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3 **BELLINGHAM PLANNING COMMISSION FINDINGS OF FACT,**  
4 **CONCLUSIONS, AND RECOMMENDATIONS**

5  
6 **JUNE 18, 2009**  
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9 **SUMMARY**

10  
11 Following the public hearing and deliberation on the proposed Subdivision Code amendments  
12 regarding security for construction of private access, sewer lines and water lines for infill  
13 housing subdivisions and updating water and sewer provisions, the Bellingham Planning  
14 Commission has determined that the proposed amendments comply with, and will implement,  
15 the goals and policies of the Bellingham Comprehensive Plan and should be adopted.  
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18 **I. FINDINGS OF FACT**  
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21 **1. Project Description:**  
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23 The proposal would amend the Subdivision Ordinance to prohibit the City from accepting a  
24 security in place of required construction of private access and private sewer and water service  
25 lines prior to final plat approval for infill housing lots created under BMC Chapter 20.28 Infill  
26 Housing. Although security is occasionally accepted to accommodate construction timing for  
27 public improvements, the Public Works Dept. would not typically accept securities for utilities  
28 and access that will be privately owned. Use of private utility lines rather than public utility  
29 mains to serve some infill housing lots is anticipated in order to facilitate compact infill housing  
30 site designs and private access lanes.  
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32 The amendments would also update sections regarding sewer and water systems for  
33 subdivisions to remove obsolete provisions and clarify the language.  
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35 **2. Background Information/Procedural History:**  
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37 The amendments are related to implementation of proposed BMC 20.28 Infill Housing,  
38 recommended for approval by the Planning Commission in May, 2009. They were initiated at  
39 the request of the Public Works Dept. and are associated with additional proposed amendments  
40 to the general water and sewer codes (BMC Title 15) that would help accommodate alternative  
41 utility service designs for infill housing lots. These additional amendments are included in the  
42 draft ordinance (Attachment B) but do not require Planning Commission review.  
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44 **3. Public Comment:**  
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46 Notice of the Planning Commission hearing was mailed to neighborhood representatives and  
47 associations, the Washington State Dept. of Community, Trade and Economic Development  
48 and other parties expressing an interest in this topic. The notice was also published in the  
49 Bellingham Herald. Notices were issued at least 30 days prior to the hearing date.

1 **4. State Environmental Policy Act (SEPA) Determination:**

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3 A Determination of Nonsignificance was issued for the proposed amendments and included in  
4 the record.

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6 **5. Consistency with the Bellingham Comprehensive Plan:**

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8 Development regulations must be consistent with and carry out the goals and policies of the  
9 Comprehensive Plan. The proposed amendment is related to the accommodation of infill  
10 development as part of Bellingham's infill strategy:

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12 **Infill Strategy 1** – Make more efficient use of the remaining City land supply; facilitate  
13 development on existing lots of record; develop flexible code provisions that allow a range of  
14 housing types; adopt minimum density requirements; other steps necessary to make better use  
15 of the remaining land supply.

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17 Comprehensive Plan Capital Facilities goals:

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19 CFG-1 Provide and maintain adequate public facilities and services to meet the primary service  
20 needs of the city in a manner which protects investments in existing facilities, maximizes the use  
21 of existing facilities, and promote orderly compact urban growth.

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23 CFG-4 Provide public utility service appropriate to the uses designated and allowed in various  
24 parts of the city.

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27 **II. CONCLUSIONS**

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

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32 1. The proposal is appropriate in order to support and clarify water and sewer service  
33 provisions for infill housing lots and update obsolete code language.  
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35 2. The proposed amendments are consistent with the goals and policies of the Bellingham  
36 Comprehensive Plan.  
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39 **III. RECOMMENDATIONS**

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41 Based on the findings and conclusions, the Bellingham Planning Commission recommends that  
42 the City Council approve the proposed amendments to the Bellingham Municipal Code  
43 Subsection 18.12.040.C, Section 18.28.020, Section 18.28.100 and Section 18.28.110.  
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46 **ADOPTED** this 18TH day of JUNE, 2009.

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50 *Planning Commission Chairperson*

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**ATTEST:**   
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*Recording Secretary*

**APPROVED AS TO FORM:**  
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*City Attorney*