

RESOLUTION NO. 2010-05

A RESOLUTION RECOMMENDING AGAINST FURTHER CHANGES TO BELLINGHAM'S URBAN GROWTH AREA BOUNDARY IN 2010.

WHEREAS, in 2009 Whatcom County completed an extensive review of Bellingham's urban growth area (UGA) boundary as part of the required 10-year UGA update review process; and

WHEREAS, in November 2009, the County adopted Ordinance 2009-071 maintaining Bellingham's UGA boundary except for the Lake Padden Watershed portion of the Yew Street area which the County placed in an "UGA Reserve"; and

WHEREAS, the City of Bellingham agreed with and supported the County's action to adopt UGA boundaries for Bellingham in 2009, with the understanding that the City and County would have the opportunity to review the boundary again as part of the 2011 comprehensive plan update process; and

WHEREAS, Whatcom County has an upcoming March compliance hearing before the Western Washington Growth Management Hearings Board to determine whether the County has adequately completed its 10-year UGA update review process and its UGA boundaries are GMA compliant; and

WHEREAS, the appellants in this Growth Board case and the County have recently asked the Growth Board to delay the compliance hearing to give the parties time to explore settlement of the appeal; and

WHEREAS, a settlement of the case may result in Whatcom County modifying the Bellingham UGA boundary that it adopted in Ordinance 2009-071; and

WHEREAS; the state Growth Management Act allows local governments to amend their comprehensive plan, including UGA boundaries, on an annual basis; and

WHEREAS, Whatcom County has a process in place to consider whether or not to docket proposed amendments to their comprehensive plan; and

WHEREAS, the County has received two requests to docket for review in 2010 comprehensive plan amendment proposals that would add property north and east of the City to Bellingham's UGA; and

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WHEREAS, both of the areas requesting inclusion in Bellingham's UGA were discussed at length during the County's 10-year UGA update process that concluded with the County's adoption of Ordinance 2009-071 in November 2009; and

WHEREAS, neither of these areas was included in Bellingham's UGA by the County in 2009; and

WHEREAS, the County has asked the City to comment on whether or not the proposed amendments to the UGA boundary should be docketed for review in 2010.

NOW THEREFORE, BE IT RESOLVED BY THE BELLINGHAM CITY COUNCIL:

1. The City of Bellingham supported the County's action in November 2009 to maintain Bellingham's UGA boundary except for the Lake Padden Watershed portion of the Yew Street area which the County placed in an "UGA Reserve." (See attached City Council Resolution 2009-14 and letter of agreement for the Yew Street UGA.)

2. The Whatcom County Council should avoid making further changes to the Bellingham UGA boundary until the City completes its 2011 comprehensive plan update process. Any potential boundary changes to the UGA should be reviewed as part of the 2011 comprehensive plan update process.

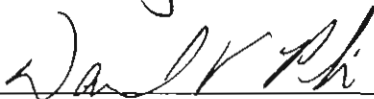
3. The County should decline to docket for review in 2010 any potential changes to the County's comprehensive plan related to Bellingham's UGA boundary and reject any settlement of the Growth Board appeal regarding the County's 10-year UGA update process that requires a modification of Bellingham's UGA boundary.

PASSED by the City Council this 8th day of February, 2010.



Council President

APPROVED by me this 11th day of February, 2010.



Mayor

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ATTEST:

Linda D. Anderson
for Finance Director

APPROVED AS TO FORM:

Jean Hoisington
Office of the City Attorney