

South Neighborhood Association
Neighborhood Plan Amendment Proposal
November 30, 2007

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South Neighborhood Association
Application
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Requesting the Director of the Planning and Community Development Department to initiate a Comprehensive Plan, Neighborhood Plan or Land Use Regulatory Code/Text

Contact Information

Neighborhood: South

Applicant (contact person):

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- 1) Identify the issue related to a neighborhood plan, a regulation or the comprehensive plan that you wish to address by this proposal. Write a description of this issue.**

The issue: Area 4 south of Cody Avenue (also known as Chuckanut Ridge) is inappropriately zoned Residential Multi. This property was zoned high density in 1980 without recorded process.

In both the 1995 and the 2003 Bellingham Habitat Assessment, this area was recommended for conservation due to its “significantly valuable habitat”.

Further, it “consists of diverse vegetative structures which are accentuated by the high topographic relief forming low protected areas, year-round wetlands, steep slopes, swales and ridgelines.” “Preservation of wetland and upland habitats, as well as the Interurban corridor are necessary for the function of this area to support current species composition, which require both wetland and terrestrial habitats.”

More recently, in 2006, The Army Corp of Engineers recommended that the forested wetlands in this area “be considered for preservation due to the maturity of the systems and that the hydrological connections (seasonal drainage channels) between wetlands be maintained ... by any means that protects hydrological flow and habitat continuity.”

Chuckanut Ridge is a watershed for both Chuckanut and Padden Creeks which are salmon bearing streams. The best available science says that any development in this area will degrade wetlands and creeks and the Puget Sound.

In October of 2006, Members of the Washington State’s scientific community (see attached letter) recommended to the Puget Sound Partnership “practices that must be implemented if Puget Sound is to be saved:

Preserve Existing Least-Disturbed Watersheds and Sub watersheds.

No Net Loss of Forest Cover in the Puget Sound basin

Halt Runoff from New Impervious Area in the Puget Sound Basin

Preserve Existing and Restore Destroyed Buffer Areas Adjacent to Streams.”

2) Draft a proposed amendment that would address a solution to this issue.

In section V. Land Use Descriptions, Area 4, the proposed amendment would replace the words “DEVELOPMENT SHOULD BE ENCOURAGED TO CONCENTRATE IN MORE SUITABLE AREAS” with the words “DEVELOPMENT SHOULD BE PROHIBITED IN AREA 4 SOUTH OF CODY”.

3) Explain how it meets the Director’s criteria for initiation of the amendment by answering the following questions:

A. What Comprehensive Plan goals and policies support this amendment?

Growth Management Act

Goal # 9: Open Space and Recreation. Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.

Goal #10: Environment. Protect the environment and enhance the state’s high quality of life. Including air and water quality and the availability of water.

Bellingham Comprehensive Plan, Framework Land Use Policies

FLU-1 It is the City’s overall goal to preserve and protect the unique character and qualities of the existing neighborhoods. All policies, proposed development code and zoning changes should be reviewed with this goal in mind.

FLU-6 Protect and enhance the quality of the natural environment by protecting and restoring important critical areas such as streams, wetlands, lakes and Bellingham Bay, and by retaining significant trees and other natural resources.

FLU-7 The quality of the natural environment should be protected by taking into account the land's suitability for development and directing development away from important natural resources and environmentally sensitive areas.

FLU-8 Emphasize Bellingham's role as an environmental steward by conducting City business in a manner that 1) increases community understanding of the natural environment and participation in protecting it through education and programs, 2) promotes sustainable land use patterns and low impact development practices, and 3) leads by example in the conservation of natural resources, such as energy, water and trees, and avoidance of adverse environmental impacts.

FLU-10 Maintain and extend the current system of parks, trails, open space, and indoor and outdoor recreational facilities that are designed to meet community needs.

LU- 24 Land suitability, existing development patterns, the capacity of existing and planned public facilities and projected population growth demands should all be considered when zoning densities are established.

LU – 26 Preserve and protect established residential areas where a definite density, housing type and character prevail.

LU – 34 Multi-family housing should be sited in urban centers and on designated primary transit corridors where appropriate levels of public facilities and services are available.

LU- 55 Develop regulations to preserve the scenic vistas of important natural features such asthe hills that provide the natural backdrop to the city.

LU – 126 ...

Single-Family Residential, Low Density – The low density residential designation should be used for land that is not suited for more intense urban development because of environmentally sensitive areas or public facility limitations, such as sewer or water capacity limitations...

Multi-Family Residential – This designation should be applied to areas with higher concentrations of people within the City while encouraging a desirable living environment for the people living within and adjacent to this district...

The multi-family designation should be applied in or near urban centers and corridors where high levels of transit service are present or likely, and/or in areas near employment and commercial centers. The capacity of public facilities and services should also be considered when applying multi-family designations.

LU- 127 Shorelines, wetlands, and steep hillsides should be protected or impacts mitigated in accordance with adopted standards.

LU-128 Destruction of significant natural features should be minimized.

LU-129 Water and air quality should be maintained and /or enhanced through the development and/or enforcement of environmental regulations.

LU-134 Promote learning, research, and information opportunities which better our understanding of the watershed system, the impacts of activities, and the benefits and potentials of policies implemented.

LU-144 Bellingham recognizes the requirement for, and substantial benefit of, incorporating the use of “best available science” in the overall management of critical areas and natural resource protection.

LU-145 Citizens value those plant and animal species that help characterize our community and establish our unique identity (such as those listed in the 1995 Wildlife and Habitat Assessment Plan). From time to time, such species may be designated as “species of local significance” by City Council resolution, thereby elevating their status and consideration for additional protection.

LU-146 Our community acknowledges the tremendous value of anadromous fish, given their potentially broad geographic range, and the responsibility that comes with providing for their enduring lifecycle and habitat needs. We have a long-term commitment to enhance this resource.

LU-147 As Bellingham grows, we are mindful of our natural surroundings and the value of all living creatures. Our community will provide habitat for wildlife, established and well maintained via a system of interconnected stream and trail corridors, open spaces, and parks in areas of high habitat value.

B. Would the amendment reduce the number of housing units that could be accommodated?

People will want to move to the South Neighborhood so long as its natural environment and character remain intact. Certainly this zoning change would reduce housing units in Area 4; however, this loss can be mitigated by changing the zoning in Area 7 from commercial to mixed use. Area 7 land use should be maximized for the greater good, not squandered on fast food or

a strip mall. This is also supported by the Bellingham Comprehensive Plan. In addition, density in Area 6 and Area 4 north of Cody Ave. could increase.

FLU-15 Growth in Bellingham will be accommodated primarily in compact “urban centers” (or villages) as described in the Community Growth Forum report, while preserving the character of existing single family neighborhoods.

Infill Strategy 4 -Evaluate potential density increases in existing residentially zoned areas of the City. Also examine commercial or industrial zoned areas for potential rezone to residential to increase the amount of land available for housing. This step also relates to the urban village concept of the Community Growth Forum. Through the neighborhood planning process, other areas of the City appropriate for urban village mixed-use and higher density development would be identified and master planned as described in the Growth Forum report. Also, some Bellingham neighborhoods (Samish, South and Whatcom Falls for example) contain significant blocks of undeveloped land currently zoned for relatively low density development. These and other areas could be evaluated to determine if higher densities might be appropriate. Factors that could limit development potential, such as environmental constraints (wetlands, steep slopes) and infrastructure capacity (water, sewers, roads, parks, schools) would need to be considered in the process. Impacts on the supply of industrial zoned land should also be considered when industrial to residential rezones are proposed.

FLU-16 Urban centers will be developed as envisioned in the 2004 Community Growth Forum. The centers are defined and prioritized ... (See Figure 7, LU-29a for potential urban center locations) Old Fairhaven Parkway Neighborhood village is designated a potential tier 3 Urban village with a dwelling unit projection of 100 to 600.

LU-46 Commercial land use designation shall provide a well distributed system of commercial uses that serve community residents.

LU-47 Auto oriented strip or linear commercial development shall be avoided. Commercial areas of all types should be compact, allow for walking between businesses and easy access by transit and transit riders.

LU-49 Mixed use developments should be encouraged in all commercial zones

LU-50 Development regulations should be revised to encourage mixed-use infill development in urban villages. Design and site improvement standards should be established through the master plan process for urban village development.

C. What methods have you used to determine whether those affected by the amendment would support it? Include copies of notices, surveys, mailing lists and/or other information used.

The South Neighborhood Association has been holding open monthly meetings for about 2 ½ years. Throughout that time, the potential development of Chuckanut Ridge has been the most frequent topic of discussion. Without exception there has been consensus and passion among participants that the woods must be saved. Our mailing list and a flyer taken door to door last January is enclosed. Our survey is yet to be done.

D. Who is in favor of the proposal? Submit copies of letters, surveys or other documentation of support.

Residents of the South Neighborhood itself and the surrounding neighborhoods (Happy Valley, Fairhaven, South Hill, and Edgemoor) as represented within the Coalition of Southside Neighborhoods, as well as citizens across the city who utilize Fairhaven Park, Arroyo Park, Sehome Arboretum, Chuckanut Bay, and the Interurban Trail corridor, and those who depend on the natural forest and wetland ecosystems which support the Padden, California, and Chuckanut creek watersheds and soils within these steep-slope hazard areas all support the preservation of this keystone portion of the greater wildlife habitat and recreation corridor which exists within the South Neighborhood.

This support is well documented in the public record and is supported in all the local scientific research which was established well before the current Fairhaven Highlands landowners purchased the Chuckanut Ridge property in question. The record includes thousands of letters and emails submitted to: the Bellingham Parks and Recreation Department (including parks, trails, and open space survey responses), Greenways Advisory Committee (including public hearing, public input meetings, and monthly guest testimony), Planning and Community Development Department (including all Chuckanut Ridge development files, Critical Areas Ordinance hearing testimony, and Shoreline Master Plan public comment tracking and related public input records), the Public Works Department (transportation and utility infrastructure records and reports, including storm water retention, sewer extension, and arterial renovation), and City Council (constituent phone calls, emails, meetings, public hearings).

A few specific examples of the existing scientific research, professional recommendations, and legal regulations which support this proposal: City of Bellingham Wildlife and Habitat Assessment; Whatcom County Trails Committee Overview of the Economic Benefits of Trails; Soil Survey of Whatcom County Area, Washington; U.S. Army Corps of Engineers Wetlands

Report and Class I Wetlands Identification; Benefits of Chuckanut Ridge to Western Washington University/Huxley College Environmental Studies Programs; Natural Heritage Foundation Wetlands Identification Guide; Local Travel, Tourism and Hospitality Industry Annual Economic Reports; Chuckanut Ridge Draft Environmental Impact Statement (1995); The Cost of Chuckanut Ridge Development; and Whatcom Land Trust Chuckanut Mountain Corridor Plan. This proposal is also supported within the Bellingham City Council majority's expressed legislative intent and the administration's interpretive discretion regarding 2003-2007 Consolidated and 2007 Action Plan; Bellingham Comprehensive Plan, Shoreline Master Plan, Critical Areas Ordinance, Greenways Ordinance, and Transportation Concurrency Ordinance. Residents of the South Neighborhood are in the process of drafting a survey which is expected to provide measurable evidence of support for this proposal within the neighborhood itself. In the spirit of the city's Comprehensive Plan, this proposal essentially recognizes and preserves the natural character and public value of this distinct ecosystem within this unique urban-fringe neighborhood in the context of the greater multi-use habitat, wildlife, and recreation corridor it provides to the entire city. It is balanced by protecting one ecologically significant area of the neighborhood from being developed while allowing more dense development, infill, and urban village development in more appropriate, less ecologically sensitive areas of the neighborhood, such as the existing commercial zone and areas adjoining multi-family zoning which front the major arterial between Interstate 5 and the Fairhaven business core.

Other interests supported by this proposal:

Bellingham School District taxpayers and students—safe routes to school, hands-on ecology education

Higher Education students—urban wetlands research

Citywide taxpayers—long-term, full-cost-analysis based return on public investment

Mass Transit providers—maintenance of urban loop rider ship opportunities

Business owners—preserve integrity of existing urban core retail/commercial/urban village centers

City/County Parks & Recreation providers—ability to coordinate and implement integrated wildlife habitat and master trail plans and provide measurable baseline studies

Greenways Program—ability to complete existing wildlife, trail, and habitat corridors so they are scientifically adequate and can accommodate limited recreational use with minimal adverse environmental impact

E. Who is opposed and what are their issues?

Fairhaven Highlands landowners—economic interest and investment in developing the property

City administration—density agreements allowing specific number of residential unit development

A few residents/landowners—generally uneducated regarding locally significant habitats and natural ecosystem functions and long-term public benefits

Others—baseless fear and ignorance regarding alternative infill sites within the South Neighborhood and belief in the false notion that if this particular property is not developed, sprawl will occur elsewhere outside city limits.

The owners of the proposed Fairhaven Highlands Development will lose their development potential; however, a public buyout can protect their investment. The cost to the City of doing so may seem expensive in the short run, but it will no doubt prove to be a savings in the long run. It will save taxpayers the infrastructure costs associated with development. It will save watersheds for both Chuckanut and Padden Creeks which are salmon bearing streams, wetlands, creeks, and help save the Puget Sound. This will save future generations the expense and challenge of cleaning up an environmental disaster.