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WHATCOM COUNTY COUNCIL
Planning and Development Committee

January 30, 2007

Committee Member Dan McShane called the meeting to order at 3:06 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

Laurie Caskey-Schreiber
Seth Fleetwood

Absent:

None

Also Present:

Sam Crawford
Barbara Brenner
Carl Weimer

SPECIAL ORDER OF BUSINESS

1. ELECTION OF COMMITTEE CHAIR (AB2007-022)

McShane nominated Seth Fleetwood.

Nomination carried 2-0 with Caskey-Schreiber out of the room.

COMMITTEE DISCUSSION

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

Fleetwood stated the committee would discuss the land supply analysis today and on February 13th.

Troy Holbrook, consultant, stated the next step is to discuss the analysis today, and then bring forward a resolution supporting the land supply analysis. Many of the chapters depend on those numbers. A resolution would provide certainty and begin to build the record for the rest of the subarea plan.

He submitted a presentation (*on file*). The objective is to look at the land capacity analysis. The process is to look at the population allocations for the next 20 years, the existing land capacities, then the zoning, then reasonable measures for infill, and then they size the urban growth areas (UGA's) appropriately. Focus mostly on the safety factor. The land capacity analysis has to be based on existing regulations. He read the presentation on the eight basic steps.

McShane asked if they can't make assumptions on future zoning decisions. Holbrook stated that is correct. They can't assume that there will be accessory dwelling units throughout the city.

McShane asked if they can contemplate those things in building the safety factor. Holbrook stated they can use that information to inform the decision on the safety factor.

1 They are opportunities to review the land capacity numbers and look at the UGA's more
2 frequently.

3
4 Caskey-Schreiber asked the definition of "unavailable" in step five. Holbrook stated
5 they are parcels that are not available for development in the next 20-year period, due to
6 properties used for public purposes or underdeveloped lands not likely to convert.
7

8 Brenner asked if the County is allowed to go with a definition for "underutilized" that
9 is different from the City's definition. Holbrook stated the staff have determined that all
10 these steps are reasonable. The County is not tied to a definition, but the methodology has
11 been studied for market conditions.
12

13 The City recommends a 25 percent safety factor. The Planning Commission
14 recommends a zero percent safety factor because zones have a range of available densities.
15 The Planning Commission assumes that development would occur at the lowest density
16 possible, and the higher density in the zone would be the safety factor.
17

18 Crawford asked if the Planning Commission did a mathematical analysis to see the
19 actual difference between development minimums and development maximums. Holbrook
20 stated the City of Bellingham now requires UGA development to maximize density and use
21 transfers of development rights (TDR's). Development will be on the higher side of allowed
22 density.
23

24 Crawford stated that is no longer the case. When the City discontinued the utility
25 service zone extensions, they now look at each application on a case-by-case basis. The
26 City is no longer requiring development to maximum density. He asked if there was an
27 analysis of actual development density. Holbrook stated he looked at those numbers last
28 summer, which was about five percent at that time.
29

30 Crawford stated property owners don't necessarily want to develop at the highest
31 density, due to market demand, parcel values, and other factors.
32

33 Holbrook continued the presentation and stated that a safety factor over 25 percent
34 will face greater scrutiny by the Hearings Board. That is the reason for the City's
35 recommendation. The County and cities can work together to develop a standardized
36 monitoring system for buildable lands analysis, with more frequent and reliable updates.
37

38 Fleetwood asked if there is a Hearings Board authority that allows annual monitoring
39 to justify a zero safety factor. Holbrook stated he's not aware of one. A reduced safety
40 factor has been addressed. Typically, monitoring is done every five years, not annually.
41

42 The safety factor is an informed policy decision. It is a cushion to add to the land
43 supply to assure certainty. The County adopted a 25 percent safety factor for Birch Bay,
44 but it was a different situation. The land supply methodology for Birch Bay was not as
45 sophisticated as the one used for Bellingham. It didn't have a market factor, either. He
46 explained the market factor. The 15 percent market factor is consistent with other
47 jurisdictions.
48

49 The Council's choice is to go with the City of Bellingham's recommended 25 percent
50 safety factor, the Planning Commission's recommended zero percent safety factor, or with
51 something between the two.
52

1 Caskey-Schreiber asked where the surplus comes from. She asked about a deficit
2 with a ten percent safety factor. Holbrook stated the zero percent safety factor results in a
3 surplus of capacity. There is a lack of capacity with any safety factor over ten percent.
4 They would have to expand the UGA to accommodate that population. The deficit refers to
5 the number of people.
6

7 Brenner asked for an explanation of the estimated surplus population
8 accommodation. Holbrook stated that figure shows different scenarios. He explained how
9 the figures are calculated.
10

11 Crawford asked the reason for including Toad Lake, when the City clearly didn't want
12 to include Toad Lake as an urban growth area. Holbrook stated these maps are not
13 recommendations now, just various possible scenarios. They don't have a land supply
14 methodology yet to do this analysis. The danger is that they're looking at outcomes first,
15 instead of policy. The Toad Lake area fits the criteria for a limited area of more intense
16 rural development (LAMIRD). Abutting a LAMIRD to a UGA is awkward. It seemed
17 appropriate to at least consider adding it to the urban growth area.
18

19 McShane asked if it includes the entire Toad Lake LAMIRD. The Council docketed
20 that as a change, but it never got to the Planning Commission. The County Council,
21 separate from the Futurewise case, recognized that it may be a LAMIRD that is out of
22 compliance. Holbrook stated they included the entire area, plus extra to make a logical
23 boundary.
24

25 Crawford stated the eastern line ends at the section line, about where Squalicum
26 Mountain Road splits. The rural residential, two units per acre (RR2) zone goes to the east
27 of that.
28

29 McShane asked if they did a LAMIRD analysis, and shrunk the area. Holbrook stated
30 the Revised Code of Washington (RCW) has strict criteria for drawing those LAMIRD
31 boundaries. They followed those criteria.
32

33 McShane stated the LAMIRD goes far to the east. It is twice the length, east to west,
34 than what is in the paperwork. The north-south line would fit. He's not sure about the
35 east-west line.
36

37 Brenner stated a LAMIRD is to show existing development only.
38

39 McShane stated this has nothing to do with the Hearings Board or Futurewise. The
40 County Council docketed this to be reviewed two years ago, to re-determine the boundaries
41 of that LAMIRD. It never got to the Planning Commission, partly because of workload
42 concerns. Another LAMIRD to the south abuts the city limits, which is Chuckanut Drive.
43

44 Fleetwood asked if the Toad Lake LAMIRD is pending.
45

46 McShane stated it is.
47

48 Caskey-Schreiber asked if the County Planning Commission's recommendation of
49 zero percent and the density numbers are realistic. Holbrook stated the Planning
50 Commission recommended densities are realistic and achievable. Staff does not
51 recommend a zero percent safety factor.
52

1 Fleetwood asked why the densities are achievable. Holbrook stated the staff
2 recommendations were a result of in-depth analysis.

3
4 Caskey-Schreiber asked if there is a risk with the zero percent safety factor.
5

6
7 *(Clerk's Note: End of tape one, side A.)*
8

9 Caskey-Schreiber asked if other jurisdictions have chosen the zero percent safety
10 factor, and have suffered consequences. Holbrook stated he has not heard of any
11 jurisdiction that chose a zero percent safety factor. It takes time for the market to adjust.
12 It takes time for development regulations to be adopted and developed. It takes years to
13 do that. The question is where the population goes in the meantime. It will go to the rural
14 parts of the county or Birch Bay. That could be an unintended consequence.
15

16 Fleetwood asked if the zero safety factor was reasonable and achievable, yet staff
17 doesn't recommend it. Holbrook stated the densities are reasonable and achievable. The
18 safety factor is added on for the additional population.
19

20 Fleetwood asked if a concern of a too-tight safety factor is that people will develop in
21 areas where they don't want. Holbrook stated another concern is that property values will
22 rise.
23

24 McShane stated they agreed that the approach taken for the land supply analysis in
25 the city was acceptable. He is concerned about the safety factor. Look at the urban growth
26 areas. The City recommendation was for some zoning changes in those urban growth areas.
27 Don't discuss the safety factor until they decide on the existing urban growth area zones.
28 He's comfortable with most changes proposed.
29

30 Crawford stated that just because they zone something a certain way doesn't mean
31 that's how it will be developed. They are banking a lot on increased density in certain parts
32 of Bellingham, particularly the downtown area. Growth management deals with the supply
33 side of the equation, not the demand side. Only the market can create an economically
34 viable development. They can only zone for it.
35

36 Consider a safety factor. The community has made strong statements about not
37 expanding into the rural areas, and putting density in an area where this level of density
38 has not historically occurred. It is a major shift in the market and the demand for a certain
39 type of housing product. He's skeptical that the demand for that product will be there.
40 Forcing density downtown will allow the market to make market demands throughout the
41 county. It's prudent to have a considerable safety factor.
42

43 Brenner asked if there was any discussion of any area not in the five-year review
44 area, but right next to an urban growth area or city limit. Holbrook stated the maps reflect
45 the applications brought forward by citizens who are outside of the five year review area.
46 Anything else never came up at the Planning Commission. The Planning Commission
47 recommends a zero percent safety factor, and didn't look at expanding any UGA's.
48

49 Brenner stated she wants to know why areas right next to the city limits aren't in a
50 five-year review area. Holbrook stated the citizens didn't want to be included. Staff tried to
51 respect their wishes.
52

53 Brenner stated they are supposed to create regular boundaries.

1
2 Caskey-Schreiber stated she supports looking at the existing UGA's first. She would
3 like information on what exists now. She would like to know why the Templeton area to the
4 south was rejected, why they have chosen to include the north area, and why Geneva is still
5 in the UGA.
6

7 Holbrook stated they look at the zoning in these areas, including the safety factor.
8 Staff can go through each neighborhood and create zoning pros and cons for each zoning
9 recommendation. Many areas are already built out. There is no recommendation to upzone
10 the area to the west, because of the location of the airport. The airport has a program to
11 buy out many of those residences. It's not appropriate to direct higher densities in that
12 area. There are also utility issues in that area.
13

14 The Bakerview Road area is already in the UGA. It already has infrastructure in
15 place, including arterials and service improvements. It's near jobs and is centrally located.
16 It has logical boundaries. They recommend higher densities in that area. They identified
17 the need for parks and open space in that area.
18

19 In the Britton Road area, there is a Planning Commission recommendation for some
20 higher density.
21

22 Brenner stated there are areas that Bellingham is not annexation, which it should
23 annex at some point. Holbrook stated he agrees. Most of the Bakerview area has a petition
24 in for annexation right now. They've learned their lesson about extending utilities without
25 annexation. They have to make up for that.
26

27 McShane stated there are two issues in the city limits. He wants to make sure he
28 understands the assumptions. He would like to have an explanation about parks. Also, he
29 would like to know about the acreage for public facilities. It seems they assume that the
30 acreage would grow at the same ratio as the population growth. He asked if there was
31 thought about building taller buildings for public facilities, instead of spreading out. The
32 next step is to look at the different recommendations. Understand those differences.
33

34 Tim Stewart, City of Bellingham Planning and Community Development Director,
35 stated there has been a great deal of controversy about the parks numbers used. This
36 matter is before the Hearings Board currently. They are awaiting the Board's decisions. He
37 described the issue. At the core of the issue is the desired level of service for parks and
38 recreation. The bigger question is how they grow and provide all urban services concurrent
39 with growth. They should use the population numbers to inform, but not drive, the ultimate
40 policy decisions.
41

42 McShane asked if there was any thought about park areas where the city may abut,
43 and not ever acquire, land outside the city. Stewart stated it is a complex issue. Other
44 jurisdictions have parks outside the city limits. There are ways to manage those. He
45 doesn't know if that acreage was taken into account in the calculations.
46

47 McShane asked if facilities will also have the same footprint requirements. The ratio
48 of land for public facilities per population assumes that it will remain the same. There may
49 be a policy to not do that, and build upward instead. Stewart stated that is a valid concept.
50 Urban villages are central to the city's future plans. Build more compact and higher density
51 places. Those urban villages will be bigger and taller than they have been. They will
52 present opportunities for shared parking. A benefit of a high density place is that they get
53 to use the same parking space all day, with different uses. The most important urban

1 density issue is transit. There must be density to make transit work. The Bellingham plan
2 calls for a huge change in behavior by the people who are in cars. They're talking about
3 getting a lot more people out of the cars. Build dense places that are transit friendly. They
4 don't know how they are going to be able to do that. Focus the policy decisions on what
5 they want this place to become in 50 or 100 years.

6
7 McShane stated the County Council can't tell the City what to do. It's good to hear
8 this vision. It is consistent with the County's policies.

9
10 Brenner stated the biggest obstacle to being transit-friendly is the Whatcom Transit
11 Authority (WTA). It's not good in all areas. Consider shared parks through the
12 Comprehensive Parks Plan, such as a regional park district. Stewart stated there are efforts
13 between the City and County now to talk about long-range parks and trails planning.

14
15 Caskey-Schreiber stated Mr. Templeton wants to be included in the southern portion
16 of the Bellingham city limits. She asked the City's thoughts. Stewart stated he will find out.

17
18 Fleetwood asked about the Horowitz petition. He asked if it will influence this effort.
19 Stewart stated it depends on the Board's decision.

20
21 Holbrook stated the decision about the parks is scheduled for February 5. Parks
22 outside the UGA's weren't included. They are in the watershed and not designated as
23 developable parklands. They have looked at the Templeton property. It has pros and cons.
24 It should be considered.

25
26 Caskey-Schreiber asked if Templeton would pay for infrastructure to be extended out
27 that way. Holbrook stated it would help with the costs. They could have cost-sharing in
28 some form.

29
30 The land supply tables are included in the binder. He will address those at the next
31 meeting.

32
33 *(Clerk's Note: End of tape one, side B.)*

34
35 Holbrook stated the land availability safety factor wasn't applied evenly in all areas.
36 For instance, no safety factor was applied in areas where they know development will occur
37 at density.

38
39 Brenner asked about the petition method of annexation. Holbrook stated the petition
40 method is based on 80 percent of assessed valuation. It's not about who has the most
41 land.

42
43 Crawford asked if it is just a mathematical thing. He asked if they are just looking at
44 the numbers, and not considering the desire of the City Council. He asked how Toad Lake
45 was included. This is the first time Toad Lake has been proposed as an urban growth area.
46 Holbrook stated staff started to look at that area when the limited area of more intense
47 rural development (LAMIRD) decision was issued. When staff was directed to not put any
48 more energy into it, staff stopped the analysis. These maps simply show potential
49 combinations.

50
51 Crawford stated that the documents say staff recommends the 18 percent factor,
52 shown on map three. He is not concerned about whether or not Toad Lake is included.

1 However, it's interesting that it went through a multi-year public process and now they are
2 suddenly proposing Toad Lake as an urban growth area. The turn of events is amazing.
3

4 Fleetwood stated a concept was that the development of urban centers is a reason to
5 not have to expand growth boundaries into the rural countryside. He's since learned that is
6 difficult to implement. He asked if the City considered planning for neighborhood centers
7 to accommodate growth within the existing city limits. Stewart stated the neighborhood
8 centers were key to the land supply analysis. The buildable lands methodology is an
9 appendix to the City's Comprehensive Plan. It has detailed information on many of this
10 afternoon's questions, including neighborhood information. Even if the City zones for the
11 density and builds all the infrastructure, the question is whether or not people will move
12 there. A question is whether the landowners will consolidate to create large-enough parcels
13 for urban centers. Many of the urban centers have fragmented ownership, which causes
14 serious redevelopment problems. Now, there are three urban villages being developed.
15 They include areas in Fairhaven, the downtown waterfront, and the Old Town area. The
16 second tier urban villages include Barkley Village. The densities are hypothetical until there
17 is a developer with a project.
18

19 Brenner asked whether King Mountain was a five-year review area. Holbrook stated
20 most of it was included in the five-year review area. A section of the area wasn't included.
21

22 Ralph Black, citizen, stated there are three areas. One area was the existing five-
23 year review area. There was a petition before the Council to include an additional area into
24 the five-year review area. The Council approved unanimously bringing that additional area
25 into the five-year review area. There is another small area where the people have asked to
26 be brought into the five-year review area.
27

28 Brenner asked if the Templeton's area is in the five-year review area. Holbrook
29 stated staff looked at that area at Mr. Templeton's request, but it is not in the five-year
30 review area.
31

32 Cindy Anderson, citizen, stated part of the King Mountain area was removed from
33 the Stewart Smith five-year review area.
34

35 Holbrook stated they will discuss the zoning around the existing UGA during the next
36 meeting. They will be able to look at the land supply in light of the safety factors. The
37 committee has asked for more information on safety and market factors.
38

39 Brenner asked for maps with more color.
40

41 Weimer asked for information on why some areas are prioritized over other areas.
42 Holbrook stated he has presented scenarios to demonstrate the full array of possibilities for
43 the Council's consideration. It's not meant to be a prioritization. They are options.
44

45 Fleetwood stated they will meet again in two weeks.
46
47

48 **OTHER BUSINESS**

49

50 There was no other business.
51
52

1 **ADJOURN**

2
3 The meeting adjourned at approximately 5:00 p.m.

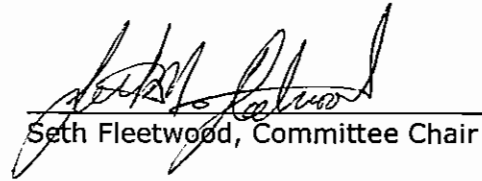
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7 Jill Nixon, Minutes Transcription

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9
10 ATTEST:

11 WHATCOM COUNTY COUNCIL
12 WHATCOM COUNTY, WASHINGTON




Seth Fleetwood, Committee Chair