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WHATCOM COUNTY COUNCIL  
**Planning and Development Committee**

May 8, 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

**COMMITTEE DISCUSSION**

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

Fleetwood asked about the City's recommendation to not have a land supply monitoring program.

Tim Stewart, City of Bellingham Planning Director, stated there is not an official recommendation one way or another on a program from the City. The City keeps track unofficially.

Fleetwood asked to what extent the City plans to monitor land on an ongoing basis, and the resources the City can devote to a monitoring program.

Chris Behee, City of Bellingham Planning Department, stated the City can repeat the level of detail of the current analysis in the City's Comprehensive Plan. Key sources are the permit record database and the Assessor's database. Environmental, transportation, and other layers are monitored annually. Bringing all those elements together in one analysis was last done in 2005. It can be repeated as required. Improving those sources to increase their level of confidence is another issue. The safety factor applied is the City's comfort level with those data sources.

Fleetwood stated someone said the cost of monitoring annually would be \$200,000. Behee stated the City hasn't done a detailed cost analysis.

Fleetwood stated the City feels it shouldn't do too much to change neighborhoods. The County feels its necessary to preserve rural character. That creates a natural political tension between the City and County. He asked to what extent the City staff is prepared to recommend minimum densities, rezones, and expansion of accessory dwelling units (ADU's). Stewart stated the main policy is to do no harm when changing neighborhoods. They can change and evolve neighborhoods to a denser form over time if certain things happen. It must be done in collaboration with the neighborhood. They must preserve the good things about the neighborhoods, and change where infill is appropriate. The City has provisions for accessory dwelling units. Making the rules more liberal may be appropriate in lower density neighborhoods. Their biggest opportunity is in urban villages. Many are planned. The government can't force, only facilitate, increased density on neighborhoods.

1  
2 Vested zoning capacity is more of an issue than the safety factor. Many areas have  
3 unlimited height limits, which implies high density. Bellingham has not included that  
4 implication in its calculations, because that height of development isn't likely to happen.  
5 The tension is the urban edge and determining how much the city will grow in the future.  
6

7 Fleetwood asked about the proposal to tier five-year review areas with conditions.  
8 Stewart stated the notion of creating tiers and phasing, when linked with infrastructure  
9 development and master planning, can be a sound principle.  
10

11 Fleetwood asked if a phasing system is conditioned on a promise to grant a certain  
12 number of developments, basically creating a receiving area. Stewart stated there have  
13 been attempts to do that in King County. He doesn't know how well they've worked.  
14 Phasing programs usually focus on the provision of urban services. The resources required  
15 to do a transfer of development right (TDR) may otherwise go toward the construction of  
16 infrastructure, which creates a natural conflict.  
17

18 Fleetwood asked how the City proposes to promote infill in areas with services,  
19 particularly in the Caitac and Cordata areas. Stewart stated annexations are coming in.  
20 The City is trying to figure out how to provide services if those annexations go forward. The  
21 same question must be asked for urban growth areas (UGA's) and five-year review areas.  
22 The cost of annexation will be a huge cost for the City. There is potential to do contract  
23 development agreements to plan jointly. The City and County must negotiate the interlocal  
24 agreement, which expires in December. It may allow them to have concurrency with the  
25 expansion areas.  
26

27 Crawford stated the Council approval of UGA's is not contingent upon getting that  
28 interlocal agreement done. He asked if it's necessary to allocate time to do renegotiation  
29 before this is approved.  
30

31 Fleetwood stated it would be necessary to reconcile any differences. They don't  
32 know yet what those differences are. This committee's recommendation on UGA's may be  
33 the County's direction. The Council may be able to take a straw vote on this position and  
34 then negotiate with the City.  
35

36 Caskey-Schreiber stated the County is considering reducing density designated for  
37 the Lake Padden area. She asked Mr. Stewart's opinion, and if the City considered the  
38 sensitivity of the Lake Padden watershed.  
39

40 Greg Aucutt, City of Bellingham Planning Department, stated the southern third and  
41 northern third areas of the Yew Street Road area is developed and has utilities. Only the  
42 central section of the Yew Street Road area has undeveloped area. There are plat  
43 applications and interest from property owners in that area. The area has a history of being  
44 planned for future inclusion in the City and future development. The City and the County  
45 Planning Commission recommend higher densities.  
46

47 Stewart stated the City has new stormwater management standards. Those  
48 standards are higher than ever before. If they adhere to those standards and their critical  
49 areas ordinance, the type of degradation that occurred with past development will be more  
50 moderate than in the past.  
51

52 Caskey-Schreiber stated there was a request to include in the UGA an area to the  
53 south and east of Lake Padden park, which is the Templeton proposal. She asked why that

1 area was excluded from the City's recommendation. Aucutt stated it was excluded because  
2 it doesn't fit the City's view of an urban village. There is no population there that an urban  
3 village can serve, other than what is developed with the site. This is not a priority area to  
4 grow.

5  
6 Caskey-Schreiber asked about the Hillsdale watershed area. The County is  
7 concerned about proposed density in the watershed area. They considered removing some  
8 of that area. However, there may be some limited development restrictions being placed  
9 with the expansion of sewer and water. She asked which areas those agreements affect  
10 and the details of the agreements. Aucutt stated the City Council adopted a policy to not  
11 approve the extension of any other water and sewer unless it resulted in lower densities or  
12 if there are health and safety issues. That is a City Council policy, not law. The City Council  
13 adopted a formal policy.

14  
15 Crawford asked if the City ignored the zoning and followed the policy when  
16 calculating density. The Hillsdale numbers are not to zoning already. Behee stated that's  
17 correct.

18  
19 Cathy Craver, Planning and Development Services Department, stated her  
20 calculations are based on how many lots can be subdivided, based on the existing zoning,  
21 not the policy.

22  
23 Caskey-Schreiber stated there is no guarantee that the City Council won't change it's  
24 policy.

25  
26 Crawford asked if the City's numbers in other areas were based on factors other than  
27 zoning, such as similar City policies. Behee stated a variety of areas had a variety of factors  
28 applied, as explained in the methodology. All of the urban villages are not based on  
29 existing zoning, but on future estimates of what the land would support. Those are  
30 informed guesswork, not policies. The remainder of the city neighborhoods are based on  
31 zoning.

32  
33 Crawford asked if the City Council knows they are estimating based on policies in this  
34 area and not zoning. Behee stated it was brought to their attention.

35  
36 Caskey-Schreiber asked about the criteria for siting urban villages. The Caitac area  
37 is a rural area, as is the Templeton area. The County has to bear \$30 million in  
38 infrastructure for Caitac, but the Templeton proposal will pay for its own infrastructure.  
39 There is a push to develop to the north, not the south. Aucutt stated it wasn't a political  
40 decision, but based on the capacity available in the current city and the UGA, the lands that  
41 were adjacent to those areas and that are available to develop, and the suitability of those  
42 lands for development. When they recommended areas, they looked at infrastructure,  
43 transportation corridors, and many other factors. The Templeton property is a small area  
44 and isolated. This was not a five-year review area, which were considered first. By the  
45 time they got to these additional areas, the City was comfortable with its recommendation.

46  
47 Crawford asked about the County paying for \$30 million for infrastructure  
48 improvements for Caitac.

49  
50 John Everett, Planning and Development Services Department, stated he will clarify  
51 that question. It would be a concurrency issue. He's not sure how to ensure that County  
52 facilities aren't impacted. Include things in the interlocal that address sequencing, timing,  
53 and concurrency related to transportation, particularly in the northern area.

1  
2 Crawford stated that is a concern, but not an assumption. Other development have  
3 paid for their own infrastructure improvements.  
4

5 Fleetwood asked if there is a value to contemplate long-range planning in terms of  
6 expanding urban growth areas and preserving rural character. Stewart stated most  
7 planning practices are built around the automobile. The urban growth in the past has been  
8 auto-centric.  
9

10 *(Clerk's Note: End of tape one, side A.)*  
11

12 Stewart continued to state that the issue is to grow in a way that is less auto-centric  
13 and more energy-efficient, with a higher quality of life. That involves higher densities linked  
14 by some type of mass transit. It involves urban neighborhoods linked by mass transit and  
15 pedestrian trails. It also involves the preservation of the resource lands and agricultural  
16 lands. The worst scenario is to continue the sprawl they've seen in the last 20 years, which  
17 is likely due to vesting of five-acre parcels. The question is how to preserve the qualities  
18 they cherish. To do that, link permitting, infrastructure, and urban design elements. The  
19 20-year time horizon by the Growth Management Act (GMA) is inadequate. Look at land  
20 use for 50 to 100 years. The next update of the City Comprehensive Plan is scheduled in  
21 two years.  
22

23 Fleetwood asked his opinion of cities attempting to build hard boundaries. Stewart  
24 submitted information *(on file)* on a phasing plan from Lincoln, Nebraska. Their plan  
25 worked because the land is flat, there was extraordinary cooperation between City and  
26 County, and there was clear delineation between the urban and rural lands. They managed  
27 and limited urban growth in a way to enhance the community without inhibiting the growth.  
28 With this type of phasing, they may be able to work together to establish the same thing in  
29 Bellingham and Whatcom County.  
30

31 Weimer asked how the City infills existing neighborhoods. Stewart stated it depends  
32 on the zoning. They can zone for densities, but they may not get them. They will work  
33 with the neighborhoods to identify areas appropriate for infill.  
34

35 *(Clerk's Note: The committee took a five-minute break at 3:00 p.m.)*  
36

37 Ted Mischaikov, Caitac, submitted a presentation *(on file)* on his project, Larrabee  
38 Springs. His project is a Bellingham neighborhood that services Whatcom County. He read  
39 from his presentation. The greenways and buffers are wetlands and buffers. He will try to  
40 improve them to the degree they are allowed. The idea of where development costs go is  
41 important, and has to do with concurrency.  
42

43 Caskey-Schreiber asked why the City won't build up. Mischaikov stated that the  
44 neighbors are opposed to it. They don't understand it. The public needs to be educated,  
45 but it will cost a lot. It will happen incrementally over the years. It may be a generational  
46 thing. The sprawl going on now can be helped by his type of project. They may buy the  
47 time needed for the culture to change. It will be extremely challenging to find enough  
48 space for growth, even with the five-year review areas. His development is working to be  
49 LEED certified.  
50

51 Mischaikov continued his presentation.  
52

1 McShane asked the number of jobs in this area and how the residents of the 1,800  
2 units will get to work. Mischaikov stated there will be travel up and down the Guide  
3 Meridian corridor, or out to the manufacturing areas in the county. There will be a jobs-  
4 base just to the south along the corridor. His development will mix commercial and  
5 residential uses throughout the site.

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

9 Mischaikov concluded his presentation.  
10

11 McShane stated the County's growth number is low. Current zoning doesn't come  
12 close to it. There are concerns with existing UGA areas because of watershed issues. He  
13 asked the role, besides market forces, Mr. Mischaikov sees an expansion of a UGA playing.  
14 Mischaikov stated that if the County low-balls the population projection, they can't get past  
15 the 20-year horizon. Focusing on projects that allow room allow them to plan better for  
16 resource allocation. Bellingham won't go farther north than the Smith Road because of the  
17 sewer capacity. The County needs to look at a 100-year vision. Create a variety of tools  
18 that can shift the manifestation of GMA. Leadership in Energy and Environmental Design  
19 (LEED) is one of those tools. If the County has a LEED standard for expansion of UGA's, it  
20 will be a standard elsewhere.

21  
22 McShane asked if Mr. Mischaikov is comfortable with standards to condition UGA and  
23 zoning expansion, beyond meeting GMA requirements. Mischaikov stated they can work  
24 within a development standards constraint, but not a tier constraint. The development  
25 standard provides predictability.  
26

27 Ralph Black, King Mountain developer, stated he agrees with everything that Mr.  
28 Mischaikov said. His project is the King Mountain property. He attended many public and  
29 neighborhood meetings. The question that kept coming up is the vision of an urban village  
30 and what these higher densities would look like. He went through and did the topographical  
31 analysis, survey, wetland analysis, and other baseline data for the site. A consultant came  
32 up with concept drawings based on the feedback he heard during public and neighborhood  
33 meetings. He will present that information today. The project would be tweaked over the  
34 next few years as it go through the processes of annexation, master planning,  
35 transportation, concurrency, and other processes. However, the project will fundamentally  
36 look similar to this concept. He submitted and read from this presentation (*on file*).  
37

38 Crawford stated this seems like one area where they don't want to include retail and  
39 commercial because existing retail is so close. Black stated the planned retail is Fairhaven  
40 style. The mountain will dominate the background.  
41

42 He continued his presentation on greenways and park corridors. The plan is to get a  
43 developer-funded pedestrian overpass over the Guide Meridian. The State Department of  
44 Transportation is in favor of that idea. They also met with the City on the idea. It will cost  
45 about \$1.5 million to \$2 million. A pedestrian overpass will make the entire King Mountain  
46 area a part of the trail and park system. He continued his presentation on how this project  
47 meets visioning goals.  
48

49 Crawford stated it seems like this is the one location they would want to be all  
50 residential, not an urban village, because it is so close to all that retail nearby. This project  
51 is a quarter-mile from a lot of the existing retail. Black stated the existing retail is  
52 comprised of restaurants and other retail to enhance the area. The Fairhaven area does

1 well, and it's extremely close to significant shopping. People should be able to get all their  
2 shopping needs met by walking.

3  
4 Weimer asked how transfers of development rights (TDR's) and purchases of  
5 development rights (PDR's) are possible with this development. Black stated he is the only  
6 person who has successfully built a subdivision using TDR's. The TDR program is a good  
7 program that can be used effectively. They need to spend more time figuring out how to  
8 make the program vibrant countywide.

9  
10 McShane asked if water and sewer services are available toward the east. Services  
11 in the area may be problematic. Black stated services are a little farther east and south in  
12 the Irongate Industrial Park.

13  
14 McShane stated there are limits going north on the Hannegan Road, which don't  
15 affect Mr. Black's property. Black stated that is correct. There are technical issues in terms  
16 of sizing.

17  
18 McShane asked if there is an issue with running a line through properties between  
19 the development site and existing service lines. Black stated those properties are currently  
20 under contract with another developer.

21  
22 Caskey-Schreiber stated the Committee is considering severe changes to the City  
23 recommendation. She asked if the City will be amenable to the Committee's suggested  
24 changes, or if it will be fraught with controversy. Stewart stated the best way forward is for  
25 the City to find ways to cooperate. The City needs to provide adequate room for growth  
26 within the city, or there will be consequences that go beyond the edge of the city. The  
27 City's recommendations are sound. If they pull back from the five-year review areas, there  
28 will be short- and long-term consequences. He will do what he can to work with the County  
29 Council and County staff to satisfy the growth needs of the City and County in a way to help  
30 build a positive vision.

31  
32 McShane stated his biggest concern with the City that everyone has factual  
33 information to make policy decisions. Whether the City and County agree on those policies  
34 is not as important as making decisions on the same facts. He hasn't made up his mind yet  
35 on where they are going to go. He needs more information, including on the Lake Padden  
36 area.

37  
38 Fleetwood asked what the County Council Planning Committee needs to do to  
39 schedule a reconciliation process. He asked how the Council makes its decision in advance  
40 of a reconciliation meeting.

41  
42 Crawford stated call a Committee of the Whole meeting to get Council agreement.  
43 Those who are interested may crafting a resolution of some sort or a position on specific  
44 areas of inclusion or exclusion in the urban growth area. Put those ideas for a straw vote,  
45 with the intention of moving forward with a discussion with the City. All councilmembers  
46 should be there to voice their opinions. Establish a proposed Council position with which  
47 they can approach the City.

48  
49 *(Clerk's Note: End of tape two, side A.)*

50  
51 Hart stated he agrees with Councilmember Crawford. A resolution is a more formal  
52 vote.

1 Caskey-Schreiber stated she would like this committee to agree on one vision to  
2 bring to the Committee of the Whole for discussion.

3  
4 There was discussion about the timeline for future discussion and work on this issue.

5  
6 McShane stated this committee can approve a resolution of its recommendation for  
7 the full Council, but be open-minded to changes during negotiations with the City. The City  
8 approved its recommendation with a 4-3 vote. One City Council Member who voted for the  
9 recommendation told him that the City asked for it all, and left it to the County to figure  
10 out. Fundamentally, they have an interesting challenge ahead of them.

11  
12 Crawford asked about crafting a resolution when the committee hasn't made any  
13 decisions. Holbrook stated they can start to build a resolution from the record and  
14 committee discussions. The committee can make changes to a proposed resolution. It is a  
15 place to begin discussion and building the findings of fact.

16  
17 Crawford stated this committee has yet to discuss the five-year review areas.  
18 Holbrook stated they must get through the land supply analysis, which will drive their  
19 decisions on the UGA size. The densities in the existing UGA is small stuff. A little upzone  
20 or downzone here or there isn't significant. The land supply analysis will drive the size of  
21 the UGA and the growth policies.

22  
23 The committee continued to discuss the timeline.

24  
25 Stewart stated that the land supply analysis shouldn't be the driving force for their  
26 decisions. They should also look at the urban form they want to build over the next 20 to  
27 40 years. The land supply will inform their decision, but shouldn't be the driving force.

28  
29 McShane asked if the urban form mentioned is internal, within the city limits.  
30 Stewart stated the urban form should be considered both for areas in the city limits and in  
31 the future urban areas.

32  
33 Crawford asked how Mr. Stewart's comment relates to the Growth Management Act.  
34 Stewart stated the Growth Management Act requires them to provide capacity to  
35 accommodate their urban growth targets. Within that framework, they have a great deal of  
36 latitude. The targets and the land supply analysis are the due diligence in terms of a  
37 reasonable vision for the future. That should help them be informed about what their urban  
38 form should look like. They have latitude on how to achieve that urban form. The  
39 committee should not be driven by the land supply. The GMA requires them to balance 13  
40 different factors.

41  
42 Hart stated they are also talking about defining the toolbox needed to shape growth.  
43 They need tools that they all can share within the region. This is the time to set out those  
44 tools. Think in terms of regionalization.

45  
46 Weimer asked how they set out the tools through the resolution. Hart stated it is a  
47 parallel track. Staff will make recommendations to the Council about what those tools will  
48 be.

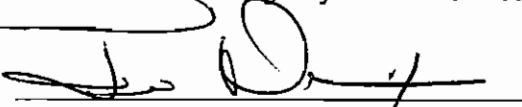
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51 **OTHER BUSINESS**

52  
53 There was no other business.

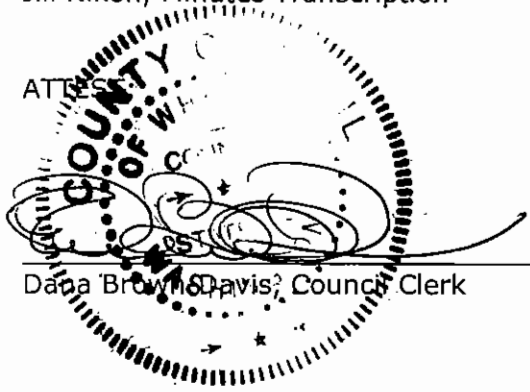
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**ADJOURN**

The meeting adjourned at 4:52 p.m.



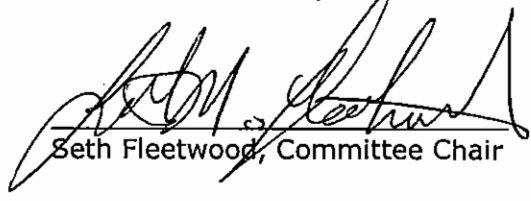
Jill Nixon, Minutes Transcription



ATTEST

Dana Brown Davis, Council Clerk

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON



Seth Fleetwood, Committee Chair