May 18, 2015

Bellingham Planning Commission
City of Bellingham
210 Lottie Street
Bellingham, WA 98225
Via Email: planningcommission@cob.org

Cc via email: Rick Sepler, Bellingham Planning Director
Greg Aucutt, Bellingham Assistant Planning Director

Re: Response to Clayton Petree's May 13, 2015 email re: COB growth

Dear Members of the Bellingham Planning Commission,

I am writing in response to Clayton Petree's May 13th email to the Planning Commission, which was posted on the city's website today. In his email, Mr. Petree claims that I wrongly asserted that "growth in the Bellingham UGA has never been at or above the Berk high population forecast of only 1,562 persons."

In fact, that is not the assertion I made. Instead, I stated:

"When data through 2014 is included, the City of Bellingham’s average annual growth rate from any year beginning in 1968 through 2014 has always been below the BERK high forecast of 1,562 persons."

My assertion was coupled with the attached graph titled ‘Bellingham (City Only) Average Annual Population Increase’. As you know, the Planning Department has verified this graph, which is based on data from the Office of Financial Management (OFM).

As you can see, the highest average annual population increase ever experienced by Bellingham through the year 2014 was 1,421, which represents the annual average from 1990 through 2014.

Based on the data provided by OFM, I stand by my assertion.

As Mr. Petree states in his email, the data he is referring to represents growth from 1995 through 2002 and does not include data through 2014. The years from 1995 to 2002 can best be described as 'cherry picking'.

Sincerely,

Larry S. Horowitz
Bellingham Average Annual Population Increase
From Starting Year Through 2014
Bellingham City Only Data From 1968 - 2000 (OFM Postcensal Estimates)
Bellingham City & UGA Data From 2000 - 2014 (OFM Small Area Estimate Program)
Date: 5/21/15

Memo: Your UGA Recommendation to City Council

Dear Bellingham Planning Commission,

Monday night, I spoke at the City Council open session about several things I would like you to consider during (or before) your hearing on June 11 regarding urban growth area boundaries.

First, the County has hired former County-wide Housing Affordability Taskforce (CHAT) consultant Mr. Beckwith, to provide a housing needs and market assessment for them. Of special note, is that as part of his presentation to the County Planning Commission, their consultant Mr. Beckwith put forward his professional opinion that Whatcom County is not planning for an adequate amount of population growth under the multi-jurisdictional resolution figure you have been using to date, and that this will lead to more housing problems - he says the population projection should be adjusted higher. The scenarios you asked your staff to bring back to you as the preferred alternative options both plan for less people. As I have testified to you previously, Bellingham has serious housing issues and planning for even less population will exacerbate our current problems further. Please do not lower the population forecast for Bellingham even further and consider increasing the number of people Bellingham plans for. If you had the analysis required by RCW 36.70A.070(2) in your hands, I believe all of this would be much more clear to you, which brings me to the second point.

The second point is what Whatcom County is working on for the Comprehensive Plan update, in parallel with the City of Bellingham. Last Thursday during their work session on the Housing element, the County Planning Commission received a presentation regarding their duties to fulfill the GMA, including RCW 36.70A.070(2). This is something that Bellingham has not done, and something the authors of the Growth Management Act believed to be of utmost importance when properly sizing an Urban Growth Area. RCW 36.70A.070(2), states that you are required to have "A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community."

To satisfy the RCW above, the City must first compile an inventory and analysis of existing housing needs. This would include things like how many units will it take to bring your extremely low vacancy rates to a healthy level? How many affordable units do you currently need if nobody moved to Bellingham for 20 years? How much workforce housing do you need for those employed here? Bellingham recently declared an affordable housing emergency - your Consolidated Plan says you need thousands of units for that emergency now - how many do you need through 2036? Please keep in mind that the County and City "CHAT" or County-Wide Affordability Taskforce

Public Policy Analysis For Application In Real World Situations
Jack Petree, Clayton Petree
found that we need 11,000 new affordable housing units county-wide by 2022, with many of them coming from the Bellingham Urban Area. How many affordable housing units on top of your share of the 11,000 by 2022 are necessary to fulfill the requirements in RCW 36.70A.070(2) and (7) 2022 through 2036 (that's an additional 14 years)?

In addition, there are County-Wide Planning Policies (CWPP) that both the County and City must follow. Please read them carefully because there are a number of "shall" statements that have to be addressed, they are not optional. I believe CWPP G-2 has been ignored, which states, "2. The county and the cities shall plan for a range of housing types and costs commensurate with their affordable housing needs." You must obtain the data mentioned above before you can fulfill this CWPP.

I testified to you about the need for this information at the April work session during the comment period. Soon, a proposal will be passed on to the Council with your recommendation. To date, there has not been work done to fulfill the above requirements and the failure to do this analysis and address both the RCW and CWPP language result in an incorrectly sized UGA, unfulfilled State Law, and violation of County Wide Planning Policy G-2. Please ask your staff for an "inventory and analysis of existing and projected housing needs" and how you can fulfill the requirement of CWPP G-2 to "plan for a range of housing types and costs commensurate with their affordable housing needs".

Regards,

Clayton Petree
I submit the following comments for the public record.

1. **Public Comments.** The current method of listing public comments on the city website is not very accessible. You have to pull up (currently) 12 batches and search through to see who has submitted a comment and on what topic. This discourages public review of submitted comments. Is there a reason that the city cannot follow the format used by the county, where each comment submitted is listed by the date, the name of the commenter and the general subject of the comment? That allows one to go directly to relevant comments by author or subject without having to scroll through comments which may not be relevant to one’s concerns.

2. **Piecemealing the Critical Area Ordinance.** The city still does not include the CAO comments and information on the same web page as the comp. plan update, yet the CAO update is a subcomponent of the comp. plan update. Many citizens are not aware of this, and the manner in which the city is handling this does not inform the public. Educating the public is an important part of the GMA update process, but it is not occurring with regard to the CAO. Please reconcile the CAO materials and comments with the general comp. plan materials and comments.

3. **Piecemealing the Subdivision Ordinance and Rezones.** Under the GMA, land use regulations are considered part of the comp. plan update, and specifically include the CAO, subdivision ordinances and rezones. Yet, at the same time that the comp. plan is on-going, the city is separately moving forward with a number of rezones and with a subdivision ordinance. Very few people understand that these matters are properly part of the comp. plan review. The GMA intends for jurisdictions to engage in comprehensive, coordinated planning and that intention is undermined by the city’s efforts to handle these matters as separate, unconnected actions. The consequences of this are greater than uncoordinated planning. They make it more difficult for the public to see the full scope of city actions, including cumulative impacts, and they make it more difficult for the public to track and attend meetings and events for these seemingly unrelated issues. To date, the city has failed to provide any countervailing need or justification for engaging in piecemealed actions.

4. **The Public Participation Plan.** The city is required to establish a program that identified procedure and schedules for the public to participate in the comp. plan update. This is to ensure the public has early and continuous public participation and understands the scope of review and the schedule for completion. Notice of the update process must be broadly and widely disseminated. The city created a public participation plan, but failed to include important land use regulations such as the CAO, the subdivision ordinance and the various rezones that have occurred. Thus, the public has not been provided the notice and opportunity to learn afforded under the GMA.

5. **The EIS.** We are far into the comp. plan update process and the city clearly has no intention of completing an Environmental Impact Statement. This is a paramount in understanding the interconnected environmental consequences of different growth alternatives and whether or not
adequate mitigation exists. The city cannot rely on the county EIS because it only includes the UGA areas. And the city cannot claim an EIS is not needed because its planning has not changed. In the 10 years since the last EIS was completed, there has been changes in BAS and the status of our ecosystems has changed, almost all in the negative direction. Our understanding of the importance of landscape based ecosystem planning has ripened and the city continues to engage in site specific reviews. A review of northern wetlands, by itself, is inadequate to determine the comprehensive and cumulative impacts of growth on critical areas and resource lands.

Having already raised these issues and been largely ignored, I wish to ensure that these problems are fully reflected in the written record.

Sincerely,
Wendy Harris