

BELLINGHAM PLANNING COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS

SEPTEMBER 30, 2010

SUMMARY

Following the public hearing and deliberation on the proposed Silver Beach Neighborhood Plan amendment, the Bellingham Planning Commission has determined that the proposed changes comply with, and will implement, the goals and policies of the Bellingham Comprehensive Plan.

I. FINDINGS OF FACT

1. Proposal Description -

The Silver Beach Neighborhood Association (SBNA) submitted a request to amend the Silver Beach Neighborhood Plan. The request included a complete update to the 1980 plan, including; a new format, which identifies objectives and implementation strategies for each chapter of the plan. Chapters include; Land Use, Transportation, Housing, Capital Facilities, Utilities and Services, Neighborhood Design (not addressed at this time) and Parks, Recreation and Open Space. The plan also includes an Appendix specifically written by the SBNA identifying the Plan Review Process and how the proposal came to be.

The Planning and Community Development director initiated the amendment and it was included in the 2010 annual Comprehensive Plan update.

2. Background Information/Procedural History -

January through September 2007 – The Silver Beach Neighborhood Association conducted community meetings and drafted an updated neighborhood plan.

October 2007 – The SBNA conducted a meeting and final vote on the draft plan. Major portions of the plan were voted out of the draft by the voting membership.

December 2007 – The SBNA submitted the plan as voted by the membership to the city of Bellingham for review. A small group of neighborhood residents also submitted the original version of the SBNA's plan, including all sections that were voted out by the membership.

February 2008 – The Planning and Community Development Director initiated the review of the neighborhood plan amendment after meeting with representatives of both plan submittals. It is agreed that city staff "red-lines" the original version of the neighborhood plan and that both groups would work together to resubmit one version of the plan for review.

May 2008 – City Council adopts Emergency Moratorium on building permit submittals and land subdivisions within the city's portion of the Lake Whatcom watershed. Staff resources are

shifted from the neighborhood plan review to creation of new development regulations for the Silver Beach Neighborhood.

July 2009 – New development regulations are adopted by City Council and staff resources are reallocated to reviewing the neighborhood plan.

August 2009 – City staff returned the red-lined version of plan to the SBNA.

July 2010 – The voting membership of the SBNA take a final vote on the plan and resubmit to the Planning and Community Development Department.

September 2010 – The Bellingham Planning Commission holds a work session and public hearing on the proposed neighborhood plan amendment.

3. Public Comment -

Notice of the Planning Commission hearing and work session was mailed to neighborhood representatives and associations as well as members of the group who submitted the original version of the neighborhood plan. A public hearing was conducted on the proposed neighborhood plan and testimony was received.

4. State Environmental Policy Act (SEPA) Determination –

A non-project SEPA Determination of Non-Significance was issued by the City of Bellingham on July 20, 2010.

5. Consistency with the Bellingham Comprehensive Plan and BMC Review Criteria

Neighborhood Plans must be consistent with and carry out the goals and policies of the Comprehensive Plan. In addition, neighborhood plan amendments must be consistent with the factors and review criteria in BMC 20.20.060. Specific criteria are as follows:

1. The proposed amendment bears a substantial relation to public health, safety, and welfare;

The Silver Beach Neighborhood is located within the Lake Whatcom watershed. Lake Whatcom Reservoir is the drinking water source for approximately 100,000 city and county residents. The lake is currently listed under Section 303(d) of the Clean Water Act as an impaired water body. Protecting the community's drinking water source bears a substantial relation to public health, safety and welfare. The proposed amendment provides policy direction intending to support and enhance the protection of the lake water quality. The Planning Commission finds that the proposal is consistent with the criteria.

2. The proposed amendment is consistent with the Growth Management Act;

The proposed amendment to the Silver Beach Neighborhood Plan is consistent with the Growth Management Act. The amendments specifically support the following GMA planning goals; Housing, Property Rights, Environment, Public Facilities and Services, Open Space and Recreation, Citizen Participation and Coordination, and Shoreline Management. The Planning Commission finds that the proposal is consistent with the criteria.

3. The proposed amendment is consistent with the countywide planning policies;

Section N: Water Quality and Quantity of the Countywide Planning Policies states, "The quality of life and economic health of Whatcom County communities depend on the maintenance of a safe and reliable water supply. All jurisdictions and water purveyors should cooperate to ensure the protection and quality of the area's water resources." The proposed amendment to the Silver Beach Neighborhood Plan is consistent with and supports this statement. The Planning Commission finds that the proposal is consistent with the criteria.

4. The comprehensive plan will be internally consistent; and

Bellingham neighborhood plans are important to achieving the vision and goals of the comprehensive plan. The plans help maintain neighborhood character and define the "vision" of the neighborhood in the future. The proposed amendment is consistent with the comprehensive plan and provides a vision for the neighborhood. Additionally, specific goals and policies of the comprehensive plan emphasize protection of the water quality in the Lake Whatcom Reservoir to ensure long-term sustainability for the lake as a drinking water reservoir. The proposal is internally consistent with these priorities. The Planning Commission finds that the proposal is consistent with the criteria.

5. The proposed amendment will result in long-term benefits to the community as a whole and is in the best interest of the community.

The Silver Beach Neighborhood Plan has not been updated since 1980. Updating neighborhood plans ensures existing neighborhood character is preserved and policies that provide a neighborhood vision are in place for current and future generations. These updates result in long-term benefits to neighborhood residents and property owners, to the community as a whole and are in the best interest of the community. The proposed amendment to the Silver Beach Neighborhood Plan is consistent with and supports the Lake Whatcom Reservoir Management Program: 2010-2014 Work Plan. Property owners and residents of the Silver Beach Neighborhood have actively participated in the planning process; this participation is also in the best interests of the community. The Planning Commission finds that the proposal is consistent with the criteria.

II. CONCLUSIONS

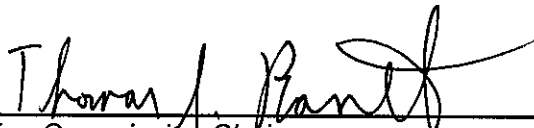
Based on the staff report and the information presented at the public hearing and work session, the Planning Commission concludes:

1. The proposed amendments to the Silver Beach Neighborhood Plan are consistent with the goals and policies of the Bellingham Comprehensive Plan, the Countywide Planning Policies, the Growth Management Act and the Lake Whatcom Reservoir Management Program: 2010-2014 Work Plan.
2. The proposed amendments to the Silver Beach Neighborhood Plan are consistent with, and satisfy the criteria in BMC 20.20.060.

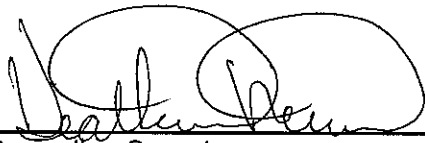
III. RECOMMENDATIONS

Based on the findings and conclusions, the Bellingham Planning Commission recommends that the City Council approve the proposed update to the Silver Beach Neighborhood Plan as attached in EXHIBIT A.

ADOPTED this 30th day of September, 2010.



Planning Commission Chairperson

ATTEST: 

Recording Secretary

APPROVED AS TO FORM:



City Attorney