

**York Neighborhood Association
1351 Humboldt Street
Bellingham, WA 98225**

November 30, 2005

To: Grant Deger
Chair, Bellingham City Council

Joan Beardsley
Chair, Bellingham Planning Commission

Jorge Vega
Planning Director
City of Bellingham

Re: Letter of Intent requesting a rezone of a portion of the York Neighborhood

On behalf of the York Neighborhood Association we submit a Letter of Intent to amend the York Neighborhood portion of the Comprehensive Plan. Area 5 of the York Neighborhood Plan is zoned Multi-Residential High Density yet the majority of our housing stock is single-family homes. Under RCW 36.70A.070 of the Washington State Growth Management Act (GMA,) cities are required to plan for “ensuring the vitality and character of established residential neighborhoods...” Our zoning falls far short of that requirement. In fact, our current zoning is sufficiently mis-matched with our existing historic neighborhood that it poses a significant threat to maintaining the character of the York Neighborhood. Under today’s zoning, our historic single-family homes could easily be replaced with large apartment buildings. According to BMC 20.20.020 the City Council, Planning and Development Commission or Planning Director may initiate consideration of an amendment to the Comprehensive Plan at any time. We respectfully request that the City Council docket our request for a rezone of Area 5 of the York Neighborhood portion of Bellingham’s Comprehensive Plan for consideration in 2006.

As a neighborhood we support both diversity and density. Our lot sizes are generally 4,100 square feet and at 5.39 units per acre, we’re one of the two densest neighborhoods in the city and within walking distance of most of Bellingham’s urban amenities. We are slated in the City’s draft documents to add from 0 to 9 housing units over the next 20 years. Our rezone request does not impact that additional density, we recognize the need to add density within Bellingham and we believe that planning that carefully respects our historic neighborhood character, could allow us to add several more than the 9 housing units designated to be added.

The York Neighborhood was the first subdivision in the town of New Whatcom, now Bellingham, and the majority of our homes were built between 1890 and 1910. According to the York Neighborhood Plan, adopted in 1980 and last amended in 2004, the York Neighborhood is “a convenient and well-liked place to live. Families of all ages live in the neighborhood, with a recent trend emerging of younger adults buying homes in which to settle and raise families. This reverses an earlier trend of conversion of many single-family homes to duplexes or boarding houses.”

Our purpose in rezoning our neighborhood is to provide certainty to homeowners in the York Neighborhood and long-term certainty to Bellingham’s character. The alternative to a zoning change is the threat that, over time, historic homes will be destroyed to build multiplexes or large apartment buildings. This will significantly change the character of Bellingham in a strategically located area: we

are the gateway to downtown Bellingham and our new waterfront. Historic homes provide a visually appealing and irreplaceable gateway. Zoning inconsistent with existing land use provides current and future property owners with little assurance that their investment in maintaining a historic home will prove fruitful. Property owners need certainty and only zoning consistent with an existing neighborhood can provide that certainty. In addition, under the state Growth Management Act the City of Bellingham is required to plan for the preservation of such neighborhoods. Unfortunately the present zoning, mismatched with our single family homes, codifies the possible loss of the historic identity of the York Neighborhood.

We wish to state explicitly that it is not our intention to reduce our current high density: all current multi-residential units should be grandfathered in so that those property owners have certainty that they too can remodel and maintain their properties.

BMC 20.20.060 Sections C and D provide for criteria for Comprehensive Plan Amendments and we've organized our rationale to answer the explicit questions in those sections:

The proposed amendment is consistent with the Bellingham Comprehensive Plan

The proposed zoning change is consistent with the Comprehensive Plan as it will keep the existing York Neighborhood attractive, will maintain the character of the neighborhood and will promote the maintenance and improvement of an existing neighborhood by ensuring long-term stability of the existing homes. The 1995 Bellingham Comprehensive Plan, Housing Part VII has a section on neighborhood preservation that lists, among the goals, the following applicable goals:

- HP-1 Encourage public and private investment to keep existing neighborhoods safe and attractive.
- HP-2 Promote housing development that is compatible with the overall style and character of the established neighborhood.
- HP-3 Encourage the rehabilitation of historically and architecturally significant homes in deteriorated condition.
- HP-4 Promote the maintenance and improvement of existing housing stock and neighborhoods in the city.
- HP-7 Encourage the upgrading and maintenance of public infrastructure in existing neighborhoods.

The proposed amendment is consistent with the State Growth Management Act and our existing zoning is inconsistent with the requirements of the GMA

While Bellingham's Comprehensive Plan speaks to promoting and encouraging existing housing stock, the State Growth Management Act seems to require that such actions occur and that they are mandatory. RCW 36.70A.070 states that cities are required to plan for "A housing element ensuring the vitality and character of established residential neighborhoods that...includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement and development of housing, including single-family residences." We believe that our rezone request is entirely consistent with that important Act and will bring our antiquated and mismatched zoning into better compliance with GMA.

We also believe that docketing our rezone request is appropriate at this time because RCW 36.70A.130 states that cities are allowed to revise their comprehensive plans and in 2005 the Legislature further clarified that there is "and the need to ensure that land use measures reflect the collective wishes of its citizenry."

RCW 36.70A.020 lists the planning goals of the State Growth Management Act. Our proposed rezone is consistent with all goals, particularly with the following:

(4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

(11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

(13) Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

The proposed amendment is consistent with the countywide planning policies.

The York Neighborhood has an average density of 5.39. We are committed to retaining that density, ensuring that we help the county retain the rural lands – a stated priority of Whatcom County. Our rezone request is consistent with countywide planning policies.

The proposed amendment positively impacts public health, safety, or welfare.

The proposal will provide one of Bellingham’s densest urban neighborhoods with zoning consistent with the existing neighborhood, providing property owners with greater certainty into the future. Additionally, a stable and densely developed historic neighborhood adjacent to downtown is a bright example of good urban planning that encourages safe and healthy transportation such as walking and biking.

The proposed amendment will provide long-term benefits to the community as a whole and is in the best interest of the community.

A rezone of our neighborhood to better reflect both our existing neighborhood and our community’s vision for the future will provide long-term benefits. Our current zoning is inconsistent with our existing neighborhood: we’re largely a neighborhood of historic single-family homes, yet we’re zoned Multi-Residential High Density. This is inconsistent with our historic neighborhood land use patterns and inconsistent with the goals and the requirements of the GMA.

The alternative to a zoning change is the threat that historic homes will be destroyed to build large apartment buildings. This will significantly change the character of Bellingham in a strategically located area: the York Neighborhood is the gateway to downtown Bellingham and our new waterfront. Historic homes provide a visually appealing and irreplaceable gateway. Inconsistent zoning provides current and future property owners with little assurance that their investment in maintaining a historic home will prove fruitful. Property owners and communities need certainty. Only zoning consistent with an existing neighborhood can provide that certainty.

Circumstances have changed since the original zoning of Multi-Residential High Density was adopted.

The current zoning has been in place for more than 30 years. At the time our neighborhood was last zoned there was an assumption that old neighborhoods in the urban core would be redeveloped to make way for large apartment buildings. Following the urban renewal thinking of the time, our neighborhood was zoned Multi-Residential High Density. Fortunately that redevelopment never occurred and we remain as we’ve always been - a neighborhood of historic homes at the gateway to Bellingham.

Since our zoning was put in place the Growth Management Act was passed and Bellingham’s Comprehensive Plan was written. However, our zoning was not amended to be consistent with the goals and requirements of GMA. For the York Neighborhood, a historic neighborhood saddled with mis-matched zoning, a change will create consistency between the comprehensive plan, the State GMA, and our existing neighborhood to provide us with greater certainty in the future.

The proposed amendment will provide a more desirable land use pattern for the community.

The proposed change will retain a desirable land use pattern – a densely platted livable neighborhood within easy walking distance of downtown and all amenities. We provide a great example for new neighborhoods of a good land use pattern.

The proposed change will have almost no impact on the current uses of the neighborhood or other properties in the vicinity.

The proposed change will erase a historic mis-match of outdated zoning concepts that never applied to our neighborhood. The zoning change will allow our neighborhood to retain its current status and provide for certainty and stability to property owners and the city.

Thank you for considering our request to docket a zoning change in the York Neighborhood for 2006. We believe that a zoning change will correct a mismatch with our neighborhood and will provide consistency with the Growth Management Act and with the Bellingham Comprehensive Plan and will ensure greater certainty for our neighborhood and our many property owners. If you have further questions please do not hesitate to call either Lisa McShane at 739-2966, email - lisa@mcshane.us or Tom Scott at 961-4440, email - TomRScott@On-SiteComputer.com.

Signed,

The York Neighborhood Association Planning Committee

Tom Scott

Carolyne Milling

Lisa McShane

Judy Bachman

Helen Jackson

Anne Mackie