

RESOLUTION NO. 2020 - 30

**A RESOLUTION AMENDING THE DOCKET OF BELLINGHAM COMPREHENSIVE
PLAN AMENDMENTS TO BE REVIEWED IN 2019-2020**

WHEREAS, the City Council asked staff to "leave no stone unturned" in seeking solutions to the City's housing crisis; and

WHEREAS, through a series of focused discussions, staff identified several approaches that could result in increased housing options and variety for people of all ages, abilities and incomes. Key to these discussions was Council's direction to find ways to allow smaller, less expensive homes; and

WHEREAS, staff's analysis of these options indicated that many areas zoned Residential Multi (RM) have been significantly underdeveloped with densities much less than what's intended in the Bellingham Comprehensive Plan. In some cases, these areas have been developed predominantly with lower density single-family homes; and

WHEREAS, changes to the Bellingham Municipal Code (BMC) to facilitate the uses envisioned for RM zones have the potential to not only result in more homes of all shapes and sizes, but to also advance many goals and policies of the Comprehensive Plan, including those related to housing affordability and options, efficient land use and climate change; and

WHEREAS, as such, on August 26, 2019, staff was directed by the City Council Planning and Community Development Committee to further identify the necessary changes to facilitate intended development in RM zones; and

WHEREAS, on January 9, 2020, staff provided an overview of the proposed RM project to the Planning Commission; and

WHEREAS, this project will include additional analysis, public involvement, and public hearings and work sessions with the Planning Commission and City Council throughout 2020, with ordinance adoption anticipated in 2020; and

WHEREAS, the changes to the BMC for this project will necessitate changes to text in the RM sections of several neighborhood plans for consistency purposes; and

WHEREAS, Bellingham's neighborhood plans are incorporated into the Bellingham Comprehensive Plan; and

WHEREAS, the State Growth Management Act allows local governments to amend their Comprehensive Plans once a year; and

WHEREAS, the City Council approved Resolution 2019-24 on August 26, 2019, which added three proposals (REZ2019-0001, 0002, and 0004) to the 2019-2020 docket of Comprehensive Plan amendments; and

WHEREAS, BMC 21.10.150.B.1.c authorizes the City Council to add proposals to the annual review docket at any time during the year, provided the Council finds that the proposal meets the docketing criteria in BMC 20.20.030; and

WHEREAS, City staff recommends adding the proposed RM project to the 2019-2020 docket of Comprehensive Plan amendments to ensure consistency between the BMC changes and neighborhood plans in order to facilitate intended densities in RM zones; and

WHEREAS, on July 16, 2020, the Planning Commission, with a 6-0 vote, recommended to the City Council that the RM project be added to the 2019-2020 list of Comprehensive Plan amendments; and

WHEREAS, the City Council considered the staff report prepared for the July 16, 2020, Planning Commission public hearing and the Planning Commission's findings attached as Exhibit A and determined that the proposed RM project meets the docketing criteria in BMC 20.20.030.A and 20.20.030.B.1 through B.4.

Now therefore, be it resolved by the City Council of the City of Bellingham:

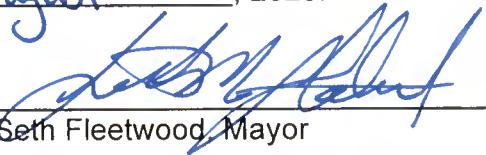
The 2019-2020 docket of Comprehensive Plan amendments is hereby amended to include the proposed RM project. The 2019-2020 docket includes four projects as shown in Exhibit B.

PASSED by the City Council this 24th day of August, 2020.

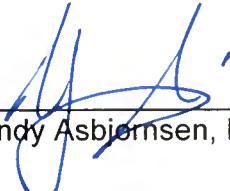


Gene Knutson, Council President

APPROVED by me this 31 day of August, 2020.



Seth Fleetwood, Mayor

ATTEST: 
Andy Asbjornsen, Finance Director

APPROVED AS TO FORM: 

Office of the City Attorney

BELLINGHAM PLANNING COMMISSION FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS

Request to Add the Residential Multi (RM) Project to the 2019-2020 List of Comprehensive Plan Amendments

JULY 16, 2020

Summary

Following the public hearing and deliberation, the Planning Commission determined that the Residential Multi (RM) project meets the docketing criteria outlined in Bellingham Municipal Code (BMC) 20.20.030.

I. FINDINGS OF FACT

1. Proposal Description

The City Council asked staff to “leave no stone unturned” in seeking solutions to the City’s housing crisis. Through a series of focused discussions, staff identified several approaches that could result in increased housing options and variety for people of all ages, abilities and incomes. Key to these discussions was Council’s direction to find additional ways to allow smaller, less expensive homes. Staff’s analysis of these options indicated that many areas zoned Residential Multi (RM) have been significantly underdeveloped with densities much less than what’s intended in the Comprehensive Plan. In some cases, these areas have been developed predominantly with lower density single-family homes. While the City values single-family residential construction, it is dependent on its multi-family and urban village zoning to provide higher densities.

Changes to the land use code to facilitate the densities and uses envisioned for RM zones have the potential to not only result in more homes of all shapes and sizes for Bellingham’s diverse residents, but to also advance many goals and policies of the Comprehensive Plan, including those related to housing affordability and options, efficient land use and climate change. As such, on August 26, 2019, after a staff presentation on an initial analysis of these zones, the City Council Planning and Community Development Committee directed staff to further identify the necessary changes to facilitate intended development in RM zones. This project is anticipated to include the following four components:

- A simplified ranged zoning system for all RM zones. This system would assign the adopted Comprehensive Plan density ranges of high, medium or low to each RM zone and allow development at any density within the assigned range. This component includes changes to 94 RM zones in the BMC zoning tables and RM sections of up to 20 neighborhood plans to remove inconsistencies with the new ranged zoning system.

- Projects in RM zones that meet location-efficient criteria would be eligible for a **density bonus**. Specifically, a property would be able to develop within the density range of the next highest density category (e.g. a “medium” density property would jump to the “high” density category).
- All **Infill Housing Toolkit** forms (small and smaller house, cottage, duplex, triplex, shared court, garden court, and townhouse) would be allowed in all RM zones. Small and smaller houses, cottages and duplexes are the only forms currently allowed in RM duplex zones.
- Certain (or all) RM zones would potentially include **minimum densities**.

The proposal may include amendments to up to 20 neighborhood plans for consistency with BMC changes necessitated by the project components. The neighborhood plan changes will primarily consist of replacing specific densities with the corresponding high, medium or low density Comprehensive Plan density designations, per the ranged density proposal.

2. Background Information/Procedural History

Under the rules of the Washington State Growth Management Act, the Comprehensive Plan, which includes the City’s neighborhood plans, can be amended once a year. The City’s Planning and Community Development Department conducts the annual amendment process. The first step in the process is to establish the docket of amendments that will be reviewed during the year. Only the City Council can place a proposal on the docket after review by staff and the Planning Commission.

The 2019-2020 docket was established by the City Council on August 26, 2019 (Resolution 2019-24); however, BMC 21.10.150.B.1.c authorizes the City Council to add proposals to the docket at any time during the year, provided the Council finds that the proposal meets the docketing criteria in BMC 20.20.030.

The docket of proposed Comprehensive Plan amendments is established using a Type VI review process (BMC 21.20.150). Proposals submitted by property owners, City staff and neighborhood groups are reviewed by staff, the Planning Commission and City Council. The Planning Commission holds a public hearing and develops a recommendation to City Council. City Council also holds a public hearing prior to formally establishing the annual docket. The Planning Commission should adopt or modify the findings as necessary to support their final recommendations.

The docketing process does not answer the question of whether a proposed amendment should be approved, but rather whether a proposal should be added to the list of annual Comprehensive Plan amendments that will be reviewed on their own merits through a separate process. This is an important distinction. Once a proposal is docketed, the Planning Commission and City Council will hold public hearings on the merits on the proposal. City Council will make a determination on the proposals that are part of the 2019-2020 docket by the end of 2020.

BMC 21.10.150.B.1.c authorizes the City Council to add proposals to the docket at any time during the year, provided the Council finds that the proposal meets the docketing criteria in BMC 20.20.030. Staff is requesting that the proposal be added to the 2019-2020 docket, so that the amendments, which will allow more housing units and options, can be adopted in a timely manner.

Key dates related to the docket and RM project to date include:

August 26, 2019: City Council established the 2019-2020 list of Comprehensive Plan amendments (Resolution 2019-24).

August 26, 2019: The City Council Planning and Community Development Committee directed staff to pursue to the RM project.

January 9, 2020: Staff briefed the Planning Commission on the RM project.

3. Public Comment

Notice of the Planning Commission public hearing was published in the Bellingham Herald and provided to presidents of neighborhood associations and representatives of the Mayor's Neighborhood Advisory Commission within 30 days of the public hearing. No public comments were submitted prior to the publication of the Planning Commission meeting packet.

4. Consistency with the Bellingham Municipal Code Decision Criteria for Comprehensive and Neighborhood Plan Amendments

Bellingham Municipal Code 20.20.030 - Annual Docketing Criteria

The City shall use the following criteria in selecting proposals for inclusion in the annual docket of Comprehensive Plan/neighborhood plan amendments. To be included in the annual docket, a proposal must meet the following criteria:

- A. The City has the resources, including staff and budget, necessary to adequately and comprehensively review the proposal within the time frame of the annual review process; and
- B. The proposal meets one or more of the following criteria:
 1. The proposed amendment represents an issue appropriately addressed in the Comprehensive Plan or in a neighborhood plan;
 2. The proposal demonstrates strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan;
 3. The public interest would be best served by considering the proposal in the next amendment cycle, rather than delaying consideration to a future plan update process;

4. The amendment addresses changing circumstances, changing community values, or corrects or updates information in the Comprehensive Plan or a neighborhood plan; or
5. State law requires, or a decision of a court or administrative agency, has directed a change to the Comprehensive Plan or a neighborhood plan.

The Planning Commission finds that the RM project meets the docketing criteria outlined in BMC 20.20.030 as follows:

- A. The City has the resources, including staff and budget, necessary to adequately and comprehensively review the proposal within the time frame of the annual review process; and

Staff Response:

City resources, including staff and budget, are available to adequately and comprehensively review the proposal within the timeframe of the annual review process. The project may be extended past the timeframe of the annual review process if not completed with the other projects on the 2019-2020 docket of Comprehensive Plan amendments.

The Planning Commission finds that this criterion has been met.

- B. The proposal meets one or more of the following criteria:

1. The proposed amendment represents an issue appropriately addressed in the Comprehensive Plan or in a neighborhood plan;

Staff Response:

The amendments address several issues in the Comprehensive Plan and neighborhood plans, including housing affordability and options, efficient land use and climate change. Additionally, one of the components of the proposal is to amend the BMC to assign the appropriate Comprehensive Plan density ranges of high, medium or low to each of the 94 RM zones. This step better aligns the Comprehensive Plan with the BMC and simplifies the BMC, which is also an issue addressed in the Comprehensive Plan.

The Planning Commission finds that this criterion has been met.

2. The proposal demonstrates strong potential to serve the public interest by implementing specifically identified goals and policies of the Comprehensive Plan;

Staff Response:

The amendments serve the public interest by implementing specific goals and policies of the Comprehensive Plan, including those related to housing affordability and options, efficient land use and climate change. City Council asked staff to "leave no stone unturned" in seeking solutions to the City's housing crisis. Through

a series of focused discussions, staff identified several approaches that could result in increased housing variety for people of all ages, abilities and incomes. Key to these discussions was Council's direction to find ways to allow smaller, less expensive homes. Staff's analysis of these options indicated that many areas zoned RM have been significantly underdeveloped with densities much less than what's intended in the Comprehensive Plan. In some cases, these areas have been developed predominantly with lower density single-family homes. The proposal will allow properties in RM zones to develop within their designated Comprehensive Plan density ranges and includes other BMC changes (e.g. density bonuses, infill toolkit forms, and minimum densities) to facilitate intended densities in these zones.

Relevant Comprehensive Plan goals and policies include:

Policy LU-2: The Multi-Family Residential designation is intended for areas that are able to support higher concentrations of people, while encouraging a desirable living environment within and adjacent to these districts. This zoning also provides a compatible mixture of residential housing types, typical accessory uses, public and semi-public uses, office uses and limited neighborhood commercial uses in appropriate areas.

Policy LU-5: Foster neighborhoods with a balanced mix of housing prices that are compatible with the wages and incomes in the community.

Policy LU-10: To achieve a healthy mix of housing that is affordable to a wide range of incomes, implement and seek new, innovative tools, including, but not limited to:

- Density bonuses;
- Inclusionary zoning;
- Cluster subdivisions that preserve open space, retain natural features and provide other public benefits;
- The Infill Housing Toolkit, which includes small lot homes, townhomes and other housing forms;
- Accessory dwelling units;
- Adaptive reuse of existing buildings;
- Purchase and transfer of development rights (TDR) programs; and
- Public-private partnerships for shared parking facilities, wetland mitigation, and regional stormwater management.

GOAL H-1: Ensure that Bellingham has a sufficient quantity and variety of housing types and densities to accommodate projected growth and promote other community goals.

Policy H-1: Support high-density and mixed commercial/residential development in the City's urban villages, high capacity transit corridors connecting the villages

and other appropriate areas that allow people to work, shop and recreate near where they live.

Policy H-3: Encourage well-designed infill development on vacant or underutilized properties.

Policy H-4: Continue to support implementation of the Infill Housing Toolkit, which permits innovative housing forms such as small and smaller lot single-family homes, cottages, duplexes, triplexes, common courtyards and townhomes.

Policy H-5: Consider minimum density requirements for residential zones and commercial zones where residential development is allowed.

Policy H-7: Consider increasing densities in certain multi-family zones with underused development capacity.

GOAL H-2: Foster housing that is safe, healthy, livable, and affordable for all income levels in all neighborhoods.

Policy H-13: Consider the impacts on Citywide housing capacity, affordability and diversity when making land use policy decisions and code amendments.

Policy H-18: Continue evaluating the recommendations of the City's Community Solutions Workgroup on Affordable Housing, including:

- Detached ADUs, small lot and cottage housing in single-family zones;
- Impact fee reductions for ADUs;
- Reduced parking requirements; and
- Other code changes and incentives that allow and encourage well-designed infill development.

Policy H-19: Continue providing incentives to support housing affordability (e.g. density bonuses, expedited permitting, multi-family tax exemption program and fee reductions) and consider including workforce housing as part of certain incentives programs.

The Planning Commission finds that this criterion has been met.

3. The public interest would be best served by considering the proposal in the next amendment cycle, rather than delaying consideration to a future plan update process;

Staff Response:

The public interest would be best served by considering the proposal in the current amendment cycle (2019-2020 docket), rather than delaying consideration to a future plan update process, due to the urgency of the housing crisis and prior City Council direction to pursue the RM project. Delaying the project may result in losing

opportunities to preserve RM zoned areas for intended densities, thereby resulting in lower densities and fewer units.

The Planning Commission finds that this criterion has been met.

4. The amendment addresses changing circumstances, changing community values, or corrects or updates information in the Comprehensive Plan or a neighborhood plan; or

Staff Response:

The amendments will address changing circumstances and community values and update information in the neighborhood plans. These changing circumstances and community values include housing affordability and options, efficient land use and climate change, and are reflected in the Comprehensive Plan.

Regarding modifications to the neighborhood plans, information that conflicts with the changes to the RM sections of the BMC will be amended in the neighborhood plans. The changes will primarily consist of removing specific density numbers, since the BMC will include a ranged zoning system that aligns with the high, medium and low designations in the Comprehensive Plan.

The Planning Commission finds that this criterion has been met.

5. State law requires, or a decision of a court or administrative agency, has directed a change to the Comprehensive Plan or a neighborhood plan.

Staff Response:

These amendments are not directed by state law or a decision of a court or administrative agency; however, recent Washington state legislation, including HB 1923, indicates a strong support for local communities to build additional urban residential capacity in order to help address the housing affordability crisis throughout the state. With this legislation, lawmakers sought to encourage cities to prioritize the creation of affordable, inclusive neighborhoods, especially in areas with frequent transit service and infrastructure that supports added residential capacity.

The Planning Commission finds that this criterion has been met.

II. CONCLUSIONS

Based on the staff report, including the application materials, and the information presented at the public hearing, the Planning Commission concludes that the RM project meets the minimum docketing criteria for inclusion in the annual 2019-2020 list of Comprehensive Plan amendments.

The Planning Commission finds that this criterion has been met.

II. CONCLUSIONS

Based on the staff report, including the application materials, and the information presented at the public hearing, the Planning Commission concludes that the RM project meets the minimum docketing criteria for inclusion in the annual 2019-2020 list of Comprehensive Plan amendments.

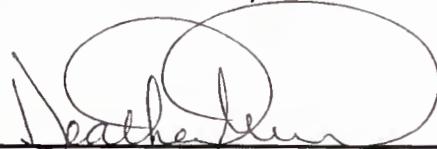
III. RECOMMENDATION

After careful consideration of all public comments, the staff report, other meeting materials, and the Findings and Conclusions, the Planning Commission recommends, with a 6-0 vote, to the City Council that the RM project be added to the 2019-2020 list of Comprehensive Plan amendments.

ADOPTED this 16th day of July 2020.

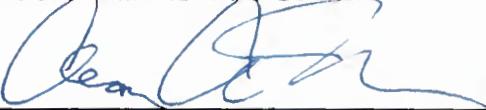


Mike Gee
Planning Commission Chairperson

ATTEST: 

Heather Denner
Recording Secretary

APPROVED AS TO FORM:



Sean O'Dell
City Attorney

EXHIBIT B

DOCKET OF BELLINGHAM COMPREHENSIVE PLAN AMENDMENTS TO BE REVIEWED IN 2019-2020

1. **REZ 2019-0001:** Amendments to the Bellingham Comprehensive Plan to add new food access policies to the Comprehensive Plan.
2. **REZ 2019-0002:** Parks and Recreation Department request to update the Parks and Recreation and Open Space (PRO) Plan.
3. **REZ 2019-0004:** Amendments to the sub-area language for Area 1 of the York Neighborhood Plan.
4. **REZ 2020-0001:** Amendments to the multi-family sections of several neighborhood plans for consistency with BMC amendments for the RM project. ("Multi-family Zones: Achieving Intended Densities"). The project may include the following four components:
 - A **simplified ranged zoning system** for all RM zones. This system would assign the adopted Comprehensive Plan density ranges of high, medium or low to each RM zone and allow development at any density within the assigned range. This component includes changes to 94 RM zones in the BMC zoning tables and RM sections of up to 20 neighborhood plans to remove inconsistencies with the new ranged zoning system.
 - Projects in RM zones that meet location-efficient criteria would be eligible for a **density bonus**. Specifically, a property would be able to develop within the density range of the next highest density category (e.g. a "medium" density property would jump to the "high" density category).
 - All **Infill Housing Toolkit** forms (small and smaller house, cottage, duplex, triplex, shared court, garden court, and townhouse) would be allowed in all RM zones. Small and smaller houses, cottages and duplexes are the only forms currently allowed in RM duplex zones.
 - Certain (or all) RM zones would potentially include **minimum densities**.