density single-family and multi-

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family in Bellingham and the UGA where services and infrastructure can be most efficiently provided.

Policy LU-5: Provide opportunities for affordable, attractive, stable, and diverse housing types and residential neighborhoods.

Policy LU-6: Direct new high-density residential, commercial and industrial development toward existing urban development, major transportation routes, and areas where City utilities and other services are available or can be readily extended.

Policy LU-7: The City of Bellingham will promote infill development in its Urban Growth Area and its existing city limits, consistent with the City's Comprehensive Plan goals and policies.

Policy LU-8: The City of Bellingham and Whatcom County will ensure that residentially zoned land included in Bellingham's Urban Growth Area is land that is suitable for urban densities.

Policy LU-9: The City of Bellingham and Whatcom County will ensure that there is enough developable commercial and industrial land in cities and Urban Growth Areas to accommodate the forecasted 20-year Whatcom County employment growth.

Policy LU-10: Minimize land use conflicts in the Urban Growth Area through buffer requirements, design standards, and locational criteria; and by promoting compatibility between land uses, especially among residential, commercial, industrial, and Institutional designations.

Policy LU-11: The City of Bellingham and Whatcom County will establish TDR receiving areas in Bellingham and the UGA for the purpose of transferring development rights out of the Lake Whatcom watershed and rural and agricultural lands.

Policy LU-12: The average zoning density within the City should not be lower than the average zoning density within the UGA.