

**Whatcom County Business and Commerce Committee
Meeting Notes
January 8, 2024**

Voting Members Present: Brad Rader, Casey Diggs, Clark Campbell, Dan Dunne, Debbie Ahl, Paul Burrill, Russell Tewksbury, Ryan Allsop, Sarah Rothenbuhler, Troy Muljat

Voting Members Not Present: Chris Trout, Dana Wilson, Pamela Brady, Pete Dawson

Nonvoting Members Present: CJ Seitz, Whatcom County Councilmember Kathy Kershner, Mayor Kim Lund, Whatcom County Executive Satpal Sidhu, Rob Fix

Nonvoting Members Not Present: Barry Robinson, Jori Burnett, Seth Fleetwood

Public Present: Andrea Ruback, Anna Robbins, Barbara Chase, Blake Lyon, Brian Heinrich, Brien Thane, Carrie Veldman, Chris Behee, Dann Mead Smith, Doug Thomas, Mayor of Ferndale Greg Hanson, Guy Occhiogrosso, Hannah Ordos, Hollie Huthman, Jasmine Fast, Jennifer Noveck, Jessie Everson, Ken Bell, Kori Olsen, Lance Calloway, Liz Howe, Margaret Reich, Matt Aamot, City Councilmember Michael Lilliquist Perry Eskridge, Riley Sweeney, Rob Lee, Rose Lathrop, Mayor of Lynden Scott Korthuis, Scott Pelton, Todd Lagestee, Troy Lautenbach, Tyler Schroeder

January Agenda

Introductions / Administrative business / Comments welcome from the Public (5 mins)

- Committee Chair calls meeting to order
- Committee member introductions
- Approve December 2023 minutes
- Invite all attendees to participate along with Committee members during Q&A sessions

Policy –

Invitation to WCBCC Committee Members to Join Workgroups Working on Land Use, Housing, Transportation & Economics for the Whatcom County 2025 Comprehensive Plan Update

Whatcom County Senior Planner Matt Aamot, (20 mins.)

Q&A (10 mins)

Bellingham's Urban Forest: Balancing Habitat and Housing

Government Affairs Director of Whatcom County Association of Realtors® Perry Eskridge
+ City of Bellingham Assistant Director of Natural Resources Renee LaCroix, (20 mins)

Q&A (10 mins)

Housekeeping –

24-Month Review of WCBCC, Changing of the Guard

WCBCC Chair and Owner/CEO of Birch Equipment Sarah Rothenbuhler (15 mins.)

Sarah Rothenbuhler: Hello- I'm calling the meeting to order. If committee members can introduce themselves, that would be great. Do you want to start?

Dan Dunne: Yes. Dan Dunne, Vice Chair at this point, and on the Housing Subcommittee.

Casey Diggs: Casey Diggs. Boundary Bay Brewery. Retail..

Troy Muljat: Troy Muljat. General business.

Paul Burrill: Paul Burrill, Food Processing.

Scott Korthuis: Scott Korthuis, City of Lynden.

Gina Stark: Gina Stark, Port of Bellingham.

Director Rob Fix: Rob Fix, Port of Bellingham.

Sarah Rothenbuhler: And can committee members on zoom could introduce themselves.

Ryan Allsop: Ryan Allsop, Allsop Incorporated.

RB Tewksbury: RB Tewksbury, Internet Tech.

Satpal Sidhu: Satpal Sidhu, Whatcom County Executive.

CJ Seitz: CJ Seitz for Higher Ed.

Carrie Veldman: Carrie Veldman of the RJ Group.

Debbie Ahl: Debbie Ahl for Health Care.

Sarah Rothenbuhler: And that looks to be all the committee members. Has everyone had a chance to see the December meeting notes, and can we have a motion?

Dan Dunne: I will make a motion to approve those notes.

Ryan Allsop: Second that.

Sarah Rothenbuhler: Thank you, and to everyone in attendance, we love to hear what you are thinking and what you have to say. This meeting is not just for committee members. Everyone here, please, feel free to participate. And with that, we are going to start with Matt.

Matt Aamot: All right. Thank you for inviting me. I've got a presentation here I'm going to share. All right. Can you see that on the screen?

Gina Stark: Yes.

Matt Aamot: So my name is Matt Aamot. I'm with the Whatcom County Planning and Development Services. And the Growth Management Act requires the county and the cities to update our respective comprehensive plans by June 30th, 2025. And today we'll provide an overview of the update process and what we are asking of this committee. This graphic illustrates how GMA is implemented down to the individual permit or development. So the Growth Management Act was originally passed by the Washington State Legislature in 1990 and '91.

The GMA requires the county to adopt, in consultation with cities, countywide planning policies, and these policies guide development of both county and city comprehensive plans, and the Comp Plans must address issues identified in both the GMA and the countywide planning policies and then development regulations such as zoning, subdivision rules, critical areas ordinances are amended to implement the Comp Plan policies and when building permits come in for development, they are reviewed for compliance with the regulations and some type of permits like conditional use permits or subdivision applications are also reviewed for consistency with the comprehensive plan. The Growth Management Act, or GMA, envisions that most growth will be directed to urban growth areas or UGAs. This is the current county Comp Plan. We have a total of ten UGAs in yellow and purple. So the city limits are in yellow and the adjacent urban growth areas are in purple. We also have three urban growth areas that are not associated with the city. And that's Birch Bay, Cherry Point and Columbia Valley in the East County.

The majority of land outside UGAs are natural resource lands of long term commercial significance. So we've got agriculture in light green. We've got the forestry lands, commercial forestry and rural forestry in the darker green, mostly in the east and southern portions of the county. Then we've got mineral resource lands, which are in gray. And then we've also got rural lands in light brown. These are the like the R5, R10 areas. Dark brown which are more intense. Maybe these are rural two acre, that type of thing. And then we've got the limited areas of more intense rural development in this pinkish color, like Sudden Valley or Custer, or down at, you know, Cain and Reed Lake area. The current Whatcom County Comprehensive Plan contains ten chapters shown on the screen, that will be updated in by 2025.

The state legislature also passed House Bill 1181 in the 2023 session, and this bill requires the county to develop a new climate change and resiliency chapter. And additionally, the County Council approved a resolution moving the Shoreline Program policies into a new Comprehensive Plan chapter, but this chapter has not been approved by the state Department of Ecology yet. County Planning and Development Services is asking the Business and Advisory—or excuse me, Business and Commerce Advisory Committee to initially focus on the housing and the economic chapters highlighted in red. There was also interest in reviewing the land use and transportation chapters, as those chapters contain issues of importance to the business community.

We would ask you to first address housing and economic chapters and then dive into land use and transportation, and of course, you can always participate in, planning commission and council meetings at a later date. But we would like your initial comments early in the process, if possible. The GMA, as mentioned, was originally passed by the state legislature in the early 1990s to address rapid growth and development in some parts of the state. And while growth varies over time, between 2013 and 2023, the Whatcom County population grew by almost 30,000 people from about 206,000 to 236,000. So that's about a 14.5% increase. And the Office of Financial Management, or OFM, provides high, medium and low population projections for planning purposes, and Whatcom County will select a 20-year growth projection within that OFM range. OFM's medium, shown with the orange dashes, puts the county at about 290,000 people in 2045, meaning that the county and cities would have to plan to accommodate about 54,000 more people over the planning period if that projection is selected. And the medium is the state's most likely projection. So the county in conjunction with cities, will also develop employment projections for the planning period through the year 2045. Where will all this growth go? This is the planned distribution of population in Whatcom County through the year 2036. And this is in the existing Comp Plan.

And as you can see, almost three quarters of the future growth is planned for cities and their adjacent urban growth areas. The county and cities will work together to allocate future population and employment growth through the year 2045 to urban growth areas and the rural areas. So this will include a land capacity analysis to estimate whether the existing UGAs allow adequate densities and have enough buildable area to accommodate the new projections. And if they don't, then the county and cities would consider increasing densities and/or expanding urban growth areas to accommodate growth. So the basic components in the update are shown on this slide. Public participation is an important component of the update, and the county's consultant is developing a detailed public participation plan for the project. And we are asking advisory committees such as this one to review and make recommendations in the Comp Plan update. Planning Commission is a nine-member citizen body that will hold public hearings and issue recommendations on the Comp Plan amendments and County Council as the legislative body must adopt the Comp Plan update. So Comp Plans may be amended once per year, but the periodic update of the entire plan is only required once every ten years. So the next Comp Plan update, the comprehensive update after this will be 2035.

We would note that an implementation progress report is now required based upon a bill that was passed by the state legislature, and this must be issued in 2030. And that evaluates kind of how we're doing on housing affordability and availability, permit timelines, and progress towards reducing greenhouse gas emissions and vehicle miles traveled. This is a current draft schedule that was developed with the city planners. So this chart focuses mostly on the joint tasks that the city and county will do together. So green shows items that we've already completed. And we would note that the schedule will be updated as we proceed through the process. So we've got county wide planning policies, and we have policies in place, and we added buildable land or review and evaluation policies in 2021 and then some procedures for amending the countywide planning policies. And we're going to also be doing and are doing a comprehensive review of all of the countywide planning policies and some additional or new things based

upon state legislation will be greenhouse or climate change policies and also cultural protection policies. And our consultant will be working on those two phases. So we've got our buildable lands program, and we issued the buildable lands report. And we've got reasonable measures that the county and cities will need to do based upon the results of that report. For example, for the county out at Birch Bay. We've already actually passed an ordinance increasing density. Based upon the findings of the Buildable Lands report. And there was discussion about Bellingham in the council meetings, County council meetings, also with regard to, you know, single family housing and accommodating housing and so forth.

We already have a interlocal agreement with the cities, kind of how we'll conduct the 2025 update and Urban Growth Area review that was approved in 2022. We've hired a consultant late last year. And so one of the things that they'll be doing is providing kind of an initial population housing and employment report, and that'll be kind of with medium high and low projections for the county and cities to consider. The counties and cities will make proposals for preferred population, employment and housing projections. Those will go to Planning Commission. We did what we call a non-binding, multi-jurisdictional resolution last time. In the 2009 process, there were some changes late in the game to population projections. And so there was some concern with by the cities expressed that, hey, we've done capital facility planning, UGA planning. And then our population projections got changed at the end.

So the last cycle in 2016, we, the county council and the city councils all adopted what we called a non-binding, multi-jurisdictional resolution with kind of initial population and employment projections for planning purposes. That worked well. So we're going to do that again this year. We'll have a land capacity analysis that looks at how much land is available for housing employment growth. We'll have the COG do a transportation model looking at how our roads are doing and intersections and based upon the state legislation, House Bill 1181 will incorporate more multimodal level of service standards, not just aimed at vehicles, but non-motorized and pedestrian results. And we'll also do a draft capital facility plans. So the county has a plan. The cities have plans for water, sewer, fire, so forth. And we'll also work with special districts like fire and school districts to make sure those plans support and are consistent with our land use plan. State Environmental Policy Act review or SEPA review. We'll be doing an environmental impact statement. We'll be having a scoping hearing on January 24th, in the county council chambers. It's also a hybrid meeting. To talk about, and people can put input into what should be studied in the EIS. We have an initial scope of work for that that was in the consultant contract, but the SEPA official can modify or add to that based upon comments received. That comment period on scoping will go through January 31st.

And we've already had one meeting of elected officials from the county and cities. We're going to have another one. I believe it's February 7th, in Ferndale. And that's a good forum for the officials to kind of get together, discuss ideas, understand the perspective of other jurisdictions. They aren't making decisions at those meetings, but they're talking about things that they can take back to other elected officials. And then we'll have, you know, county and city. UGA recommendations, planning commission, County Council adoption. So the scope of work for consultant services includes a number of things shown on the screen. One of those highlighted in red is the County Council priorities. So the County Council passed a resolution, in 2022, kind of establishing their priorities that they'd like to see accomplished in the Comp

Plan update. There are also, you know, a number of Growth Management Act requirements that we have to meet. Um, and then some other things. For example, out the Columbia Valley, it's in the sub area plan to look at, you know, perhaps a light impact industrial area, kind of localized things like that. So this is the Whatcom County Council resolution, kind of the first portion of that, establishing priorities for the Comp Plan update. So this resolution is available online if you'd like to review it in full. So the council basically had ten priorities that are shown on the screen. So the scope of work indicates that the economic security and affordable housing, issues will come to this committee, the Business and Commerce Advisory Committee, among others, for review. I'm going to show a little more detail on that one. So this is from the resolution. Basically they're asking us to work towards economic security, affordable housing without sacrificing environmental health and public safety.

So in the appendix to that resolution, they have a number of items relating to the housing chapter and the economic chapter. And these are the ones related to the housing chapter. There's a number of them, you know, providing affordable housing, providing housing for all bands of the income range. Deals with accessory dwellings, you know, duplexes, missing middle, multifamily, etc. And these are also housing things that they're asking us to address in that council resolution. And then they have another section relating to the economics chapter of the Comp Plan. And I think you know, one of the things that's been mentioned is, you know, childcare is an issue that's addressed here, living wage jobs, etc. So the county executive sent a letter to advisory committees in late November asking the committees to focus on GMA compliance and the priorities in the council resolution. The Comp Plan is a large endeavor with a state deadline of June 30th, 2025. So we are kind of having this focused approach so we can hopefully proceed through the process in a timely manner and get done on time. And we've kind of added to those points in the executive's letter, you know, if we need to improve grammar or, you know, if there's outdated information or incorrect information that we can also, you know, address that. So that concludes our overview. So we would be available for questions or discussion with the committee.

Sarah Rothenbuhler: Thank you, Matt. You gave the breakdown on the housing and the economics, and other key topics. I know you're asking us to look at housing and economics first, and I keep trying to push us to also let us help with land use and transportation, and I'm pushing again.(laughter) Can you give us the breakdown of those as well, they are also so critically important to the business community and general community as well.

Matt Aamot: Right. So yeah, we'd ask you to focus on the economics and housing. Can you hear

Sarah Rothenbuhler: We can hear you now.

Matt Aamot: Okay. So yes, we'd ask you to focus on the Housing and Economics chapter initially. And when you get your recommendation on that and then kind of move on to the Transportation and Land Use chapter, we're trying to again, focus on that council resolution. So yeah, we would certainly invite you to review and make recommendations on land use and transportation. We recognize those things are both those chapters are both important to this committee.

Sarah Rothenbuhler: Thank you. With the timeline for response and with us just being a group that meets monthly, and we're really good at multitasking... So if you give us breakdown and goals to date on all four, we've got a lot better chance of doing a good job.

Matt Aamot: Okay.

Sarah Rothenbuhler: Holding one as a carrot and making us respond and then feeding the other topics...and with being time is of the essence.

Matt Aamot: And sometimes some committees have done subcommittees where they appoint a group and take recommendations back to the full group.

Sarah Rothenbuhler: We have related sub committees here. That's exactly why getting info to help with all four now...

Matt Aamot: Okay. And then the other thing, the other thing I would note is and it's in the executive's letter, we're asking initially kind of for general comments of how to, you know, comply with the GMA and how to implement the council resolution. So we'll send because other committees are also addressing these chapters, we'll send those general comments to the consultant and they'll come up with red line, you know, underline strike through. Based upon the comments of the various committees, and then that'll come back in the summer and fall for your review of the red lines. So.

Sarah Rothenbuhler: That's wonderful. Thank you.

Casey Diggs: I was just going to ask, is there another Whatcom County committee that already has those two? Have those already been dealt out?

Matt Aamot: Yes, I'd have to look at my chart. I know that the Transportation Technical Advisory Committee. Well, okay, you're talking about housing and yes, there's a housing committee that will look at that chapter. Economics—I'd have to look at my charts. I think you guys were the primary committee on the economic chapter.

Sarah Rothenbuhler: Okay. Thank you, appreciate it.

Bellingham Council Member Michael Lilliquist: What is that housing committee that's looking at this. Is this the Housing Affordability Advisory Committee or whatever? Because I think it's heavily staff oriented rather than citizen community oriented. Is that true Matt?

Matt Aamot: Let me look at my chart here. And too many files here. Okay. Okay. So there's a number like on the economics chapter—well you were talking about housing. Yes, the Housing Advisory Committee, will review chapter three. I have never been to that committee, so I'm not exactly familiar what their composition is, although they probably got a website.

Dan Dunne: Matt, if I can step in. It's the Whatcom County Housing Affordable Committee. And I'm the chair of that committee, incoming for this year. So we meet every other month. We have a meeting in February. And it's primarily affordable housing, capital A. So, a lot of nonprofits are there, nonprofit developers, and a lot of Whatcom County staff. It's a health department kind of thing that's based out of. So we'll be addressing the housing chapter. That's what we've been assigned. But I see a lot of interface between this committee and that committee.

Matt Aamot: Yes, that would be great. And that's part of the consultant's role too, is to take the recommendations, the general recommendations of the committees and kind of form those into the actual, you know, strike through underlying changes before coming back to the committees for review of that material.

Troy Muljat: Okay, a quick question on the. It seems like a lot of the assumptions and planning requirements pivot on where population growth is going to hit. Where did we end up in the from the previous Comp Plan in that high/mid/low projection from ten years ago. Like, you know, if we're at 236,000 today, was that within the within the range? And if so, where did it fall in terms of the guessing that was done ten years ago?

Matt Aamot: I haven't taken a detailed look at that lately. I think we're pretty close, though. Last time we, the county council decided to adopt the, well, it's a little bit above O.F.M. medium. And, you know, of course, that's distributed to all the, you know, the urban growth areas in the rural and the Buildable Lands report. I think we were looking pretty close to that. I know, you know, one thing we're required to look at is the rural areas. We allocated about 16% of the growth there, and that's about what happened. I think Bellingham has mentioned they were pretty on target with their permits over, you know, over the entire period. There was a lag. I mean, there was a nationwide lag, of course, in building housing after the Great Recession. And, they've come back strongly for that. I see Chris Behee is on. Chris, would you comment on how the city is tracking with your population housing versus the projections?

Chris Behee: Yes. Sorry. I'm going to get my camera on there. Matt's basically right. The population forecast where we thought we would be at, at the conclusion of the Buildable Lands report, in early 2021 for the reporting period, we were at about 92% of where we expected to be. And then the last two years, 2021 was a banner year. You probably all heard about the number of permits Bellingham processed. And this last year was also one where we were just we weren't issuing as many in 2023, but just there are so many that had been issued previously that are under construction that we're actually just slightly ahead of the curve from the forecast that was adopted. So again, like Matt said, those things kind of wax and wane based on economic cycles. But we're basically tracking fairly close to what we had all forecast where we would be.

Port Commissioner Ken Bell: Can I rephrase that question and ask what the population growth projection was ten years ago? There's what we saw on your graph. What population growth was ten

years ago. Projection versus population growth was actually. Not based on permits, but just population growth.

Whatcom County Senior Planner Matt Aamot: Yes. It's a 20-year projection. So we have to kind of divide it in half. Let me bring up chapter one here.

Perry Eskridge: If I could just jump in here. I know there's a website that's done by a member of the Building Industry Association, the Jones brothers, and they have HousingForBellingham.com and they do an in-depth analysis of the population projection over the last planning period. And I think if I'm recalling right, we're within like 400 people of the projection. I would really like to get a hold of the person that came up with that management program for projections. I've got some stocks I would like them to look at.

Clark Campbell: And the follow up question to that was if we were accurate on the overall projection or within the zone, did the growth occur in the locations that we had projected back then? The 16% growth outside of UGA with sort of 74, 75% within UGA's?

Whatcom County Senior Planner Matt Aamot t: Let's go back to the first one. So we had a 23 year planning period about 69,000. Over that period, we've had about 30,000 growth. So let's see. We have to do the math here, but I think we're pretty doggone close. 69,650 divided by 23 would be. That's about 3028 per year. So over a ten year period, that would be 30,282, which we had just under 30,000. So yes, the overall is pretty doggone close. Chris mentioned, Bellingham's pretty on target. Out at Birch Bay for the county we had slow growth. Columbia Valley for the county was the same way. I think Ferndale, Lynden were higher. Blaine lower. So it just it just varied throughout the county. But overall we're pretty on target.

Sarah Rothenbuhler: Thank you. Any other questions?

Dan Dunne: Just the last question. So, Matt, in terms of deliverables that you want from us and a timeline for that, it sounds like you're looking for sort of a general comments on those chapters that we talked about. And you want that, is that so is that correct? We're looking for sort of a general, general feedback. And then what's the timeline for when you want that back?

Whatcom County Senior Planner Matt Aamot: Okay. So that's in the executive's letter. We're looking for initial feedback by the end of February. And that would be like in the form of a memo. And then the consultant will take your comments and the comments of other advisory committees. They'll develop that, you know, red line chapter drafts. And I believe it was July through October that would come back to you for review of the strike through and underlying changes that the consultant has proposed. So then you would make recommendations on those other committees would also make recommendations. So that would go back to again, consultant and consultation with the county and cities would kind of work through that, and develop proposals to go to the Planning Commission.

Dan Dunne: Great. Thanks.

Port Commissioner Ken Bell: I'm going to request too, Matt. This is Ken Bell, Port. Are we invited to that February 7th meeting of the minds?

Whatcom County Senior Planner Matt Aamot: Sure. Yeah. It's an open public meeting.

Port Commissioner Ken Bell: Are we part of that? As one of the jurisdictions.

Whatcom County Senior Planner Matt Aamot: Well, the panel was composed of, you know, city and county council and mayor or executive. So the panel is city, county. But you're certainly welcome to come, comment, participate all of that can. So that'd be great.

Ken Bell: Can we be a part of that as an equal party to the city and county? You might not. We have an opinion as well. And jurisdictions that are involved. I'll ask the city and the county if they would allow us in.

Whatcom County Senior Planner Matt Aamot: We'll have to—we can talk to the executive's office about that. Part of the thought process, Ken, was that the city and counties are the ones responsible for, you know, developing urban growth area boundaries. And the port, you know, is like a lot of agencies, an important voice in the process, but doesn't have final decision-making process on that. So, you know, I guess my thought would be come to the meeting, you know, participate, input if you want to. You know, I guess beyond that, it's really just a discussion group is really what it is. Now, if you want us to talk to the county executive's office, we can. We certainly can do that. But all are welcome. It's a public meeting.

Port Commissioner Ken Bell: He's on the call. But I'll write them a letter.

Whatcom County Senior Planner Matt Aamot: That's good.

Sarah Rothenbuhler: Sounds great. Seattle, King County is obviously going through this process as well. And one of the main topics that people were saying they were interested in was public safety. That was coming through as the main number one concern. I'm surprised that we don't see more about public safety as a focus here, with the transportation highway lack of safety and increasing crime.

Whatcom County Senior Planner Matt Aamot: Well, I think safety is always an issue with transportation. Trying to reduce accidents and deaths and so forth. You know, I showed you the council, there's other council priorities in there and other things in the appendix. I just showed you a snippet of it relating to economics and housing. So but that certainly is a concern. And I think it's addressed in the Comp Plan now. If there's any enhancements that need to be made, we can certainly consider those.

Jasmine Fast: Question. Matt, this is Jasmine Fast with Jones Engineers. I'm looking at resolution 2003-39. And according to that, it was expected that Bellingham would accommodate roughly 54% of Whatcom County's growth. Some numbers that we ran at Jones Engineers show that Bellingham is actually only

accommodated about 38.7% of that growth over the past 20 years. Is that something that we are taking into consideration throughout this comprehensive plan update process?

Whatcom County Senior Planner Matt Aamot: Yes, I'm not sure. That was a resolution from the year 2003, was it?

Jasmine Fast: Yes. 2003-39. The Bellingham resolution.

Whatcom County Senior Planner Matt Aamot: Yes. So every cycle we have these update cycles. You know we had one in 2009, 2016, 2025. So during these update cycles the county and cities will develop population projection, you know with public input. And look at what that should be and what the allocation should be. So again, I don't know that I've looked at that resolution from the year 2003, but this is really a process of reallocating the new projections through the year 2045.

Sarah Rothenbuhler: Thank you Matt. Any other comments, questions? Thank you so much for being here.

Whatcom County Senior Planner Matt Aamot: Thank you for the invite. So I'll go ahead and send you those four chapters, in an email. Sarah, I'll send those to you if that's okay. Or who should I send those to?

Sarah Rothenbuhler: Send those to Kori. Kori will make sure to get them to all the right people. That okay Kori?

Kori Olsen: That's great. Thank you.

Whatcom County Senior Planner Matt Aamot: All right. Well, thank you so much for having me.

Sarah Rothenbuhler: Yes- thank you very much. And we are going to move on to our next topic of the Urban Forest: Balancing Habitat and Housing with Perry.

Perry Eskridge: Good morning. Can you hear me? Okay. It suddenly dawned on me that somebody changed out my webcam on my computer and I didn't notice it.

Sarah Rothenbuhler: You sound good and look good, Perry. (laughter)

Perry Eskridge: Oh, thank you very much. All evidence to the contrary. (laughs) I'm going to share my screen here. I don't know if you've already received these materials in your packet for today. These are some selected slides. First of all, the topic today is the urban forest.

Sarah had contacted me and asked if I would talk a little bit about this because she asked me, what did I see on the horizon that had the potential for making substantial impacts on the housing issue in

Bellingham? And this is one of the several that has come up recently that I think has the potential to have a very significant impact on housing, because it's going to impact nearly every lot in the city. And it's a very ambitious plan to maintain the urban forest in Bellingham. I think, you know, at the outset, I just want to admit that, you know, everybody likes trees. We want them around here. We all appreciate the fact that we have significant tree canopy coverage in Bellingham. And I think we also can agree that there are some climate change and resiliency issues to consider with respect to the role of trees and shading and what have you, with regard to some of the heat events that we've seen recently, even in our corner of the world. So this is a plan that the city of Bellingham is moving forward with.

I had asked Renee Lacroix to join us today, but apparently she has some work with the city council and wasn't able to join us. So she told me to just use some of the slides here. So that's what I'm using. And if you want to go back and look at the December, I think it was the first meeting in, in December at the Bellingham City Council. You can actually see her presentation. So, this is sort of the elements of the urban forest. And you can see right here that it's, you know, it goes all the way from, from bay to the mountains and it talks about the Marina, the downtown, the institutional areas around Western Washington, the hospital, Whatcom Community College, even right down to the commercial areas. You can see they're talking about private trees, green infrastructure. Another thing you're probably going to be looking at is street trees along your properties there. And then, of course, we get into the residential and then eventually out to the open space. When we go down to the next one. There was some concern about maintaining the urban forest and making sure that it was you know, healthy, robust, doing what we want it to do in terms of climate change and resiliency.

And one of the big concerns that we heard about this was, you know, trees have a lifespan. And what do we do about trees that are planted or that we're trying to maintain when they get sick or they're dying? And you know, maybe they need to be, you know, culled or taken down or something done with those. So this is supposed to be the plan that deals with the management of that of that forest. Here's the goals that the city set forth. Again, I think these are not bad goals. I think we can all pretty much agree with them. The question is to what extent are we going to incorporate these into our planning? The one I really want to get to. Here's where we get into the guts of all of this. When you look at the canopy cover comparisons, Bellingham is doing very, very well. In fact, as you can see here, we're only exceeded in canopy cover by you know, other cities of similar sizes, apparently, Sammamish has 48% canopy cover, and right now Bellingham is at 40%, which, as you can see, is pretty much above the curve here. Abbotsford at 22, Kent at 28 were pretty close in comparison to Bellevue and Kirkland.

Renton is a little bit below, Seattle is below us. And then Vancouver, Washington. Very desirable city, one of the most popular destinations in Washington. They only have a 19% canopy cover. So it's interesting to see where various cities and in terms of, you know, desirability of people wanting to live compare with us with respect to the canopy cover. When the plan was coming up for City Council review. One of the big elements that the City Council was asked to weigh in on is where do you want to go with the canopy cover? You know, goals. And staff presented three options. The first one was allowing the canopy cover to decrease to 35%, and the second one was maintaining our canopy cover at 40%. And then the third one was increasing the canopy cover to 45%. And some of the discussion that was had there, you can

see here, they're talking about some public and private urban land planting in an effort to maintain basically what we have. Habitat restoration and mitigation, although probably not as robust as it would be at the other levels. There would be some similar regulations that we already have. Maybe with some tweaks. And then this was something that was proposed by Mayor Fleetwood. I'm not sure. I haven't talked to Mayor Lund to see if she will be pursuing this.

You know, the council, of course, could pursue it on its own as well. But there being an exceptional tree protection ordinance, exceptional tree being those trees that have historical or some sort of, you know, significance to a neighborhood or the community as a whole. When I think of exceptional tree protection, I immediately think of that redwood that's in front of the County building there. You know, that's probably a tree we want to protect, right? So, those are the types of trees that I could see. When we get to the actual assumptions here at 35%, you can see the staffing. Maybe staffing stays the same. Maybe it goes up to four staff. Funding— \$100,000 in addition to the staffing requirements. And I think that's an important point here, right? I think staff right now bringing an employee on at the city is running about \$120,000-\$130,000 per employee. Here's where I get to the housing issues, though. If you look at development cost, essentially there's no change. You know, because we'd be using the same regulations we have now. Maybe modified slightly, but staff is anticipating that there would be no change to costs for development. Then we move on to the 40%, the no net loss. And this is where you can see the assumptions start to change.

You get two times private and public land plantings, higher landscaping requirements. You know, you can see where this is headed, um, expanding city street trees, maintenance responsibility, level of service and a tree planting incentive program. Off to the side there you can see the canopy cover is maintained through 2050 at 40%. When you get to the impacts though, you know, this is sort of where the rubber begins hitting the road. Staffing goes up 4 to 7. You can see there there's expanded tree permitting, city tree maintenance, private land plantings. The funding \$400,000 voluntary private planting, \$50,000 in public planting, \$150,000 in maintenance. I think that's a little on the low side. I just had my trees trimmed in my yard. They're very young, 20 years old. It cost me about \$1,000. But here's where we get to the development impact. If you're planting two times the street trees and 1.2 times the landscaping trees when you're building, you have to get permits for exceptional trees and added cost for tree replacement. That's where we start seeing the cost for development increasing. Let's just move on to the growth assumptions here. This is going up to 45% tree canopy cover. Again you get the highest landscaping requirements. Trees greater than eight inches in diameter at breast height have to be protected or replaced.

And the complete assumption of city street tree maintenance, I'm not sure I don't remember what that is. Perhaps somebody from the city could weigh in exactly on that, but I thought it was that the private landowners would assume the requirement for street tree maintenance. But here's where we get to the impact. Staffing goes up to 7 to 10 employees. The funding, you get \$1 million in maintenance. The planting stays pretty much the same. But in addition to the street trees and the landscape trees before now we're talking about bringing in soil into developments. Now, a lot of people don't realize that when we when you're building a home, you're required to scrape off some of the landscaping to allow the

inspection and setting of the foundations. And then you have to bring back in, you have to backfill essentially that soil that was removed up to eight inches. This would require soil to ensure the health of the tree, which means, of course, you have to dig a tree well. Apparently the soil volume is anticipated to come up to 18 inches. And so you have to find that topsoil somewhere. You have to truck it into the development. And in digging the well and backfilling that well, after the tree is planted, it becomes very costly.

This is the one that scared us the most. Permits for almost every tree. I'm not really sure exactly what that means, but as you can recall, eight inches in diameter at breast height means that those trees have to be protected. When you're siting housing, when you're putting in your infrastructure, you can't impede the root zones for those trees. And then you have the added cost for the tree replacement. So staff came in with a no net loss target. Why? It was offsetting the canopy losses, accommodating new community values. But more importantly, there was a reasonable cost. There wasn't, you know, a substantial increase for development costs, but they were able to also balance the protection of the tree canopy with some of the housing goals. And, you know, as we're talking about, where are we going to put ADUs? You can put up to two ADUs now on a city lot. You can build up to four units on a city lot. Six if it's within transportation corridors. And the question all of a sudden became, well, if you're protecting trees at a certain level, are you going to actually be able to meet those requirements when you're siting the ADUs? And that's something that we're very curious to resolve with city staff.

Let's see. Just to get through the slides here. Next steps. You can see this is on kind of a fast track. The draft plan will be released early this year. The final plan adopted spring of 2024 with the tree incentive planting program beginning sometime this year as well. City Council asked the staff to go back to the 45%. That was the target that City Council directed them to go for. In fact, there was some discussion that they would go up to 50%. And that's one of the things that actually caused us to bring this to you. So you could incorporate this when you're reviewing different city plans and weighing in on this is what is the impact of this of this plan on housing in Bellingham. And, you know, and when we're talking about putting in infrastructure, the grading and impact, the grading and clearing requirements for creating developments is going to be impacted by this because trees are going to have to be avoided. And more importantly, I think something to remember is the critical area is not the trunk of the tree itself, but it's actually the canopy of the tree. If you want a rough approximation of the critical root zone, which you can do is draw a vertical line at the edges of the tree's canopy, take it straight down to the ground, and that's the area that you should not be impeding with respect to a tree.

And talking to one of our biology people that is a member of the BIA, apparently you can only go in about 20 or 30% at the most into that critical root zone before you start hampering the ability of the tree to develop naturally and healthily. And, you know, if you go beyond 30%, you really are endangering the health of that tree. And so that's one of the discussions that we're having here within the housing community is when you're protecting all of the trees, you know, of a certain size, and then you're trying to thread your infrastructure in those critical root zones and trying to do it in a cost-effective manner. It becomes very, very difficult very quickly. With respect to grading and clearing. When you're also avoiding trees, you run into issues where when you're creating your lots and you're putting in your streets, your

driveways, there's a very high potential that you're going to end up with, you know, diminished sight lines. You're going to end up with driveways that, you know, in order to meet these requirements, they're going to be at a much steeper slope. And you're not going to be using your land as effectively and as efficiently as you could otherwise. If you could just clear the land, put in the streets, put in the approaches to the drives, the drives themselves, and lay out the process or the development and then come back in and plant your trees.

The other consideration we were we were hoping to address was the fact that if you do clear and grade, what you can come back with is we they call it the right tree and the right place. And one of the best examples I heard of this was when Lynden was putting in those trees along Front Street. There they picked a pin oak for the very specific purpose of the fact that those oak trees' roots go straight down. They don't interfere with sidewalks, they don't interfere with the streets. And it reduces the problems that you have when those trees grow out to maturity. So those are some of the things that that we're discussing here and that we're hoping to see in the plan and will be commenting on when the plan comes out. But again, the reason for this is, you know, at a time when the city has now elevated affordable housing to crisis level, we're still seeing these types of regulations coming in that make discussions about affordable housing very, very, very difficult. And so I just wanted to make you aware of this. I'm not sure that I can answer all the questions you might have, but with that, we'll go ahead and open it up for questions.

Sarah Rothenbuhler: Thank you. Perry. Did you have a comment Michael?

Bellingham Council Member Michael Lilliquist: Perry, this is Michael Lilliquist. Could you go back to one of the charts with the bar graphs on it. Any one of them will do.

Perry Eskridge: How about that one?

Bellingham Council Michael Lilliquist: That's fine. So I think I wanted to point out that gray part, going down, that's lost generally or most mostly due to development. So when you're talking about commercial residential development, there's the impact, the grade. That's the unavoidable loss due to us continuing to use the land for something other than letting trees grow on it. So I just kind of want to point that out. The size of that downward gray line has to then be made up with an upward gain.

Sarah Rothenbuhler: Thank you. Any other questions, comments?

Perry Eskridge: Well, I think to be fair to I mean, one of the elements is there's a racial equity score, a diversity DEI score, I guess they call it where, you know, some neighborhoods have less trees than other neighborhoods. And the plan was that maybe some of this could be incorporated into those neighborhoods that don't have as many trees, which is another element of the plan we'll be very curious to see, because, you know, looking at some of those neighborhoods that have less trees, the question becomes, where do we put them? Actually, you know, there's not a lot of room for street trees in there. You know, what does that actually look like? And so that's a potential area for a lot of gain as well. And

so, like I said, a lot of this, a lot of moving parts, it's still a draft. But, you know, with respect to the housing element. You know it's going to have a cost, especially when you're starting to talk about maintenance and all of that.

You know, I don't know how many other people have trees. My wife and I, we planted probably six trees on our 10,000 square foot lot, and we are really regretting about half of it. And it's only been 20 years because now we have problems with our roof. We have not had any problems with sewer yet, knock on wood. But every year it runs as about \$1,000 to keep those trees healthy. Trimmed, you know, in a condition that they're not actually causing more problems for our house. And in fact, our arborist has told us that, you know, it's probably time to talk about maybe removing some of those trees because they are going to really cause some problems in the near future.

Ryan Allsop: Perry, thanks for this, Ryan Allsop. I appreciate your input. I mean, it's motivating me to cut all my trees down now before this gets implemented. I'm kind of kidding, but not totally kidding. This does feel like just more regulation on top of regulation as a city. And I mean, I guess my question is, we have this greenways levy. Maybe I don't quite understand all the uses for it, but aren't we buying, you know, protecting trees around the lake and protected watershed areas. And we're doing this. We can, can't we use those funds, not require the private sector and developer to do this? I mean, we already have landscape requirements in every commercial project that require a certain amount of coverage. We've got, I mean, the Parks Department is probably the one of the biggest offenders. I mean, besides Whatcom Falls Park and Cornwall Park, it's huge open spaces. We can plant a bunch of trees there, but thousands of trees in the open space parks we have around, around the city. And so it seems like there's maybe some other solutions to this to get to a net, I guess, I don't know if you want to call it a net negative or net neutral. To go more into tree adding canopy seems really counterproductive to building more housing, and or incentivizing commercial development around here. And it's already hard and I don't know if we just keep kicking the can or making it harder on ourselves constantly. I mean, we're making the permit departments that much harder for us to just get stuff done and build. And I'm not saying we have to build the wrong way, but I'm saying this just is like it's also another it feels like the neighborhood program where, you know, ten years ago, the neighborhoods all kinds of power, and everybody was looking at the urban neighborhoods and stuff. It's just super challenging for developers. And this feels like my neighbor is now going to look at me even harder and be like, oh, you're going to cut your tree down. I mean, you know, tell me what to do with my land, my property. It's just doesn't feel right.

Perry Eskridge: Yeah, it's kind of interesting. Ryan, I don't know the precise answer to your question, but what I can tell you is in discussions with city staff, the plan only applies to city limits. And so I think a lot of what the Greenways Levy was doing was acquiring land, obviously for parks, but I think they were also acquiring land outside the city limits as well. And so land that is acquired with Greenways, you know, is, I would presume, it's—please, somebody from the city weigh in here—but the canopy coverage is only for the city limits itself. That has nothing to do with property outside the city limits. And in fact, the limits they're talking about here specifically excludes the current UGAs. So they're talking about just the established city limits right now. With regard to this program, I recently watched a presentation by another city attorney, not a Bellingham city attorney, mind you, who was talking about the implementation of

something like this, where they're seeking to increase the canopy, almost of necessity, required that every tree have a permit issued for it. But more importantly, the city was contemplating having the trees dedicated to the city, meaning that even though those trees are on your land, they would technically be city controlled, and so you couldn't do anything on your property with respect to a tree unless the city approved it, it was done with the city oversight, all of that sort of stuff. And I think that's another big concern here because as we all know, the city is not going to have the ability to enforce all of this. But every one of us has that neighbor, right? That as soon as you're out there with your hedge clippers, they're, you know, running a sight line down that fence to make sure you're not trespassing on their property and what have you. You know, even in Ferndale, where I live, it's interesting to walk down the streets and, and see trees that seem to be pruned along fence lines rather than according to growth patterns. Right, because neighborhood neighbors don't want trees coming over into their yard or it's impacting the fence between them. And so you end up with a lot of weird pruning situations that I think have more to do with neighbors interacting with each other than an actual, you know, law or ordinance.

Sarah Rothenbuhler: Michael and Kathy?

Bellingham Council Member Michael Lilliquist: So I want to—this is Michael with the city Council again. I want to respond to what Ryan was saying. Ryan, you're right. There is a definitely a tension between, further development and canopy preservation that is central to the entire discussion. The other comment I want to make then more directly answer your question, Ryan— I think it's very misleading to talk about one number for the city, 40%, 42% 35%, because it averages across very, very different things as averages. The Colombian neighborhood with like Padden Park. And what you really have to do. What the plan will do in detail is really look at the different zoning and land use types. And this goes to your answer, Ryan. It turns out that most of the land that's city manages for parks or open spaces or would require we would acquire is already forested or nearly forested, and we can only increase the canopy a teeny bit. Most of the opportunities for increasing the canopy are actually on privately held property, so it'd be nice if the city could just preserve and grow public lands and that would get us there. But that just looking at the numbers and the acreage and what's already there, we have to look at what can be done on private property, because that's where the opportunities for any kind of change, both loss and increase, can be found.

Perry Eskridge: Well, and I think that goes right exactly to the point, which is that if you're looking to private landowners to meet your canopy requirements, then what is going to be required of those property owners that do participate in this, that they do plant trees? What actions by the city will then be taken to make sure that those canopies are preserved, and who's going to be responsible for the maintenance of all of that? And how do we go about that?

I did want to point out one thing, because I know we're coming to the end of our time here, was that city staff recommended just staying at the 40%, and council went ahead with the 45%. You know, one of the interesting comments from that was, not from any council member I see on here, by the way. But the response to that was, well, let's just adopt this at 45% and then the builders can figure it out. And, you know, I would suggest that that's maybe not the correct way to go about it. Maybe what the correct way to

go about it would be, Hey, this is what we want to do. Let's meet with the building community that is building our housing. Let's meet with the people that will be planting these trees on their property, and then talk about how we make this work for everybody and going forward. And so that's kind of the concern here is that even though we've set a canopy goal at 45%, a lot of the details have just been left up to staff to figure out. And while we've been, you know, engaging staff on some level with these discussions, you know, we still have not really had a conversation about what this looks like on the ground.

Sarah Rothenbuhler: Kathy.

County Council Member Kathy Kershner: So it sounds to me like over the past several years, there's been a huge desire to increase density in the city of Bellingham. And last year we had the legislature allow ADUs, actually require ADUs in the city of Bellingham. And we have got now the potential to have two ADUs on city property, city lot. And this particular decision by the city council seems to contradict that, like, big time. Because housing displaces trees. And if we are serious about building housing, then we need to figure out what the balance is going to be about the landscape and, and such. And I hope the city will go back and take a look at this and kind of come up with a more balanced approach to taking care of the housing issue that we all know is here and coming for years and making sure you're protecting the environment. But yeah, this seems like it's going to stop. I mean, I'm thinking of a lot I own in the city and I'd like to put some ADUs on it, but this would probably prevent me from being able to do anything because I have to keep the tree canopy that's there now. And I can't be the only one for sure. Right? So if we're talking about increasing density, I don't know how we do that. Unless we're going to build, you know, straight up into the air, these teeny little footprint buildings. I don't know if that's what the city has in mind, but, I mean, the developers will figure that out. They won't be able to sell them.

Perry Eskridge: Well we can figure it out, it just requires commas and more zeros.

Sarah Rothenbuhler: Troy?

Troy Muljat: Well, I just I think it'd be interesting to update the buildable land study. Yes. With this as a filter, because I think that that buildable land study makes some unique assumptions. I think that Chris and Matt's job just got really hard, because it's already hard assuming and making assumptions on how many units we have available. But when you take a canopy into it, be really interesting to see it looked like roughly 2000 more acres. I don't know, I couldn't tell from the graph how many it was, but that's the additional acreage that's needed to hit that goal. So update the buildable land study, guys. And, because that could make a significant impact as to how short we're going to be on our goals in the comprehensive plan.

Bellingham Planning Director Blake Lyon: For the 40%. The existing.

Ryan Allsop: I would go with conservative, the council's recommendation, 45%.

Troy Muljat: Say that, say that again?

Bellingham Blake Lyon: The existing was based off of utilizing the existing buildable land report. So not the aspirational 45%. So you're right. We have to go back in and look at that.

Troy Muljat: Would have to be updated. So yeah. So what Blake was saying there, Ryan, was that the buildable land study was based on a 40% number.

Perry Eskridge: You know, and I just want to give a shout out to Chris. He did an amazing job with the buildable land study for Bellingham. I mean, I know he's, you know, and I, I was watching this conversation and I immediately felt badly for him. Blake Lyon, the planning director at Bellingham, was arguing very forcefully for 40% for almost exactly the same reasons. And, you know, he made a what I thought a very compelling argument. So, I mean, if anybody's going to be able to figure it out, I have faith that it's going to be those two working, you know, closely with Public Works and Parks. But, you know, like, I like you just said, Troy, this just got a lot harder.

Lance Calloway: You know, it seems like if the city is going to be planning this, they need to incentivize this kind of program. To make it attractive to people to make those changes and especially when you're talking about requiring upon your own private owned properties.

Ryan Allsop: But why not use the Greenways levy to buy vacant land? Just big empty space land instead of forested, already forested and plant trees on it. Since that's I mean and use it almost the opposite as kind of a mitigation bank. And developers can buy ten trees for every house or five trees every house they build, and just plant trees. And then the other part of this is, you know, we do not have a handle on our city's budget for the next few years. As my understanding and I'm you start adding this much staff, this much, you know, cost to actually managing this that that has a lot of concern for me. Like until we know what our plan is going forward, our budget. And it sounds like I think the new mayor's going to need some time to get in there, you know, with, with council and, and budget team to figure this out because it doesn't sound like we have a good handle on that yet.

Sarah Rothenbuhler: RB. Did you have a comment?

RB Tewksbury: Yes. The 45 target just doesn't seem very practical to me. I mean, we live in an area. It's beautiful. But that is the risk of wildfire is not zero. And insurance companies require mitigation, which means removing trees and plants and shrubs from up to. I believe it's 30 feet from around a structure. And right now we're seeing like in California, the insurance market is collapsing. People cannot get insurance. So I think anything that we do, we really if we're serious about trying to prioritize, for new home construction, which we must do, I think this seems like an impediment. That's not. It's we're shooting ourselves in the foot. It's not necessary. We can still accomplish what we're trying to accomplish, but not, you know, hamstringing ourselves from being able to proceed.

Bellingham Planning Director Blake Lyon: I want to elaborate a little bit on the tone that the council, at least, that I took away from the council's, direction. And that is the desire to be aspirational, the desire to have staff. We asked the city staff came forward and asked council for their direction and their input into which one. They wanted us to evaluate and study further. So we got that direction at 45%. The policy has not been set yet. We still have work to do. We still have to go back through and do some of the things that you're suggesting. We still have to bring back some of the budgetary implications to all of that. And then there will be an opportunity to make a hard line decision at some point in the future. So the 45%, as I understand it, is direction provided to city staff to help inform our efforts in putting together the plans and the policies and all the programs that will come out of that. And then if we come back to the council, when we come back to the council and says, here's what it takes to get there, both from a budgetary perspective, from a regulatory perspective, there's still an opportunity for setting some of that policy. Okay, that's too that's too big of a price tag. That's too concerning. You know, we'll get some greater public input on all that. Then we can make a policy decision at that point. So I just wanted to be sure that we're clearly articulating, yes, we wanted some clear clarity and direction. We've gotten that. Now we'll go back out and figure out what that truly means and put a little more substance behind that.

Sarah Rothenbuhler: What's the timeline?

Bellingham Planning Director Blake Lyon: We're trying to talk about probably the first half of this calendar year.

Sarah Rothenbuhler: Do you need any help from this committee?

Planning Director Blake Lyon: Now that we've gotten that direction from council, we're putting together what that means and putting a little more substance behind it, and we'll have the opportunity to bring that out to the public hopefully in the next couple of months.

Sarah Rothenbuhler: Great. Thank you. Thank you. Any other comments? Mayor Lund? Is your hand up?

Troy Muljat: There's some creative ways that we can increase the canopy. Green roofs.

Gina Stark: She unmuted?

Bellingham Mayor Kim Lund: Yes. Sorry. I was having trouble there. Thanks, Sarah. I just want to second what Director Lyon just said in terms of process, that we have our aspirational goal, and now staff gets to really go look at what that looks like. And, you know, there's other possibilities that will be before us in terms of okay to hit this target. What are other tools that we need in our toolkit in terms of, you know, in terms of a regulatory framework? So are we looking at lot line adjustments or buildable lands or there's all kinds of the parking, you know, comes into conversation. I think there's other tools that we can assess, like if trees are the community's priority, how do we achieve that. And the need to keep expanding supply of housing across the continuum and keeping that, you know, our goals for affordability. To Ryan's

comment about budget, I would very much welcome the opportunity to have staff come in, Andy and Forrest, and do a presentation to this group about city budget. I think that would be really helpful for all of you. And I think it would lead to some good conversation about where we're at. And I'd appreciate that opportunity in the future to have staff come and make that presentation.

Sarah Rothenbuhler: That sounds wonderful. Absolutely. Thank you. We have time for one more comment-

Clark Campbell: Just at a high level, it sounds like what I'm hearing is that Buildable Lands was built around the 40% maintain level. The city council has proposed an aspirational goal of 45%. And what I'm hearing, it sounds like from the realtors and the and the building trades is, to achieve the housing growth, we need to drop that to 35%. Am I getting like, is it just in general? Is that what I'm hearing?

Planning Director Blake Lyon: I will say that one of the comments that I made, at the council meeting was, and you all know this better than anybody, we're dealing with finite space.

Clark Campbell: Yes.

Blake Lyon: We're dealing with housing footprints. We're dealing with parking requirements. We're dealing with canopy requirements now. And so it really is going to come down to how do we balance all of those, and how do we set clear and definable priorities when it comes to those. So if we can't fit the 10 pounds of potato in there then what are the things, what are the creative ways? What are the flexible ways that we can say, okay, well, are we reducing parking minimum requirements? Is that acceptable across the board or is that geographically? And so that's part of what we're needing to pull the kind of the layers of the onion back right now and say, okay, can we do this? And ideally we're doing it in a way that doesn't require every single project to go forward with an exception or a variance or something along those lines. How do we do in a way that's effective and efficient so that we can be that? And so we've talked a little bit about what that looks like and how that might be. Do we can we create some funding sources using things like tree bank funds where say, okay, if you're going in to the example that was brought up earlier and you want to put in those additional housing units and you don't have the space for those trees, can you, can you do a tree bank fund and then that tree gets planted somewhere else in the city, or because actual physical space is probably one of the biggest constraints that we have. Yeah. The example brought up in this article that that Rob passed out, the street project, you know, there was removal of 68 townhomes or removal of trees that were being proposed. It wasn't so much the fact that the replant requirements were problematic, where those trees are going to be planted. Now, that was still the parent company was the golf course. They had to come in, which you can't do that across the board.

Perry Eskridge: I think the better, well, to answer that question more directly, the Building Industry Association, the realtors. I've not taken a position on any specific number. I mean, as it says, right in the report, 40% is the status quo. So those are the regulations we have currently. Those are the regulations. Everybody's, you know, currently dealing with the builders. Realtors would love to have a more robust conversation on what this actually looks like. Does it have to be a tree or can it be a green roof? You

know, I mean, something along those lines. Maybe instead of focusing on canopy, we actually figure out what it is if what we're trying to accomplish is cooler temperatures within the urban environment, as the plan stated in its goal, maybe there's other ways to go about doing that effectively that isn't necessarily a tree. Maybe, you know, there's a better way to build a roof. Maybe there's, you know, other you know, I mean, I've seen parking structures that have green walls on them. You know, maybe we need to think a little more outside the box and, and talk about those things. But if we're just going to focus on trees and that. Well, then, you know, if that's the only tool we're going to allow ourselves to have. You know, I think what Mayor Lund was saying was perfect. Let's look at all of the tools. And that's what the Realtors and the BIA, I think, are saying. We've talked about funds, we've talked about green roofs, we've talked about, you know, a whole host of things. You know, like I said, right tree, right place. You know, if, if maybe instead of planting a tree on a small lot residential development, maybe the better way is to have a \$3,000 tree fund requirement, and then we can actually put the tree where it's going to do the most good.

Sarah Rothenbuhler: Thank you.

Bellingham Mayor Kim Lund: Fair enough, Perry.

Lynden Mayor Scott Korthuis: So I'm going to back up to Matt's presentation on the population data, I took a picture of the table and I just want to point out that. If you use the office, the OFM numbers from 2023 and the numbers that were in his table. Bellingham grew 3300 people in that time frame, or 3.6%. Lynden and Ferndale grew 3500 and 3600 people, more than Bellingham over that same time period. And all of the county's small cities, we're taking the brunt of Bellingham's actions, they're building housing, but we're building housing people want. And Bellingham is building housing people don't want. And we're growing like crazy and we don't necessarily like it. And Bellingham is thinking they're doing great at 3.6 growth over the last ten years. That's ridiculous. (Muffled comments, agreements)

Troy Muljat: Yes. We've talked about this, Mayor, and I gave stats to this group in 2018. We looked at stats. Bellingham's been sprawling, which is against a lot of the goals of what legislators believe are happening. And it's not. And we see it and we wrote a position papers to Whatcom County Council the last few years and wasn't received well. We hear you, I hear you. Thank you. (muffled conversation, agreement)

Sarah Rothenbuhler: Thank you, everybody. We're running out of time. Very good points by all. And Perry, thank you so much for your presentation.

Perry Eskridge: Thank you Sarah, anytime.

Sarah Rothenbuhler: Thank you. And now we can roll into another great topic.(laughter) Dan is going to fill us in on the next upcoming meeting on the noise.

Dan Dunne: Yes. So there's a noise ordinance that the city has and there's a proposal to change that ordinance. Current ordinance is 10.24.120. Prevents or prohibits noise coming from residential areas.

Broadly. Has a carve-out for music venues. Due to the vibrancy and economic vitality. There's a carve-out in the ordinance for that. And then specifically on the construction side, it gives some hours of operation. For things you could do, such as hammering, blasting, drilling, sawing between 10 p.m. and 7 a.m.

Port Director Rob Fix: Troy, could you use the TV remote to say okay. Thank you. Thank you. All right.

Sarah Rothenbuhler: Sorry. We're just having a technical adventure.

Troy Muljat: I saved the world.

Sarah Rothenbuhler: Way to go Troy.

Dan Dunne: Appreciate it. The proposed, it's a memo. It's not a post order at this point, but a memo from the city, from the legal side of the city. Sounds like the council had asked for some adjustments in the noise ordinance to deal with noise emanating from waterfront. And the core change is that instead of being limited to noises emanating from residential areas, it would incorporate noises emanating regardless of the location of the zone from where the noise emanates. So it'd be noise coming from anywhere at any time. They would it looked like they're not suggesting to change the music or the venues, that would remain the same. And they are considered adjusting.

Casey Diggs chair cracks and almost breaks.

Sarah Rothenbuhler: Yep, You've got to officially be vice chair for your chair to stop doing that. (laughter)

Dan Dunne: Adjusting the fees. So right now, it's a misdemeanor. They want to become a gross misdemeanor. First fine, more than \$250. Second fine, more than \$1000. Or imprisonment not to exceed 90 days. There's some discussion about bringing that to a little bit of a higher possibility of imprisonment. But essentially what this would do would affect anybody in any zone who makes noise outside of the hours of 10 p.m. to 7 a.m. ish. So specifically, you know, ABC recycling's operations there, cold storage down here. The shipping industry that's running their operations, you know, 24 hours a day. And then any construction company that operates like, so, you know, plumbing company that responds, you know, in the middle of the night to somebody who has got a water emergency. When you turn on your vehicle and drive out your gates, if that could be heard theoretically in a residential area. That could be a violation. So kind of some questions there. That's very brief. I had five minutes, so hopefully I kept it to that. That's a very brief discussion, but maybe somebody who knows more about this could comment.

Planning Director Blake Lyon: I'll add one little nuance. The mayor asked the attorney's office to bring forward a draft ordinance, what it could look like, and I don't think there was anything of wanting to do this or wanting to do that. It was just, okay. We've got a number of community concerns. What would it look like if we were to take a different approach, or if we were to go into the statewide approach? So I don't I

think it's just trying to set the conversation up, not necessarily taking a position or a preference at this point. Okay. So what does that what does that look like? What would it look like if we were to do this.

Clark Campbell: Yeah. And it's not any noise level. It's noise level above a certain decibel range.

Planning Director Blake Lyon: No decibel range.

Port Director Rob Fix: It's very subjective.

Planning Director Blake Lyon: So you have the you have the WACC which sets up the state level noises. And you can do that. Or you can do the nuisance code. And current city currently has a nuisance code. So that's a complaint.

Lance Calloway: Okay. That was going to be my question. There needs to be some definitively defined as to what violates that. The other piece is it's very difficult. Who is going to be enforcing it. Which is the other component. You know, the police department, I think that's the last thing they need to be worrying about. And in our current situation.

Planning Director Blake Lyon: That's the way it's structured right now, isn't it? It would be a gross misdemeanor, police.

Sarah Rothenbuhler: When's the next public discussion on this? Is there anything so. Okay, it's.

Dan Dunne: It's on the 29th. Yes. I read it on the council agenda yesterday.

Clark Campbell: And things can't be like, you know, the, the trains obviously you can't regulate interstate rail traffic at a city level.

Sarah Rothenbuhler: Okay. Any other discussion on that?

Port Director Rob Fix: I just add, you know, it is very subjective. It's leaving it up to a complaint-based response. So if you complain and you get three of your neighbors to complain, an officer comes out, you've got four families all standing around that officer. He's going to feel a lot of pressure to say, yes, that's bothering you. Versus a decimal based approach, which is science based, and you can say, yes, you exceeded or you don't.

Clark Campbell: And within that time horizon of 10 to 7 a.m. From folks in the building trade, how much scheduled work is usually done from 10 to 7 a.m.?

Port Director Rob Fix: Well, it's anyone who does shift work. So you go out to Brooks Manufacturing. Brooks manufacturing sits right in the middle of a residential neighborhood. And they do, you know, they

run 24 hours a day. All American Marine. They paint boats at night, and they run their exhaust fans and can be heard on the hill behind us.

Sarah Rothenbuhler: Yes, we support quite a lot of industry through the night, including our PUD, supporting first responders to help move things and light areas up. We're going to have our backup alarms going as we load equipment...

Paul Burrill: The fishing industry is also a 24 hour a day operation. It's absolutely crucial that we can operate any kind of harvest sector.

Sarah Rothenbuhler: You should only fish in the broad daylight. (laughter)

Port Commissioner Ken Bell: Can we regulate other things that annoy us. Because I've got a list. (laughter)

Sarah Rothenbuhler: Excellent points. Thank you. So moving on to the next topic- Changing of the guard. Do you mind pulling—

Gina Stark: Which one would you want to pull?

Sarah Rothenbuhler: The summary of topic focus.

Gina Stark: Okay. I can do that.

Sarah Rothenbuhler: Either one.

Gina Stark: I hope everyone had a chance to read Ryan's comments in the in the chat. So I just want to make note of that. And let me give myself a second here. We've got all kinds of good stuff going on here. You wanted either one.

Sarah Rothenbuhler: Whichever one you have. This will go out to all the committee members, and we'll attach this with our meeting notes as well. So this is a summary of highlights, speakers and meeting topics for the last 24 months as I've been Chair of the Business Commerce Committee. I appreciate so much, Dan Dunne taking over as chair of the committee. (laughter) And I really appreciate Ryan, as it was, it was not Ryan's choice to be the vice chair. (laughter)

And I wish there was a way to better thank all the amazing speakers we've had and let them know how much we appreciate them and they're care for our communities whether we agree with their views or not. People have been wonderful with their time and their preparation. So this a broad, sweeping acknowledgment of all the people involved and who are keeping this committee going. Do you mind jumping on to the next document.

Gina Stark: And these will be sent out to everyone, I'm assuming.

Sarah Rothenbuhler: Yeah, please include Summary Presentations too with the meeting notes. Thank you, Kori. Kori went back and pulled all this together.

This lays out our Business Commerce Subcommittees and the people that have been involved with the subcommittees. When a topic does come into play and subcommittee focus is necessary, we have people that are ready to step into action. And It's been very valuable for us to have the subcommittees comprised of people from our committee as well as general public. It's been very powerful for us... that's how Dan and I got to know each other, and then I begged him to join and be the next Chair of the Business Commerce Committee and lead our Housing Subcommittee.

As you can all see, nothing's set in stone. If anybody wants to get involved, please do. I know Troy is always calling and saying, what other committees can I run? When can I speak again? (laughter) Anyway, I just wanted to acknowledge our last 2 years of speakers, the formation and activity of our subcommittees, say thank you and pass the baton.

We have 2 motions to put in place, one for Chair and one for Vice Chair. And speaking of, if you notice how Casey's chair keeps almost breaking. Casey had told us there was a time where he was thinking of not being the vice chair, and suddenly his chair kept almost breaking each meeting, clearly a sign (laughter) Could somebody make some motions or could I make the motion? How we do this? How do I pass the baton? (laughter)

Clark Campbell: I'll make a motion to have Dan Dunne, become chair of the Business Commerce Advisory Board.

Ryan Allsop: Second that.

Dan Dunne: I would make a motion that Casey becomes my vice chair.

Sarah Rothenbuhler: Second.

Dan Dunne: So all in favor? Opposed? Abstain? So moved. Get the guy (Casey) a new chair. (laughter)

County Council Member Kathy Kershner: So from the Counsel's perspective, this is a Council Committee, and I'm the Representative up until 12:00 today. Tomorrow they'll pick somebody else.

But, I just want to say, this has been one of the most well run committees in Whatcom County. With the most relevant and useful information being presented. And you can see this by all the people that come and attend this committee. So I just want to thank Sarah for her work Chairing this committee over the last 2 years. And I know Dan will do a good job, too, and I appreciate the support that I received by being your representative. So thank you.

Clark Campbell: Thank you for your time. (conversation, thank yous)

Sarah Rothenbuhler: Thank you. And I think the meeting's done. (laughter)

Gina Stark: Thank you, everyone online.

Next Meeting: Monday, February 12, 2024, 11-12:30 pm

Hybrid Meeting - In-person encouraged and Zoom option available

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