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Mark Personius, AICP
Director

Memorandum

DATE: July 10, 2024
TO: Planning Commission
FROM: Cliff Strong, Senior Planner
THROUGH: Steve Roberge, Assistant Director
RE: Review of uses allowed in the Heavy Impact Industrial District within Urban Growth Areas (PLN2024-00007)

At your last meeting the Commission requested that PDS ask Council for further clarification on their directive expressed in docket item PLN2024-00007. PDS prepared a memo forwarding the Planning Commission's questions to the Council's Committee of the Whole (COTW), which we provided to you for your last meeting though is attached again. The COTW discussed your questions yesterday, but did not provide further clarity or direction. Last night the Council introduced an interim moratorium, and sent it to the COTW for discussion on 7/23/24.

With further Council discussion anticipated, a moratorium ordinance introduced, and Planning Commission questions outstanding, this docket item appears to be on hold and Thursday's (tomorrow) meeting will be canceled. At our July 25th meeting the Planning Commission will be discussing the annual code scrub. If you have questions or concerns, feel free to reach out to Cliff or Steve.



Memorandum

DATE: June 20, 2024
TO: County Council
FROM: Mark Personius, Director
Steve Roberge, Assistant Director
Cliff Strong, Senior Planner
RE: Planning Commission request for additional clarity re: Docket Item PLN2024-00007 (HII Uses within UGAs)

PDS and Council have discussed community concerns and land use issues in the High Impact Industrial district (HII) in the Bellingham Urban Growth Area (UGA) several times in the last few months. Given current workloads, funding constraints, and mandated 2025 Comprehensive Plan Update timelines and processes, PDS recommended a strategic two-phased approach to address community concerns.

The initial approach (Phase I) is to immediately revise the current HII regulations in WCC 20.68 to define more appropriate industrial uses and conditions within the HII zone in the Bellingham UGA (without CompPlan/Zoning Map amendments) that are more compatible with (and less impactful on) the existing adjacent residential uses in the immediate neighborhood. The Council docketed this first step in Docket item PLN2024-0007:

“Amend Whatcom County Code Chapter 20.68 and other relevant sections of Title 20 to define appropriate industrial uses and conditions for industrial uses in Heavy Impact Industrial (HII) Districts within a city's designated urban growth area.”

In a follow-up discussion about next steps at their May 21, 2024 meeting, the Council approved a motion 7-0 *“that the Council support re-examining the use of the HII zone in the UGA to include other zoning designations as possible.”*

Since by statute we are only able to amend the Comprehensive Plan once a year, the second step (Phase II) would be to consider potentially rezoning some of the HII properties to more appropriate zones as part of the Comprehensive Plan Update, due to be adopted by December 31, 2025. This approach provides more time for more thorough review and engagement with the community, current property owners, businesses, and the City of Bellingham about the potential long-range needs and issues facing the community. Potentially re-designating properties to different zones may require amendments to the County's Comprehensive Plan/Zoning Map and may also require amendments to the Bellingham Urban Fringe Subarea Plan—a component of the County's Comprehensive Plan.

In addition, staff and electeds from the county and the cities are currently working on determining appropriate population and employment allocations (that drive in part the demand for industrial lands) for the next twenty (20) years as part of the Comprehensive Plan Update process. As a part of that conversation, concern has also been raised about whether the county has an adequate supply of industrial lands countywide. The county and cities will be conducting land capacity analyses for the UGAs and industrial zones as part of the CompPlan Update to help inform those conversations. The breadth and depth of issues that have to be addressed will require additional time to resolve.

PDS prioritized preparation of draft recommended amendments to WCC 20.68 identified in PLN2024-0007 and presented those to the Planning Commission for initial discussion on May 23, 2022. The Commission has held two fairly well-attended workshops on the matter (5/23 & 6/13) and were provided the three attached memos that lay out the issues and provide several options, including an option that addresses both more appropriate uses and performance standards (6/13 memo, item #4, Combined Solution).

The Planning Commission is currently working on the docket item (Phase I) and is seeking additional guidance and clarity from Council on a path forward on this issue, especially given the language of the motion *“that the Council support[s] re-examining the use of the HII zone in the UGA to include other zoning designations as possible.”* During their last meeting (6/13), the Commission requested staff to pose the following questions to Council:

1. Regarding the (Phase I) docket language, could the Council provide additional direction or clarity as to what solution you’re looking at? (For example, is the Combined Solution from the 6/13 memo the general approach the Council wishes to pursue?)
2. If the Council would like to preclude other incompatible uses from being established, couldn’t a moratorium be imposed until a longer-term solution (Phase II) be accomplished through the Comp Plan Update?

Attachments