

## **Greenway Advisory Committee Meeting Minutes June 21, 2007**

**Members Present:** Eric Hirst, Tom Chisholm, Janie Pemble, Steve Walker, Jack Kimmes, Edie Norton, John Blethen, Dan Remsen, Kenni Merritt, Laurel Cook, Jack Weiss

**Liaisons Present:** Stan Snapp, Park Advisory Board

**Staff Present:** Leslie Bryson, Liz Haveman

**Guests Attending:** Tim Stewart, Planning Director; Michael Lilliquist, candidate for City Council; Joe Yaver, Responsible Development; Glen Merrill

### **Review of Previous Meeting Minutes:**

Motion made and carried 8-0 to accept the May 17, 2007 minutes as written. Jack Weiss, Kenni Merritt and Laurel Cook abstained from voting as they were not present at the May 17 meeting.

### **Executive Session:**

Executive Session was held from 7:10 p.m. to 7:40 p.m.

### **Vote in Open Meeting Following Executive Session:**

In open meeting following the Executive Session, Jack Kimmes moved, and Steve Walker seconded the motion, to add a parcel of property in northwest Bellingham near Bear Creek to the acquisition priority list. The motion passed with a unanimous 11-0 vote of the Committee.

Janie Pemble moved, and Jack Weiss seconded the motion, to add a parcel of property on the Interurban Trail to the acquisition priority list. The motion passed with a unanimous 11-0 vote of the Committee.

Jack Weiss moved, and Jack Kimmes seconded the motion, to add a parcel of property in the Connelly Creek corridor to the acquisition priority list. The motion passed with a unanimous 11-0 vote of the Committee.

### **Public Comment Period:**

Joe Yaver introduced himself as the President of Responsible Development and distributed copies of correspondence between himself, Barbara Ryan and Larry Horowitz regarding the acquisition of Chuckanut Ridge, which included a financial plan for acquiring it. Joe pointed out that the \$20.6 million plan includes \$2 million coming from public donation to help narrow the gap between the cost of the property and available City funding. He also stated that he and Larry Horowitz believe that there is plenty of funding available to acquire Chuckanut Ridge, and he requested that the Greenway Advisory Committee invite himself and Larry Horowitz to a future meeting to

discuss the financial plan and any other ideas Committee members may have to aid in acquiring Chuckanut Ridge.

**New Business:**

The Role of the Planning Department in creating green and park spaces:

Tim Stewart introduced himself as the City of Bellingham Planning Director and discussed the role of the Planning Department in creating parks and open spaces as that of a land use regulator. Tim stated that at the forefront of planning process, City Planners need to make sure that they do not over-use the power to police land use regulations and take private property for public use. Tim stated that a good master plan is the best way to assure that park and open spaces are planned for, as land regulation cannot be inconsistent with a master plan. He used the North Bellingham Trail Plan as an example of a good planning concept. Once the North Bellingham Trail Plan is formally adopted by the City and the County, both City and County planners will only permit land use to ensure open space for parks and trails as stated in the plan.

Tim stated that a big challenge for the Planning Department now is the expected high growth rate for the City, and how to plan for enough parks and open space to accommodate new people while not detracting from the existing quality of life. At the City Council meeting on June 18, Council discussed incorporating all of the Urban Growth Areas into the City. Tim stated that while operations would be financially covered if all of the UGA was incorporated, funding for capital infrastructure, including parks, streets and emergency services is approximately \$131 million short. Eric Hirst inquired about the issue of fairness in subsidizing the County by incorporating all of the UGA. Tim responded that the City is currently subsidizing them anyway because the County residents in the UGA utilize our parks, but they do not pay the City Park Impact Fees or Real Estate Excise Tax. Tim Stewart stated that both Bellingham and the County have not done good growth management planning, and they have not always communicated with each other. For example, Cordata was developed with a County permit and no parks were included. Tim stated that in order to do good growth management planning, the City and County must work together to jointly come up with a regional solution. This will be more challenging now with the recent changes in the County Planning Department as many of the County Planners who had been in communication with City Planners are no longer working there.

In response to how Planning works with the Parks Department, Tim stated that Parks works with land acquisition and Planning works with land regulation, and there must be a firewall between the two to make sure that planning regulation policy does not cross the line for the sake of acquisition. In order to force a park in a development where a park was not included in a master plan, the City Council would have to condemn the property. However, trails are viewed as a transportation issue and trails can be required to provide pedestrian access through a development. In response to a question of how to ensure that parks and trails are a requirement of the development process, Tim stated that Bellingham's development code is in the process of being re-written to be more human/pedestrian based, rather than automobile based. Tim also stated that the

Planning Department is going to start inviting Parks staff to pre-application meetings to make sure that parks are included in large developments.

Leslie Bryson asked Tim Stewart about the Critical Areas Ordinance in terms of building trails. She stated that previously, trails have been able to be built inside critical area buffers, but this has changed, which will have a large impact on whether or not some trail corridors can be completed in some developments. Tim stated that he would have to research the Critical Areas Ordinance in order to see why it has changed.

Dan Remsen asked Tim about his opinion on acquiring land outside of City limits and the Urban Growth Area with the fore-sight that this area may eventually be incorporated into the City. Tim responded that he is an advocate of pre-planning and acquiring land while it is still affordable. However, he commented that that the Committee will have to consider that in doing so, they are buying parks that the surrounding citizens are not helping pay for with their Real Estate Excise Tax and Park Impact Fees until incorporated into the City.

Tim told the Committee about a book written in 1978 entitled Windfalls for Wipeouts, which examines how zoning and land use regulation has the potential to make both windfalls and wipeouts for the property owners. The book suggests that some compensation for zoning windfalls ought to be made to cities by property owners; not just cities compensating property owners for zoning wipeouts. For example, the city could capture some of the increased land value by requiring the property owner to include affordable housing in the development, or build roads or a park in exchange for an up-zone.

#### GAC involvement in Gray-way connectors:

Jack Weiss explained that in reviewing a map of bike routes in Bellingham created by the Mayor's Bicycle & Pedestrian Advisory Committee, he noticed that often times the bicycle routes do not line up with the greenway trails and suggested that the Greenway Advisory Committee work with the Bicycle & Pedestrian Committee to sign the streets similarly to greenway trails to mark bicycle route connectors to the greenway trails.

Other Committee members expressed concern about the potential for Greenways money to be spent on a project signing streets if the Greenway Advisory Committee takes this project on, and suggested that it may be a project more appropriate for the Parks Advisory Board. Leslie Bryson suggested that a few Greenway Advisory Committee members form a sub-committee including Park Advisory Board members to further discuss the issue. Laurel Cook suggested that they work with Marie Kimball from the Bicycle & Pedestrian Committee as she is the liaison to the Greenway Committee.

#### Report on Red Tail Reach Project:

John Blethen reported that he attended the one public meeting offered by the Public Works Environmental Resources division on the Red Tail Reach project. Red Tail Reach is the property just north of the Haskell Business Center that is being restored

with funds from the Olympic Pipeline settlement. John expressed concern over the planned route of the Whatcom Creek Trail through Red Tail Reach. The trail is planned to follow the perimeter of the property rather than meandering through the property, with a portion of the trail right next to an industrial building. John stated that the lack of trail integration in the restoration plan is disturbing as the planned trail route has a minimal buffer, no vegetation plan and no consideration for shading the trail. At this point, no other public input meetings are scheduled and without public pressure, the trail will be constructed following this plan.

John Blethen moved to recommend to the Park Advisory Board, the Mayor and City Council, that the Whatcom Creek Trail be better integrated through Red Tail Reach to provide a more natural trail experience with a 25 foot minimum buffer from the nearby industrial site. Steve Walker seconded the motion, the motion passed unanimously.

July Walk:

Jack Kimmes will email Greenway Advisory Committee members the meeting time and location for the executive walk scheduled on July 11.

Photograph of Members for Council Report:

A photograph of Committee members was taken to be used in the annual report to City Council.

**Adjournment:** Meeting adjourned at 9:05 p.m.