

ORDINANCE NO. 2023-11-035

AN ORDINANCE OF THE CITY OF BELLINGHAM RELATING TO LAND USE PLANNING AND UPDATING THE BELLINGHAM COMPREHENSIVE PLAN, WITH AMENDMENTS TO THE 2020 PARKS, RECREATION AND OPEN SPACE PLAN.

WHEREAS, an updated Parks, Recreation, and Open Space Plan (PRO Plan) is required by state and federal agencies for the City to be eligible for parks and recreation funding; and

WHEREAS, the City typically updates its PRO Plan every six years, and City Council last adopted the PRO Plan in 2020 with the next scheduled update to occur in 2026; and

WHEREAS, the 2020 PRO Plan is included as the Parks, Recreation and Open Space Chapter in the 2016 Bellingham Comprehensive Plan; and

WHEREAS, on April 24, 2023, the City Council held a public meeting and subsequently voted to add the proposed amendments to the 2020 PRO Plan to the 2022-2023 docket of comprehensive plan amendments; and

WHEREAS, the Parks and Recreation Advisory Board and the Greenways Advisory Committee provided valuable feedback, input, and recommendations to Parks and Recreation Department staff on the PRO Plan update; and

WHEREAS, the SEPA responsible official issued a SEPA Determination of Non-Significance (DNS) for the proposed update to the 2020 PRO Plan on July 31, 2023, consistent with RCW 43.21C; and

WHEREAS, the City provided notice of its intent to update the 2020 PRO Plan to the Department of Commerce on August 29, 2023, as required by RCW 36.70A.106; and

WHEREAS, after publishing notice on July 17, 2023, the Bellingham Planning Commission held a public hearing on the proposed amendments on August 17, 2023; and

WHEREAS, the Planning Commission considered the staff report and comments received and thereafter made Findings, Conclusions and Recommendations for approval of the proposed amendments by a 4-0 vote; and

WHEREAS, the Planning Commission found that the proposed amendments to the 2020 PRO Plan are consistent with the 2016 Bellingham Comprehensive Plan and satisfy the review criteria in BMC 20.20.040(B); and

WHEREAS, after publishing notice as required by BMC 21.10, the City Council held a public hearing on the proposed 2020 PRO Plan amendments on October 16, 2023; and

WHEREAS, the City Council considered the recommendation of the Planning Commission, the staff report, and the public comment and hereby adopts the Findings, Conclusions and Recommendations of the Planning Commission; and

WHEREAS, the City Council finds that the proposal satisfies the comprehensive plan amendment review criteria in BMC 20.20.040(B) and is consistent with the 2016 Bellingham Comprehensive Plan;

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. The Parks, Recreation and Open Space Chapter of the 2016 Bellingham Comprehensive Plan is hereby amended by the PRO Plan edits attached as **Exhibit A**.

Section 2. The City Council agrees with and hereby adopts the Findings of Fact, Conclusions and Recommendations of the Planning Commission dated August 17, 2023, attached in **Exhibit B**.

Section 3. City administration and the codifiers of this ordinance are authorized to make necessary clerical corrections including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any reference thereto.

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

PASSED by the Council this 20th day of November, 2023.



Council President

APPROVED by me this 5 day of December, 2023.

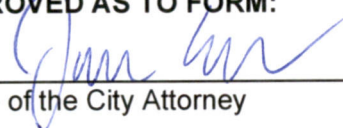


Mayor

ATTEST: 

Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

Published:

November 24, 2023

Exhibit A of Ordinance.

Proposed amendments to Section 5.5 of the 2020 PRO Plan, Chap. 7 of Bellingham Comprehensive Plan

5.5 Trails (TR)

Originally based on the [North Bellingham Trail Plan](#), Bellingham's proposed trail map was updated extensively during this planning the 2023 Comprehensive Plan annual docket process to more accurately reflect development patterns, critical areas, [Bellingham's Bike and Pedestrian Master Plans](#) and [targeted corridors Park property acquisitions](#). As a result of the 2020 public process and the needs analysis, specific recommendations for multi-purpose trails in Bellingham include remain:

5.5.1 Policy Recommendations Trails (TR)

- Acquire and/or develop new trail connections as shown on the following map in order to provide an off-street trail within a half mile of every resident in Bellingham.
- Coordinate with Public Works to identify opportunities for better trail, habitat corridor, sidewalk and bike route connectivity.
- Institute a maintenance replacement program to monitor, maintain, improve and/or replace trail features, including bridges, boardwalks and stairs.
- Connect Cordata Park, Whatcom Community College and Van Wyck Park.
- Acquire and/or develop trailheads (parking, signage, restrooms, picnic areas, etc.) at Galbraith Mountain area, Woodstock Farm, Fairhaven Park's, Chuckanut Community Forest and North Chuckanut Trailhead.
- Acquire and develop a trail corridor to extend the Northridge Park Trail west.
- Pursue easements to connect Bay to Baker Trail to King and Queen Mountain Greenway.
- Pursue connections from Little Squalicum Park northwest to Alderwood/Airport area.
- Develop trails to fulfill the Waterfront District Subarea Plan.

5.5.2 Project Recommendations Trails (TR)

Recommendations	Funded 2019/2020	High 2021/2022	Medium 2023/2024	Low 2025/2026
Acquire trail corridor along Squalicum Creek.				
Extend trail along Whatcom Waterway as development occurs.				
Samish Crest – complete connection to Lake Padden.				
Connect Riley Open Space and the Cordata Trail.		ADD		
Evaluate and replace bridges – Wildflower, Civic, Silver Creek.		ADD	ADD	
Acquire and improve trailhead parking and access to Galbraith from the north.			ADD	
Complete Locust Beach trailhead and trail improvements.				ADD

Exhibit A of Ordinance.

Proposed amendments to Section 5.5 of the 2020 PRO Plan, Chap. 7 of Bellingham Comprehensive Plan

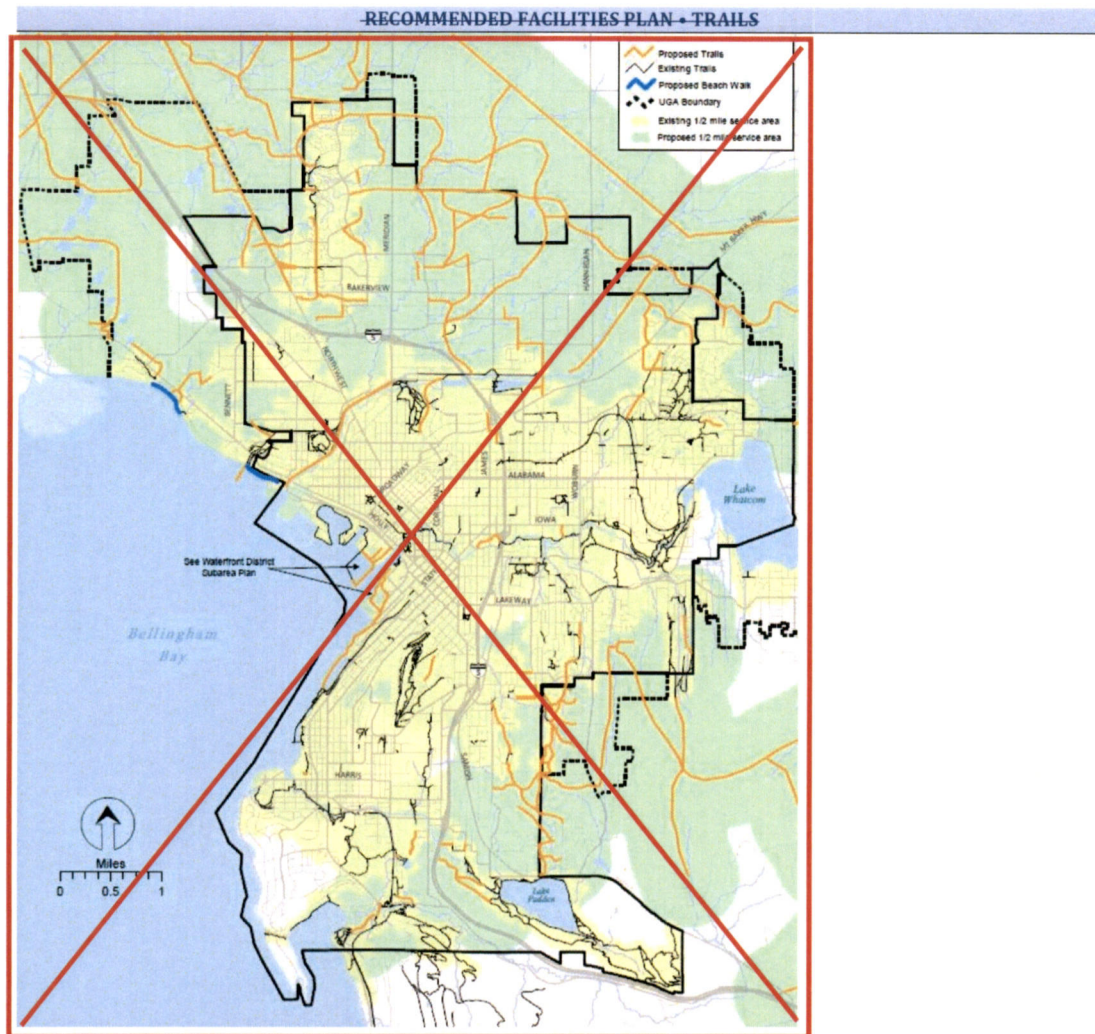


Exhibit A of Ordinance.

Proposed amendments to Section 5.5 of the 2020 PRO Plan, Chap. 7 of Bellingham Comprehensive Plan



Appendix D-Amended 2023

Capital Facilities Plan (6 Year)

~~See the City's adopted 2019-2020 Parks and Recreation Department 6-year Capital Facilities Plan (CFP) on the following pages. Expenditures for 2019-2020 were authorized after budget adoption by the City Council. Expenditures identified for years beyond 2020 are included for information and review of potential future needs. Their inclusion is not a request for approval or budget authorization.~~

The City's adopted Parks and Recreation Department six-year Capital Facilities Plan (CFP) is incorporated into the City of Bellingham Biennial Budget. The CFP is a six-year rolling plan that is revised annually to reflect varying conditions. The CFP is authorized yearly through budget adoption by the City Council and establishes priorities by estimating costs, schedule, and funding sources for all facility or infrastructure-related capital projects and acquisitions.

The current Parks and Recreation Department six-year Capital Facilities Plan is found on the City's Budget page (<https://cob.org/gov/budget>) under the Capital Budget and Capital Facilities Plan Chapter of the adopted biennial budget.

Capital Plan

Parks and Recreation

Capital Item and Funding Sources	2019 Preliminary	2020 Preliminary	2021 Estimate	2022 Estimate	2023 Estimate	2024 Estimate
Birchwood Neighborhood Park						
Restroom	200,000	-	-	-	-	-
Park Impact	200,000					
Fairhaven Park - Master Plan Update	-	-	-	100,000	-	-
Park Impact				100,000		
Fleet and Equipment	97,000	36,000	-	-	-	-
General	97,000	36,000	-	-	-	-
Fountain Plaza	320,000	-	-	-	-	-
Park Impact	320,000					
Golf Course Capital Maintenance		80,000	100,000	100,000	100,000	-
Golf		80,000	100,000	100,000	100,000	
Greenway Land Acquisition	1,000,000	2,000,000	2,000,000	2,000,000	2,000,000	
Greenways	1,000,000	2,000,000	2,000,000	2,000,000	2,000,000	
Grounds Maintenance Projects	10,000	10,000	10,000	16,000	10,000	
REET 1	10,000	10,000	10,000	16,000	10,000	
Interurban Trail	300,000	300,000	-	-	-	-
Greenways	300,000	300,000				
Lake Padden Park Improvements	428,400	-	-	-	-	-
Greenways	428,400					
Maplewood McLeod Neighborhood Park	-	-	100,000	500,000	-	-
Park Impact			100,000	500,000		
Boulevard Cleanup	-	-	8,000,000	-	-	-
S. State St.			8,000,000			
Maritime Heritage Park Slide	100,000	-	-	-	-	-
Park Impact	100,000					
Neighborhood Park Acquisition	100,000	100,000	-	-	-	-
Park Impact	100,000	100,000				
Neighborhood Park Improvements	100,000	100,000	100,000	100,000	100,000	-
Park Impact	100,000	100,000	100,000	100,000	100,000	
Park Ops Office Addition and Repairs		200,000				
REET 2		200,000				
Playground Replacement	-	-	175,000	175,000	-	-
Park Impact			175,000	175,000		
Fencing at Maritime Heritage Park	80,000	80,000	-	-	-	-
REET 2	80,000	80,000				
Restroom at Little Squalicum Park	-	-	250,000	-	-	-
Park Impact			250,000			
Samish Crest Trail	-	-	-	-	400,000	-
Park Impact					400,000	
Shuksan Meadows Park Upgrade	50,000	200,000	-	-	-	-
Park Impact	50,000	200,000				

City of Bellingham

2019-20 Adopted Biennial Budget

Capital Plan

Parks and Recreation (cont'd)

Capital Item and Funding Sources	2019 Preliminary	2020 Preliminary	2021 Estimate	2022 Estimate	2023 Estimate	2024 Estimate
Boulevard Park Utility Re-route	3,500,000	-	-	-	-	-
Greenways	1,500,000					
REET 1	2,000,000					
S. State Street Gas Plant - Clean Up	250,000	850,000	8,000,000	-	-	-
Environmental Remediation	250,000	850,000	8,000,000			
Squalicum Creek Park Y & F Field	350,000	500,000	-	-	-	-
Grant Funding	350,000					
Greenways		500,000				
Squalicum Pier	250,000	-	-	-	-	-
Greenways	250,000					
Structures/Facilities Maintenance	320,000	275,000	445,000	255,000	370,000	-
REET 1	205,000	135,000	275,000	125,000	240,000	
REET 2	115,000	140,000	170,000	130,000	130,000	
Trails, Repairs and Maintenance	30,000	30,000	30,000	30,000	30,000	-
Greenways	30,000	30,000	30,000	30,000	30,000	
Van Wyck Park	-	-	-	200,000	800,000	-
Park Impact				200,000	800,000	
Wetland Monitor & Maintenance	20,000	20,000	20,000	20,000	20,000	-
Greenways	20,000	20,000	20,000	20,000	20,000	
Wharf Street Trestle Repair	500,000	-	-	-	-	-
Greenways	500,000					
Whatcom Waterway Park	150,000	1,000,000	-	-	-	-
Park Impact	150,000	1,000,000				
Civic Complex - Repair/Replacements	478,000	85,000	10,000	10,000	20,000	-
Greenways	28,000					
REET 2	202,000	85,000	10,000	10,000	20,000	
Park Impact	30,000					
Downtown Plaza	100,000	300,000	-	-	-	-
Park Impact	100,000	300,000				
Comm. Garden Fencing & Wayfinding	25,000	25,000	-	10,000	-	-
Park Impact	25,000	25,000		10,000		
Cordata Community Park	7,500,000	-	400,000	4,000,000	-	-
Greenways	2,500,000		400,000	4,000,000		
Park Impact	5,000,000					
Cornwall Beach Park - Design	-	200,000	1,000,000	-	-	-
Park Impact		200,000	1,000,000			
Covered Storage Bins at Squalicum	25,000	-	-	-	-	-
REET 1	25,000					
Cordata Neighborhood Park	200,000	800,000	-	1,500,000	-	-
Park Impact	200,000	800,000		1,500,000		
Total	16,483,400	7,191,000	20,640,000	9,016,000	3,850,000	-

BELLINGHAM PLANNING COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS

AUGUST 17, 2023

SUMMARY

Following the public hearing and deliberation on the proposed amendment to the 2020 Parks, Recreation, and Open Space Plan, 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. Project or Proposal Description

The Parks & Recreation Department is requesting an amendment to the 2020 Parks, Recreation, and Open Space Plan (PRO Plan). The proposal includes amendments to Section 5.5 Trails, and Appendix D.

The proposal would amend the Public Facility Trails map to address trail development since 2020, improve trail alignments to better reflect development patterns and geographic constraints, and align with proposed updates to the City's Bicycle and Pedestrian Master Plans.

The proposed amendments to Appendix D of the 2020 PRO Plan would replace the outdated 2019-2020 Parks and Recreation Department's six-year Capital Facilities Plan (CFP). In order to keep public facilities appropriately budgeted into the future and allow for the use of park impact fees, updates to the CFP are done every two years with the biennial budget¹. Changes to Appendix D include removing the 2019-2020 CFP and updating references to the current Parks & Recreation six-year CFP found in the biennial budget.

The proposed amendments reflect the current understanding of trail and other public facility needs. These public facility improvements are timely due to new residential growth in Bellingham since 2020. Several key trail corridors have been dedicated and constructed as part of new development or City led capital projects, and it is critical that the adjoining trail segments be included in the PRO Plan now to ensure development of multimodal trails for recreation and transportation keep up with the pace of growth.

2. Background Information/Procedural History

Washington State requires comprehensive updates to the City's Parks, Recreation, and Open Space Plan (PRO Plan) every six years. The last PRO Plan update was in 2020.

¹ WAC 365-196-415 (2)(c)(ii) *The six-year plan should be updated at least biennially so financial planning remains sufficiently ahead of the present for concurrency to be evaluated. Such an update of the capital facilities element may be integrated with the county's or city's annual budget process for capital facilities.*

Exhibit B of Ordinance

- Policy CF-1 Provide, maintain, and upgrade public facilities to meet the primary service needs of the City in a manner which respects social diversity, protects public investments in existing facilities, maximizes the use of existing facilities, and promotes orderly compact urban growth.
- Policy CF-17 New development should pay its proportional share of the cost of new public facilities that serve the subject development.
- Policy CF-19 Plan for major transportation, utility, and greenway corridors in Bellingham's UGA. Development should be consistent with these corridors. Whatcom County should ensure conformance through the permit process and incentive programs.
- Policy CF-11 To prioritize the financing of public facilities within projected funding capacities, the City shall adopt a six-year CIP and update the plan as part of the City's biennial budgeting cycle.
- GOAL T-3 Increase infrastructure for bicycles, pedestrian, and non-single-occupancy vehicle modes of transportation.

4. Public Comment

April 6, 2023: Greenways Advisory Committee was updated on the proposed amendments to the 2020 PRO Plan.

June 1, 2023: Greenways Advisory Committee provided feedback on a draft map of proposed trails.

May 10, 2023: Parks and Recreation Advisory Board was updated on the proposed amendments.

July 17, 2023: Per Bellingham Municipal Code 21.10, notice of the Planning Commission hearing was sent to Bellingham's neighborhood representatives and associations, published in the Bellingham Herald, and posted on City website notice locations.

July 26, 2023: Notice of the Planning Commission hearing was mailed to the Parks and Recreation Advisory Board, and the Greenways Advisory Committee.

August 7, 2023: Parks and Recreation Advisory Board provided input on proposed amendments.

August 17, 2023: The Planning Commission held a public hearing and one person provided public testimony supporting the proposed amendment.

5. State Environmental Policy Act (SEPA) Determination if applicable

A non-project SEPA Determination of Non-Significance was issued on July 31, 2023. A 14-day SEPA comment period was provided, and no public comments were received regarding this determination.

Exhibit B of Ordinance

6. Consistency with the Bellingham Comprehensive Plan, and/or Review Criteria

Petitioners requesting amendments to the comprehensive plan and/or a neighborhood plan shall be prepared to offer justification for the request using the following criteria. These criteria will be used by the Planning Commission and City Council to evaluate amendment requests:

A. There exists an error, omission or inconsistency in the pertinent comprehensive plan or neighborhood plan provision; OR

B. All of the following criteria have been met:

1. The proposed amendment is consistent with the Growth Management Act (GMA) and other applicable laws;

The Growth Management Act (GMA) establishes goals for cities and counties to assure that their quality of life is sustained as their communities grow. One of these goals is to “retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreational facilities” (RCW 36.70A.020(9)). Updating trail connections between parks, natural resource lands, and neighborhoods with new recreational trails is consistent with the GMA.

Additionally, the PRO Plan amendments forwards the GMA goal to “ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.” Trails are considered a public facility necessary to maintain equitable services for all residents of Bellingham and the UGAs. Realigning planned trails to reflect growth patterns is needed to maintain levels of service.

2. The proposed amendment addresses changing circumstances, changing community values, and is consistent with and will help achieve the Comprehensive Plan goals and policies.

This minor update to the PRO Plan addresses the following changing circumstances:

There are changing circumstances related to the ongoing residential growth in Bellingham. Several key trail corridors have been dedicated and constructed as part of residential development or City-led capital projects, and it is critical that the adjoining trail segments be included in the PRO Plan to ensure development of multimodal trails for recreation and transportation keep up with the pace of growth. The proposed amendments update the location of needed trail facilities throughout the City to ensure public amenities are built as development occurs.

Additionally, trail development and land acquisitions have changed since the last PRO Plan adoption in 2020. The City of Bellingham Bike and Pedestrian Master Plans are also being updated concurrently. The proposed amendments to the Public Facility Trails map within the PRO Plan are being updated to reflect the changes proposed in the above mentioned plans.

Exhibit B of Ordinance

In order for Bellingham's infill growth strategy to be successful, the City's park system must respond accordingly, as land for parks, trails, and open space in the City becomes more difficult (and expensive) to acquire.

This minor update will help achieve the goals and policies of the 2016 Comprehensive Plan as stated in Section V above of the staff report:

The linkage of parks and neighborhoods, and the amount of green space with an updated trail network is consistent with density and connectivity goals and policies related to the Land Use Chapter, Community Design Chapter, and PRO Plan Chapter. Adjusting proposed trail facilities to the areas of lower levels of service improves equity and ensures that new development pays its share of public facilities consistent with the Capital Facilities and Utilities Chapter, and the PRO Plan Chapter. And trail development increases multimodal infrastructure consistent with the Multimodal Transportation Chapter, and the PRO Plan Chapter.

3. The proposed amendment will result in long-term benefit to the community and is in the community's overall best interests.

Updating the 2020 PRO Plan to include new trail corridors will ultimately contribute to the overall welfare and quality of life of the community and provide value to adjacent property owners and neighborhoods. Waiting until the next comprehensive PRO Plan update in 2026 (six year update cycle) to amend the Public Facility Trails map may result in the City missing out on opportunities for trail dedication and/or construction required by current land development regulations. Several of these trail corridors serve neighborhoods with new infill housing and multifamily development, and it is essential that the community have access to high-quality trail systems for both recreation and alternative transportation routes. The proposed amendments to the 2020 Pro Plan will result in a long-term benefit to the community and in the community's over-all best interest.

4. The amendment will not adversely affect the public health, safety or general welfare.

The proposed amendments to the 2020 PRO Plan will not adversely affect public health, safety or welfare of the community.

5. If a concurrent rezone is requested, the proposal must also meet the criteria for rezones in BMC 20.19.030.

Not applicable. No rezones are proposed with this amendment request.

Exhibit B of Ordinance

II. CONCLUSIONS

Based on the staff report, the proposed PRO Plan and the information presented at the public hearing, the Planning Commission concludes:

1. The proposed amendment to the Comprehensive Plan bears a substantial relation to public health, safety and welfare and will contribute to the quality of life that Bellingham and UGA residents currently enjoy.
2. The Planning Commission concludes that waiting until the next comprehensive PRO Plan update in 2026 to amend the Public Facility Trails map may mean missing out on opportunities for trail construction and/or dedication required by current land development regulations.
3. The Planning Commission concludes that the proposed amendments are consistent with, and will help implement, the land use, community design, parks recreation and open space plan, capital facility and utility, and multimodal transportation goals and policies in the 2016 Bellingham Comprehensive Plan.
4. The Planning Commission concludes that the proposed code amendments will help meet the Growth Management Act goals to "retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreational facilities."
5. The Planning Commission concludes that the amendments forward the GMA goal to "ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards."
6. The proposed amendment is consistent with the goals and policies of the 2016 Bellingham Comprehensive Plan and the State Growth Management Act, and meets all the comprehensive plan amendment criteria in BMC 20.20.040 B.
7. The proposed amendment will not create any internal inconsistencies in the 2016 Bellingham Comprehensive Plan.
8. The proposed amendment will benefit the community in the long-term and is in the best interest of the community.

Exhibit B of Ordinance

III. RECOMMENDATIONS

Based on the findings and conclusions, the Bellingham Planning Commission recommends, with a 4-0 vote, that City Council approve the proposed update to the 2020 Parks, Recreation and Open Space Plan (PRO Plan) with the additional revisions to the Recommended Facilities Plan – Trails map:

- Add a label to refer to the Bellingham Waterfront District; and,
- Remove the section of proposed trail that goes through the wetland mitigation bank.

ADOPTED this 17th day of August, 2023.

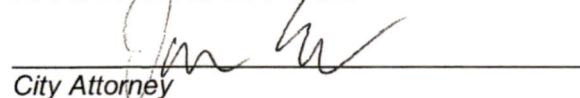


Planning Commission Chairperson



ATTEST: _____
Recording Secretary

APPROVED AS TO FORM:



City Attorney