



City of Bellingham
Committee Of The Whole Agenda
April 23, 2018, 2:10 PM

Mayor Kelli Linville
Council Members April Barker, Gene Knutson, Daniel Hammill,
Pinky Vargas, Terry Bornemann, Michael Lilliquist and
Roxanne Murphy

Contact: (360) 778-8200, ccmail@cob.org
www.cob.org/council
All meetings are held in the City Hall Council Chambers at
210 Lottie Street, Bellingham, WA, unless otherwise noted.

Call to Order

Council Standing Committee Meetings:

Open to the public to attend. Note: there is generally no public comment period for Committee sessions. Standing Committee Members receive reports and information, ask questions and, when appropriate, vote on a recommended action for consideration by the full Council at the Regular Meeting. The notice of Committee Meetings identified below also serves as notice of Special Meetings of the City Council at the times identified as Council Members who are not members of the committee routinely attend and participate in the Committee Meetings. Committee Chairs give a report of the Committee Meeting at the Regular Meeting in the evening prior to deliberation and formal vote in the order shown below:

Committee Of The Whole

Roxanne Murphy, Chair
April Barker; Gene Knutson; Daniel Hammill; Pinky Vargas; Terry Bornemann;
Michael Lilliquist

- | | | | |
|--------------|-----------|---|---------------|
| 21922 | 1. | Consideration of Revisions to Bellingham's Accessory Dwelling Unit Regulations | p. 3 |
| 21704 | 2. | Update on Water Contract Negotiations with Lummi Nation | p. 159 |
| | 3. | Approval of City Council Committee and/or Special Meeting Minutes | |
| | 4. | Old/New Business | |

Adjournment

Agenda Information:

Council Committee and Regular Meeting agendas and agenda packets, which contain the supporting documentation for agenda items, are available to the public Wednesday afternoon prior to the meeting. They are posted at <https://meetings.cob.org/>. Meetings are [streamed live](#) on the internet as they occur.

Accessibility:

The Council Chambers is fully accessible. Elevator access to the second floor is available at City Hall's west entrance. Hearing assistance is available and a receiver may be checked out through the clerk prior to the evening session. For additional accommodations, contact the Legislative Assistant at 778-8200 in advance of the meeting. Thank you.

**Next City Council Committee Meetings
Monday, May 7, 2018**

Deadline to submit material for any public hearing for inclusion in the published agenda packet is 8:00 a.m. on Wednesday prior to the meeting.



City Council Agenda Bill

21922

Bill Number

Subject: Consideration of Revisions to Bellingham's Accessory Dwelling Unit Regulations

Summary Statement: In 2017, staff restarted the process to update the City's accessory dwelling unit (ADU) regulations. The Planning Commission has completed their review and has recommended a number of changes to the current regulations.

On April 9, the City Council held a Public Hearing on the proposed amendments. The hearing is closed to oral testimony. Written comments are still being accepted. The matter was assigned to Committee of the Whole for further evaluation.

Previous Council Action: 4/19/16 Hearing and Adoption of 2016 Comprehensive Plan

Fiscal Impact: Funding for staff time to process the ADU ordinance update was included in the Planning and Community Development Department's 2017-18 budget.

Funding Source: General Fund

- Attachments:
1. STAFF MEMO
 2. ADU FACT SHEET FOR COUNCIL
 3. PUBLIC COMMENT RECEIVED IN COUNCIL OFFICE 4-4-18 TO 4-18-18

Meeting Activity	Meeting Date	Recommendation	Presented By	Time
Committee Briefing - Direction Requested	04/23/2018	Provide Direction	Greg Aucutt, Planning and Community Development	5 minutes

Recommended Motion:

Council Committee:
Committee Of The Whole

Agenda Bill Contact:
Greg Aucutt, Planning and Community Development, 360-778-8300

Council Action:

Reviewed By	Department	Date
<i>Rick M. Sepler</i>	Planning & Community Development	04/16/2018
<i>Alan A. Marriner</i>	Legal	04/17/2018
<i>Kelli J. Linville</i>	Executive	04/17/2018



ATTACHMENT 1

City of Bellingham
210 Lottie Street
Bellingham, WA 98225

MEMORANDUM

TO: CITY COUNCIL
FROM: GREG AUCUTT, AICP, PLANNING AND COMMUNITY DEVELOPMENT DEPT.
SUBJECT: CONSIDERATION OF THE PLANNING COMMISSION'S RECOMMENDED REVISIONS TO BELLINGHAM'S ACCESSORY DWELLING UNIT REGULATIONS
DATE: APRIL 23, 2018

The City Council took up the matter of the Planning Commission's recommended revisions to the City's ADU regulations at a public hearing on April 9. At the conclusion of the hearing, Council referred the proposal to the Committee of the Whole for additional discussion.

The following is a partial list of the changes to ADU regulations recommended by the Planning Commission:

1. Allow detached ADUs in all single family zoned areas.
2. Reduce the minimum lot size for detached ADUs from 10,000 sq. ft. to 5,000 sq. ft.
3. Change the maximum number of occupants from three to four for all ADUs.
4. Limit the number of bedrooms in detached ADUs to two.
5. Require a minimum of one off-street parking space for each ADU.
6. Eliminate transportation and park impact fees for all ADUs.
7. Reduce the maximum building height for detached ADUs from 25-feet to 20-feet.
8. Include a requirement to review the ordinance when 200 detached ADU permits are issued city-wide; or 25 in any one neighborhood; or by year 2025, whichever occurs first.

Staff will be available to assist the committee with their deliberations.



Planning and Community Development Department
City of Bellingham

**April 9, 2018 City Council Public Hearing
Proposed Amendments to Accessory Dwelling Units Regulations**

Fact Sheet

The Proposal

1. What is being considered tonight?

Tonight's City Council public hearing is to consider the Planning Commission's recommended amendments to the Bellingham Municipal Code relating to accessory dwelling units (ADUs). The following is a list of the more significant changes to ADU regulations recommended by the Planning Commission:

1. Allow detached ADUs in all single family zoned areas. Only attached ADUs are currently allowed in single family zoned areas.
2. Reduce the minimum lot size for detached ADUs from 10,000 sq.ft. to 5,000 sq.ft.
3. Change the maximum number of occupants for all ADUs from three to four.
4. Limit the number of bedrooms in all ADUs to two.
5. Require a minimum of one off-street parking space for all ADUs.
6. Eliminate transportation and park impact fees for all ADUs.
7. Reduce the maximum building height for detached ADUs from 25-feet to 20-feet.
8. Include a requirement to review the ordinance when 200 detached ADU permits are issued city-wide; or 25 in any one neighborhood; or by year 2025, whichever occurs first.

The proposed allowance for detached ADUs citywide in single family zones, increased ADU size limits, flexible setbacks, reduced parking standards, and waiver of impact fees has been proposed by the Planning Commission to increase options and opportunities to build both attached and detached ADUs.

Frequently Asked Questions

1. Why doesn't the proposed addition of Detached Accessory Dwelling Units (D-ADU) require a rezone?

The proposed amendments being brought forward by Planning Commission would amend the development standards pertaining to ADUs in single family zones; they would not change the zoning for single family zones. Attached ADUs are currently allowed in all single family zoned areas citywide. Any proposal to allow detached ADUs in single family zones would only provide an alternative option of how an ADU may be accommodated on a single family zoned lot.

It is important to note that the review process being used for the proposed ADU amendments and a rezone are identical (Both are Type VI review processes).

2. Would the proposed addition of D-ADUs change single-family zoning to multi-family and allow apartment and townhomes to be constructed in areas that are currently zoned single-family?

It would not. If adopted by the City Council it would only allow for Detached ADUs in areas where they are currently not permitted. However, Attached ADUs are already allowed in those same areas. Only one ADU (either attached or detached - but not both) would be permitted per single-family lot. ADUs are just that - accessory to a primary use (single-family home). ADUs cannot be sold separately or have a separate ownership. Like other accessory uses, they are currently allowed as supporting uses in single-family zones.

3. Does the proposed Ordinance require the property owner to live on site?

Yes. The owner must reside in either the ADU or the single-family home, and a covenant of owner occupancy is required to be filed on the property. The property owner cannot rent both the home and the ADU.

4. Would the proposed short-term rental regulations currently being reviewed by the Planning Commission allow a detached ADU to be used as a short-term rental like a VRBO or AirBnB?

No, not in single family residential zones.

5. The Comprehensive Plan has a policy (H-9) that directs the City to evaluate and inventory ADUs in City. Has the City completed this inventory? Why doesn't the City do an inventory of illegal ADU units?

The City does have an inventory of all legal ADUs. Some have requested that units which are asserted to be "illegal ADUs" should also be inventoried. In order to determine if a suspected unit is illegal, a detailed investigation of each unit would be required. In facilitating this type of investigation, the City is required (as it should be) to act on facts not on conjecture or assumptions. The burden of proof is on the City and parties are innocent until proven guilty - which is an essential precept of our American legal system. Although you may assert that the facts are obvious and the City should take immediate action, we cannot cite parties if they merely appear guilty. We need to establish the facts and act when they are conclusive.

Lights on after dark, curtains in the windows, repeated sightings of individuals or parked vehicles are not actionable and conclusive in themselves. Each requires detailed investigations and research. Some alleged units are legally allowed based on prior land use approval and/or the date of their establishment. Some may be accommodating family-members which is permitted. Additionally, there are relatively simple steps that can be used to evade a complete accounting of who is in residence (if anyone is at all).

The recently adopted City Budget funds the first dedicated Code Enforcement Officer for Planning and Community Development. This will allow for the proactive investigation necessary to resolve many of the outstanding allegations associated with potential illegal dwelling units. Additionally, the City Attorney's Office has committed to revising the Municipal Code in early 2018 to establish a comprehensive code enforcement chapter detailing code enforcement practices, evidentiary requirements, and establishing civil citation authority - tools that will more effectively expedite the investigation and resolution of alleged violations.

Finally, we are facing a housing emergency in Bellingham. Clearly, the current housing stock (including both legal ADUs and potentially illegal units) is insufficient to meet the needs of our community. It is undisputed that additional units are needed immediately. To delay establishing them is not a responsible option.

6. Has there been an evaluation of the environmental impacts of the proposed changes.

Yes. The State Environmental Policy Act (SEPA) requires the City to assess the potential impacts on the environment from the proposed changes to ADU development regulations. The SEPA review process evaluated the potential impacts from the Planning Commission's recommended changes to current ADU regulations. A preliminary Determination of Non-significance (DNS) was issued on January 2, 2018. All public comments received prior to the issuance of the DNS were used to inform the preliminary SEPA analysis and determination.

Staff received a number of letters and emails in response to the preliminary SEPA determination. All comments received during the comment period were used to inform the final determination. A final DNS was issued on April 3.

The Process

1. Who is the Planning Commission and what is their role?

The Planning Commission is an appointed advisory body that conducts hearings on the City's Comprehensive Plan and implementation of the plan's goals and policies. It reviews and makes recommendations to the City Council on the adoption and enforcement of plans and regulations for the physical development of the City. The final decision is made by the City Council. The Council can accept, reject or modify the recommendations of the Planning Commission.

2. How can I participate in the process? Can I comment after this evening on the proposal?

Anyone who wishes to testify will be provided the opportunity. To ensure that all who are present have the opportunity to testify, a time limit for individual testimony will be established. Written comment is always welcome and will be accepted throughout the process. Written and public comment provided at a hearing is weighted equally.

3. Will there be a decision tonight? What will be the next steps in the review process?

By established protocol, the City Council does not make a final decision on the same night as the public hearing. Typically, the matter will be taken up again at a later date and may be assigned to a committee of the Council for one or more work sessions. After consideration of written comment and public testimony and a review of the facts and record, the City Council will make a final decision sometime in the future.

4. What has been the review process so far?

The City has held numerous meetings, both focused and broad, in conducting outreach and providing opportunities for the public to participate in the ADU Ordinance update. During the update process which resulted in the update of Comprehensive Plan (adopted 2016), the City conducted surveys to gather information relating to ADUs:

<https://www.cob.org/documents/planning/comprehensive-plan/2016-survey-results.pdf>
<http://engage.cob.org/posts/5036/should-detached-accessory-dwelling-units-be-permitted-in-single-family-zones-in-bellingham>

In 2015, the Planning and Community Development Department (PCDD) formed an ADU Focus Group of 13 members from a cross section of different interest groups and tasked them with identifying opportunities and concerns with allowing Detached and Attached ADUs. Some members of the Focus Group pointed to the benefits of allowing Detached ADUs (D-ADUs) in certain circumstances. However, other members raised a number of concerns regarding the establishment of D-ADUs in existing areas. Similarly, the members were divided on a proposed Pilot Program to allow a limited number of DADUs in Happy Valley Neighborhood.

The Happy Valley Pilot Program is the result of a joint process between the Happy Valley Neighborhood and PCDD. The Happy Valley Neighborhood Association formed an ADU Committee and conducted outreach within the neighborhood promoting innovative small scale infill housing, including D-ADUs, and engaged PCDD staff for assistance, culminating in a vote of its officers at a quarterly meeting for a Pilot Program allowing D-ADUs in single family zoned areas of the Happy Valley Neighborhood which was submitted to the City for incorporation into the City's ADU Ordinance update.

PCDD also convened a Technical Group of local architects, designers, and builders to review the City's current ADU development and design standards and identify recommended technical changes to the existing regulations to enhance consistency and provide more specificity.

Additionally, prior to consideration by the Planning Commission, PCDD's Director and Staff participated in over 10 different neighborhood meetings (at their invitation) to discuss ADUs and potential code changes.

The Planning Commission initiated their review by holding two work sessions in 2015, and three in 2017. The Commission's public hearing was held on January 25, 2018. Sixty-one people offered comments at the hearing. Two additional work sessions were held on February 1 and 15. Additionally, a significant amount of written comments has been entered into the record. Based on the staff report and public feedback, the Commission adopted findings of fact, conclusions, and recommendations which have been forwarded to the City Council for consideration.

Marchand, Marie M.

From: Ray Ballweg <r.ballweg@comcast.net>
Sent: Tuesday, April 17, 2018 4:52 PM
To: CC - Shared Department
Subject: New ADU Ordinance
Attachments: San Diego Infill.pdf

Dear Council Members,

I ask that the Council postpone any action on the Planning Commission proposal to add Detached ADUs into all Single-Family Zones. I believe that the potential harm and divisiveness of this ordinance is not worth the few additional housing units that will result. I have attached the presentation that the late Barbara Brandt and I gave the Council about 10 years ago when the COB was promoting the Infill Toolkit. Barbara showed what happened to her cherished neighborhood when development overcame her single family residential neighborhood. It all started with a DADU ordinance. Please view the photographs in the presentation and ask yourself if this could occur in Bellingham. I believe it could in the near future if the ordinance remains as open ended as it is. If the proposed ordinance dealt with limited application of this and other alternate housing forms, I believe the Ordinance would receive much more support from home owners in the various neighborhoods. There are many ways to limit and distribute the occurrence of DADUs that is much less threatening to the neighborhoods. I feel it is the Council's responsibility to explore and discuss those possibilities instead of plunging ahead with the Planning Commission's proposal.

I look forward to the Council's discussion of my proposal to alleviate the tension that the current DADU/ADU Ordinance has caused.

Ray Ballweg

San Diego Infill

Barbara Brandt

Ray Ballweg

1926 Spanish 4-Unit Apartment Building BEFORE

- Adjacent Balboa Park
- Early 20th Century
- Showplace Neighborhood
- Charming
- Eclectic Mix of Housing Styles
- Lovely Gardens
- Bay, Canyon & City Views



1926 Spanish 4-Unit Apartment Building SURROUNDED

- Started 1970s With Allowing Detached ADUs
- Cottages & Bungalows Bought for Demolition
- 15 - 20 Story Concrete Condos
- Views & Solar Access Blocked



1926 Spanish 4-Unit Apartment Building SURROUNDED

- 4 Story Condo Next Door
- Loss of Privacy & Light
- 2 Story Apartment Building
Built in Rear Yard early
1970s



Garages Become Dwelling Units

- Front Doors on Alley
- Zero Lot Lines
- Note 3 Mailboxes on Former Garage Turned Residence



Alleys Become Streets

- Front Doors on Alley
- Alleys Widened at Expense of Gardens & Lawns



Yards Become Parking Lots

- Insufficient Parking
- Alleys Become Congested
With Cars
- Green Space Sacrificed
- Inadequate Carports
Proliferate



Expensive Condos Replace Cottages & Bungalows

- Alleys Become Inadequate Streets
- Condo Balconies Look Out at Other Condos
- Loss of Privacy & Light
- No Pedestrian Ways
- Unsafe @ Any Speed



Original Bungalow & Garage Over Whelmed by 3 Story Condo

- Side & Front Yards Become Parking Areas
- Zero Lot Lines
- Bungalow Becomes Rental Unit
- No Aesthetic Proportion



Single Family Home Clusters Turn Duplex

- Absentee Landlords
- Combined Lots
- Detached ADU Infill



Backyard Triplex Infill

- Original Bungalow
Converted to Duplex
- Side yard Becomes
Driveway



Single Family Homes Become Duplexes

- Single Family Residential Becomes Multi Family
- Complete Neighborhood Transformation
- Insufficient Parking



Original Bungalow Engulfed by Infill

- Zero Lot Line
- No Yards
- No Green Space
- Surrounded by Concrete & Cars





Bellingham's Future?

- San Diego's Infill Started As Detached ADUs
- Bellingham's Infill Starts With Infill Toolkit
 - Applied to Multi Family Areas Only
 - Caveat to Apply to Single Family Residential
- Will Bellingham Fall Down The Slope Like San Diego?
- **What's The Next Infill Regulation?**

**Apply Infill Toolkit To All Areas Adjacent & Within
1/4 Mile Of All Bus Lines?**

Marchand, Marie M.

From: Greg Rank <gregrank@gmail.com>
Sent: Tuesday, April 17, 2018 9:56 PM
To: CC - Shared Department
Subject: ADUs

Comments to City of Bellingham City Council regarding ADUs:

<https://www.cob.org/services/planning/development/Pages/adu-public-process.aspx>

The housing crisis in Bellingham is not isolated. This problem is occurring around America in many cities. There are many creative solutions, from tiny homes to ADU's, artist studios and more.

I support the change in city codes around ADUs, I support affordable housing efforts. The two do not have to be mutually exclusive. In a city struggling to provide affordable housing for all, I do not believe the city should ban artists studios from being rented out as living spaces. I suggest making the owner fill out a form, pay a small fee and allow the rental.

The population of our planet is growing, the population of our cities is growing. Everything possible must be done to allow for more affordable, creative ways to live. There are no shortage of ideas or solutions. You govern a beautiful geography, implement as many solutions as possible to allow the human race to enjoy the space.

Sincerely

--

Greg Rank

Marchand, Marie M.

From: Jane Bright <jkbright@comcast.net>
Sent: Wednesday, April 18, 2018 7:11 AM
To: CC - Shared Department
Subject: Detached Accessory Dwelling Unit comments

To: Bellingham City Council

Unintended consequences and the wrong conversation.

Thank you for the opportunity to comment.

While there is broad agreement that Bellingham will continue to grow, we should be focusing on how we grow while preserving the spirit of Bellingham that makes us a livable city.

Unintended Consequences:

What could go wrong with the current city-wide approach to D-ADUs?

Here are three such examples, though the problem with unintended consequences is they are difficult to predict:

1. **Neighbor suing neighbor:** There are many covenants, some street by street, such as not allowing D-ADUs to prohibiting the blocking sight lines etc. Since the City has not responsibility to enforce these covenants, enforcement will be done through neighbor suing neighbor, lots of neighbors suing lots of other neighbors.

2. **Roads blocked to fire and ambulance access.** With only 1 parking space required when permitting 4 adults and therefore 4 cars, experience in my neighborhood has shown that insufficient parking results in blocked roads and cars parked on lawns and over filled in storm drains. There is no provision to address D-ADUs on streets with no parking.

3. **Environmental damage** to tree canopy, water damage to properties, etc. The cumulative impact from the environmental effects of legalizing the building on potentially 200 or more acres has been totally ignored. With all of the covenants, we have no data on just how much land could be sealed or the effects of potential mudslides etc.

We are having the wrong conversation

We are growing and will continue to grow and all agree we need more housing at every level, especially

1. student
2. affordable as defined by income levels
3. market rate

Rather than hope a few residents will want to commercialize their property, take on debt and become landlords, thus fixing our housing issue, we should be proactively sponsoring more housing targeted at students.

Washington state sponsored schools (WWU, WCC and BTC) send Bellingham 17,050* students of higher learning. They represent 19.4% of the COB population. While a small portion of those students are already permanent residents of Bellingham, the vast majority are new, temporary, and functionally homeless when they arrive.

WWU provides housing for only 4060, leaving us to accommodate about 13,000 people. As they occupy approximately 7% of all housing units in the city, it is time for the city to work with the State to find funding, be it private or bonds or other creative solutions and to locate state land or purchase such land to build student housing. If private developers have found a way to make a profit on students housing, certainly the State should be able to figure out funding. The permanent resident tax-payers and renters of Bellingham should no longer be displaced by State actions.

That is the conversation we should have, along with forming and implementing a plan to provide housing security and safety to our students and returning residential housing units to actual residents.

I fully support the Happy Valley pilot and recommend more work be done on the details of any D-ADU ordinance for other parts of the city.

*Stats from: <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

Jane Bright

306 Highland Dr.

Marchand, Marie M.

From: T Wood <twoodprints@gmail.com>
Sent: Tuesday, April 17, 2018 2:57 PM
To: CC - Shared Department
Cc: T Wood
Subject: RE: ADU Ordinance Update

Dear Committee Members,

We have lived in Bellingham since 1973 and at our present home on South Hill since 1988. When we bought our home property taxes were about \$100 per month. This year we pay \$500 per month in property tax. That amount, in addition to maintenance, is more than we can afford in retirement. We are now in our late 60s and we want to stay in our home for years to come. It may be, that the only way we can stay is by having an ADU. An added independent long-term occupant could supplement our income or might provide assistance, making aging in place affordable and physically feasible. We live on a large lot and feel there is much more room than needed by just us two. And, it would be nice for someone else to find affordable living in Bellingham.

Thank you for considering our comment.

Sincerely,

Pamela Brownell and Thomas Wood

416 17th St.

Bellingham, WA 98225

Marchand, Marie M.

From: MY - mayorsoffice@cob.org
Sent: Tuesday, April 17, 2018 8:15 AM
To: CC - Shared Department
Subject: FW: Regarding City-Wide Legalization of D-ADUs

From: K Willis <kurtkathkels@gmail.com>
Sent: Monday, April 16, 2018 8:00 PM
To: MY - mayorsoffice@cob.org <mayorsoffice@cob.org>
Subject: Regarding City-Wide Legalization of D-ADUs

Regarding: City-Wide Approvals of D-ADUs

Dear Mayor Kelli Linville,

I am writing against the proposal for legalization of city-wide detached accessory dwelling units. There are many reasons why this is not a reasonable choice for Bellingham.

The new proposal allows for the construction of D-ADUs in single family neighborhoods. When homeowners purchase or build in a city they need predictability and assurance. They pay significant taxes to pay for the schools and infrastructure of their city, even pay more for their home in a single-family zone. In preparing the Comprehensive Plan with the city, neighborhoods spent years and dedicated significant time to preparing this document. I personally spent many hours preparing and researching for the historic neighborhood designation for my neighborhood. Each neighborhood has a character and a beauty that needs to be respected. Historic neighborhoods need to be protected from unsightly detached buildings that do not contribute, but detract, from the character of the neighborhood. Many homeowners feel betrayed by this new proposal and feel that citizens of a neighborhood should have a right to have input into what happens literally in their own backyard.

Detached accessory dwellings are not the answer to the housing issues in Bellingham. All agree that this proposal on its own will not make much impact in the housing situation. D-ADUs would impact a neighbor's sight lines, privacy, and garden spaces. In fact, ecologically, these stand-alone structures would have similar environmental impacts as a house, particularly if the D-ADU is allowed to be 66% the size of the original home on the property. All hillside areas would have to be considered for water and drainage impacts, loss of trees and roots for retaining soil from run-off. Parking spaces would need to be added. To build a home on a 5,000 square foot lot would be unrealistic to neighbors and undermine the integrity of the neighborhood. I live in a modest cottage home. To have a home in my back yard would overwhelm the neighbors' homes, block their sunlight, even compromise their quality of life and value of their home. I would not do that to my neighbors. In addition, the cost of building a D-ADU is fairly expensive (estimates vary, \$135,000 to \$200,000 to build), not a casual investment. Perhaps this would be more attractive to developers than actual city residents. Since the cost is significant for building a safely wired home to code, with fire protections and safe exits and windows, the rent cost would not be insignificant, not the super-cheap rent that some would hope. Fire safety would be an issue, as well as access to emergency vehicles, especially important as density increases. In fact, there is no

reason for the D-ADUs to be built in single-family zones. The Bellingham City land map shows adequate areas for building – enough available land outside single family zones that D-ADUs do not need to be built in single family zones.

There are other reasonable and humane ways to increase inexpensive housing in Bellingham. Infill means “development of *vacant or underutilized parcels* within urban centers”. So infill would not be appropriate in older neighborhoods which are already densely built up and small lots well utilized. Some suggestions are:

- Add quality infill housing in struggling neighborhoods with underused areas such as abandoned industrial blocks and vacant lots. Many of these areas already have good access to groceries, shopping, and parks. Good public transportation is often available. (This is not the case in South Hill, which is no longer served by a bus line and is a long uphill walk from the nearest store.) These zones could use the positive effects of family renters and active commerce. A lived in area is a safer area.
- Encourage attached, not detached, options. ADUs are a better option ecologically than D-ADUs. They do not take up the green space that a detached dwelling would require. They are safer for disabled or elderly family members and closer for health care attendants. (Of course, developers are not interested in ADUs because they want to build on greenfield.)
- Gentle infill of detached dwellings could be allowed in areas that are zoned multi-family or commercial, in newer neighborhoods with larger open spaces. DADUs that have been illegally operating in those areas can be encouraged to be brought up to code for safety purposes if neighbors approve a DADU next door. Neighbor input should be required of DADU proposals in all areas. There should be no surprise detached dwellings looming over anyone’s private garden or school playground without considerable neighborhood input. This should be a predictable and measured process.
- Continue to allow for student-focused housing projects. There are commercial/residential units planned on Samish Way. The Gather on Garden Street can now house 400-500 students. A student focused housing project will be built on State Street, allowing housing for 400-500 students.
- Rent control could possibly be considered.
- The Urban Village concept for infill should be encouraged and developed further.
- Underused buildings in the Bellingham downtown core could be renovated into low-cost loft housing. Utilize what is already there; bring life to the city.
- Public housing has been very successful in Bellingham. Well-constructed low cost housing under civic, public programs is one of the key ways to allow for lower rents for those who need help.

In conclusion, I want to encourage the Council to respect the restrictions of single-family zones and not allow the construction of D-ADUs in these neighborhoods. Allow neighborhoods to retain their historic character and single-family status. The city administration and Council has a history of cooperation and collaboration with its neighborhoods. There are better ways to increase affordable housing in our beautiful city of Bellingham than to undermine the neighborhoods and the trust in their community decision-making process.

Sincerely,

Katherine B. Willis

(Bellingham resident and homeowner for 28 years)

Marchand, Marie M.

From: cynthia de tilière <cynthiadetiliere@gmail.com>
Sent: Monday, April 16, 2018 3:00 PM
To: CC - Shared Department
Subject: This is outside of the conversation of Accessory Dwelling Units yet informative to housing needs for a healthy community

Dear City Council Members,

This is a topic on Fresh Air with Terry Gross, National Public Radio program that is an aspect of current housing needs here in Bellingham.

I hope you take the time to read this or listen to the program.

"Stabilizing a home has all sorts of positive benefits for a family."

"Incomes have remained flat for many Americans over the last two decades, but housing costs have soared. So between 1995 and today, median asking rents have increased by 70 percent, adjusting for inflation. So there's a shrinking gap between what families are bringing [in] and what they have to pay for basic shelter."

<https://www.npr.org/2018/04/12/601783346/first-ever-evictions-database-shows-were-in-the-middle-of-a-housing-crisis>

Thank you for your public service.

Sincerely,
Cynthia de Tilière

Marchand, Marie M.

From: Roxann Kay <tedikay@sbcglobal.net>
Sent: Monday, April 16, 2018 1:31 PM
To: CC - Shared Department
Subject: Dadus

Until this city takes an inventory of all the illegal rooming houses and inspects existing rentals for mold and safety, I don't think any changes to anything should be made. The state of some of the rental units in this town is deplorable. Let's inspect and inventory first. Thank you Roxann Kay 3583 South Grace Lane Bellingham 98226

Sent from my iPhone

Marchand, Marie M.

From: Meg Harris <meaganjharris@gmail.com>
Sent: Monday, April 16, 2018 11:35 AM
To: CC - Shared Department
Subject: In Support of ADU- for April 23 committee meeting

Dear Bellingham City Council,

I am writing in support of ADU expansion in response to April 9 meeting and in anticipation of your April 23 committee meeting.

Last week in the Bellingham Herald I read that housing prices have increased **5.6%** since February of last year.

April 2- Bellingham's rental rates are climbing faster than Seattle's — here's why

This morning I heard on the radio that a study in Los Angeles showed that a **5%** increase in housing prices could lead to **2000** new homeless Los Angelans.

April 16-California's Housing Crisis: Working But On The Brink Of Homelessness

Yes, Bellingham is a smaller city. But I am concerned that we face the same fate. We are trying to address our homeless epidemic in Bellingham and create a smart, livable city for *all* residents.

ADU expansion in our neighborhoods provides a citizen-driven, ground-up opportunity to increase housing options, combat inflated housing prices, and provide a community that is affordable and livable for all Bellinghamsters. Please support this change to the ADU/DADU ordinance!

Meg Harris
Sunnyland Neighborhood
307-699-2224

Marchand, Marie M.

From: Joyce Pacher <joyceepacher@gmail.com>
Sent: Monday, April 16, 2018 12:27 PM
To: MY - mayorsoffice@cob.org; CC - Shared Department
Subject: DADUs

16 April, 2018

Dear Mayor and City Council Members,

I am writing in regard to the proposed ordinance regarding DADUs in Bellingham. I do advocate for the pilot program in Happy Valley (because that neighborhood has agreed to it) before considering instituting the change City-wide. I still have concerns about destroying the character and current zoning in single-family neighborhoods.

There is hypocrisy in advocating for diversity, equity, inclusion and other benevolent issues while using bullying, intimidation, name-calling and stereotyping tactics. This has happened at public meetings and to individuals. Shaming people will not have the desired effect and only increases distrust and anger.

I am very concerned about the amount of anger, divisiveness and polarization which has occurred during the discussion of DADUs. Neighbors have been pitted against each other, cliques have been formed. There is a tension I have not experienced in the 20 + years I have lived in my neighborhood. Imagine what would happen if the ordinance was passed and neighbors began building DADUs next to neighbors who opposed DADUs: animosity, dismissal, solid eight-foot high fences, feelings of hopelessness and helplessness. Why would you want to ruin neighbor relationships?

My previous letters have outlined how DADUs would affect me and my neighborhood. You have heard testimony from many people regarding those issues. Please consider the needs of all before making your decision.

Thank you for your consideration.

Joyce Pacher
3218 Cottonwood Avenue
Bellingham, WA 98225

Marchand, Marie M.

From: Koch, Christopher J.
Sent: Monday, April 16, 2018 10:06 AM
To: CC - Shared Department; Marchand, Marie M.
Cc: Sepler, Rick M.; Aucutt, Gregory R.; Nabbefeld, Kurt D.
Subject: FW: Support D-ADU's : letter to City Council
Attachments: CityC.CostofNoD.ADUs.4.12.18.pdf

Please see attached.

Christopher Koch, Planner II
COB.PCDD

From: Lightsourceon [mailto:lightsourceon@gmail.com]
Sent: Thursday, April 12, 2018 7:41 PM
To: Koch, Christopher J. <ckoch@cob.org>
Subject: Support D-ADU's : letter to City Council

Hi Chris

See attached Word .doc for submittal of public comment in support of D-ADU's in Bellingham.

I missed being able to sign up on the list for Monday's April 9th meeting, and was advised to email my comments.

Thank you!

-S

April 12, 2018

Greetings! City Council:

What will be the costs of saying NO to D-ADU's ?

Current housing choice models are not working for renters, the environment, first time home buyers, neighborhoods, or the housing industry – can we please try something that does?

Could we allow every neighborhood to have D-ADU's with a cap on the total amount of units to quell the fears that D-ADU's will overtake their neighborhood? (And put in place a review process that takes less than 3 years to renew the ordinance!)

Recently, I met with a homeowner in the Columbia neighborhood who wanted to build a D-ADU in place of an existing old, collapsing garage. A single mom with two kids who could use additional storage and benefit from a rental income. I informed her D-ADU's were not legal at this time. She said, "What? My neighbor across the street has one! Why can't I ??"

I looked up the zoning for her neighbor's property and it was on the edge of the urban village boundary. If you stood on the sidewalk and looked around you would see no difference in the modest houses or lots on one side of the street than the other – yet one homeowner could build a D-ADU and her neighbor could not. Is that equitable?

In doing lots of reading about Bellingham's housing dilemma, I found we are not unique. The pattern of high cost, low availability, and no to low options creating big negative effects is happening nationally. Fortunately, there are some fine minds working on this issue and are ahead of us with case studies and facts from various cities.

At the end of this list is an interesting article from San Francisco on how they are dealing with their 30,000 illegal ADU's from 1960's post war housing, as well as how to go forward with present "second-unit" housing. Wow! We thought we had problems?!

Thank you for your work and consideration.

-Shannon Maris
Bellingham, WA

Here are some stats to support my statement above :

Housing demand is regional.

Regulations might stop your neighborhood from growing, but that won't stop people from moving to your city.

<https://www.strongtowns.org/journal/2017/5/8/immutable-laws-of-affordable-housing>

Bellingham Herald article :

27% increase in house values in Sudden Valley and Blaine –pushing our working class, families and renters to the far outer edges – Is this what we want?

If there are economic forces driving densification or gentrification, they will be expressed somehow – for example in rising prices and unpermitted ADUs.

The question for many communities is not “should we have ADUs or nothing?” but rather “are permitted ADUs a good choice compared to the other options out there – such as transit-oriented developments, townhouses, gated single-family developments, or a new crop of unpermitted ADUs?”

Do ADUs create parking problems?

There is zero evidence for this idea. They contribute fewer cars per household than SFRs.

<https://accessorydwellings.org/2014/09/17/summing-up-adu-research-are-accessory-dwelling-units-as-great-or-as-horrible-as-people-say/>

Keep Building Big Single Family Homes?

Bellingham Housing Stats – we have a demographic mis-match !

70% are 1-2 person households – (US Census)

However... **75% housing stock is single family homes with 3+ bedrooms**

25% 1-2 bedrooms

<http://bellingham.maps.arcgis.com/apps/Cascade/index.html?appid=ad0a1daf65f94df690d06c75e2d0f9ff>)

The most recent data shows that half of renters are rent burdened.

This has contributed to a lower homeownership rate in the US, which has fallen to its lowest level in 50 years¹⁹

https://www.whitehouse.gov/sites/whitehouse.gov/files/images/Housing_Development_Toolkit%20f.2.pdf

Build more Affordable Housing to fix it ?

"Only one in four households that is income-eligible for federal housing assistance receives any, and funding for the largest HUD program remains below 2008 levels.

<https://www.curbed.com/2016/5/19/11713134/affordable-housing-policy-rent-apartments>

**The White House
Housing Development Toolkit**

Costs and negative impacts of excessive barriers to housing development:
*In these regions, new market-rate construction shifts toward predominantly, and sometimes exclusively, larger or higher - end units as a **manifestation of supply constraints** , because when there are large fixed costs to building, as is the case when land use policies are onerous, **even developers that aren't profit-maximizing find it difficult to make profits from smaller or more affordable units.***

14 15 16

https://www.whitehouse.gov/sites/whitehouse.gov/files/images/Housing_Development_Toolkit%20f.2.pdf

Even it you have a voucher... you won't get housing.

Cascadia Weekly article : Section 8 Housing Income Discrimination

http://www.cascadiaweekly.com/cw/currents/end_source_of_income_discrimination

And this leaves out all the people who don't qualify because they make just over the minimum, or are not disabled, seniors, or veterans – like some working class (aka : the working poor , Missing Middle).

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So what are some ways a Strong Town can address high housing prices? Here are some strategies that your city should consider:

1. Reduce minimum lot sizes and relax density restrictions in single-family zones.
The cost of purchasing land is a significant portion of the total cost of a house. This is especially true in low-density residential development where the buildings occupy a much smaller footprint. If your zoning code requires large lots, the houses that are built will be more expensive than if they could be built on smaller lots. That's a mathematical fact that should be intuitive but has escaped scrutiny in most communities with affordability issues.

Restricting development in low-density residential zones also increases the cost of housing by the same logic: if you can only build one housing unit on a lot, the cost of that

land must be absorbed by that single unit. Allowing more units spreads the land costs over many households, lowering the total cost of development.

There are several ways to increase the amount of housing in residential areas without altering the overall character of development. Accessory dwelling units (ADUs) have received more attention of late. Duplexes, three-flats, and even small four-unit buildings can easily be designed to fit in with nearby single-family homes. These kinds of buildings should be allowed by right in low-density residential zones--no strings attached. Unlocking such large areas of land for modest increases in immediately opens up huge development potential without threatening the existing character of neighborhoods.

<https://www.strongtowns.org/journal/2017/5/8/immutable-laws-of-affordable-housing>



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What options are there?

Benefits of Accessory Dwelling Units

They can be designed to blend in with the surrounding architecture maintain compatibility with established neighborhoods and preserving community character.

Uses existing infrastructure

Efficient use of existing housing stock

Help meet the demand for housing

Offers an alternative to major zoning changes that can significantly alter neighborhoods.⁹

<https://www.huduser.gov/portal/publications/adu.pdf>

Beyond that, ADUs are simply a refreshing grassroots alternative to “big” development. There is something tiresome about big apartment blocks, rowhouses, and other “professional” developments, no matter how well thought out. You can practically see the investment calculations floating over them....

In contrast, ADUs are typically created and managed by homeowners, not real estate professionals. These homegrown residences are unique, each with a purpose and a story. Though the biggest single motivation for creating ADUs is financial gain, a notable fraction of these (20%) "amateur" developers make a fascinating choice – to not maximize investment return, for a month, a year, or a decade, so they can house a family member or a friend, start a business, or do something else to spread good beyond their yard. In short, they often show that people value things beyond money, and that may be the best pro-ADU argument of all.

<https://accessorydwellings.org/2014/09/17/summing-up-adu-research-are-accessory-dwelling-units-as-great-or-as-horrible-as-people-say/>

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Secondary Units

A painless way to increase the supply of housing
SPUR Report June 1, 2006

Allowing homeowners to add secondary rental units to their property is one of the most promising strategies we have for increasing the supply of housing in San Francisco without significantly changing the aesthetic character of our neighborhoods.

*A secondary unit (also known as an "in-law unit") is an additional, self-contained dwelling on the same lot as an existing residential building. It is usually built within a pre-existing structure but sometimes is an addition to the structure or is in a separate carriage house or storage unit in the rear yard. **Secondary units require no additional land or governmental funding. Because they use existing structures and most components and infrastructure (e.g., water, sewer, utilities, landscaping) are in place, and owners can often do some of the work themselves, they are cheaper to build than ordinary housing.***

***The community advantages of secondary units are numerous.** They distribute less expensive housing throughout a community and enable the city to expand the housing supply by modest increases in many areas rather than concentrating new housing in just a few. They have the least neighborhood visual impact of all housing sources. And they are true life-cycle housing, supporting flexibility and family stability over time. The extra income from secondary units can help make mortgage payments possible for new homeowners. It can give housing to childcare or in-home health care workers. It can supply extra income when the economic shifts of divorce, untimely death, or illness intervene. And a secondary unit can offer safe, semi-independent, and inexpensive housing for elderly or disabled relatives, as well as returning adult children. Currently, the city makes it hard for property owners to add secondary units. Overly rigid code requirements get in the way, and most residential zoning definitions prohibit secondary units even if the codes can be met. SPUR believes that public scrutiny is the best assurance that the city's housing stock will remain healthy and safe. Regulations that make the legal addition of secondary units difficult, if not impossible, will either lead to units that lack enforcement of health and safety standards or will deprive the city of much-needed housing.*

SPUR proposes that the creation of code-complying secondary units be encouraged in four ways:

1. *Allow secondary units without parking in areas near transit and shopping, where living without a car is often feasible*
 2. *Make it easier to create secondary units without parking, designed for occupancy by the elderly and handicapped, in all residential areas*
 3. *Promote the reclassification of single family neighborhoods which are supportive of secondary units to "RH-1 S" zoning, which allows secondary units with parking*
 4. *Allow secondary units without parking in architecturally and historically significant buildings and in historic districts*
- None of these proposals would result in enlargement of building envelopes beyond what the codes currently allow, thus assuring that secondary units will not change the visual appearance and character of the neighborhoods in which they are located.*

History of Secondary Units in San Francisco

*The traditional pattern of residential development in San Francisco included secondary units. They were created based on need and demand, often as housing for the working poor, household help, and family members. A great number of illegal units were created in World War II to meet the housing demand generated by the boom in defense jobs. It was estimated by the then Bureau of Building Inspection that by 1960 there were between 20,000 and 30,000 secondary units in San Francisco, 90 percent of which had been built without the proper permits. Those built without permits usually have some substandard conditions with respect to light and air, bath or cooking facilities, ingress or egress, plumbing, electrical or heating systems. They typically exceed the allowable density for the zoning area and usually do not provide required parking.
(see link below for full article)*

San Francisco Planning and Urban Research Association,
<http://www.spur.org/newsletters/0801.pdf>.

Marchand, Marie M.

From: Mona Leischner <monaleischner@yahoo.com>
Sent: Friday, April 13, 2018 3:51 PM
To: CC - Shared Department
Subject: Fw: ADU Revisions

Dear City Council,

The following is one of many letters that I have sent to the Planning Commission and the Planning Department. I have been present and spoken at all of the Commission meetings on ADUs since the revision discussion started in 2015. I was unable to be at the April 9, 2018 meeting. I am another community member very much in favor of more *choice* for housing forms in the City of Bellingham.

I fully support more liberal regulations on ADUs and fully support detached ADUs city-wide. I believe most fears about ADUs, attached or detached, are simply unfounded. One does not have to look very far to other jurisdictions to see that no matter how liberal and inviting their ADU regulations are, ADUs still tend to be rare and do not have a negative impact on their single family neighborhoods or cities. I would argue they have a positive impact.

I will likely forward a couple of other past letters that I've sent. Thank you for your serious consideration of this matter.

Sincerely,

Mona Leischner

----- Forwarded Message -----

From: Mona Leischner <monaleischner@yahoo.com>
To: planningcommission@cob.org <planningcommission@cob.org>; Christopher J. Koch <ckoch@cob.org>
Sent: Saturday, October 21, 2017, 8:53:31 AM PDT
Subject: ADU Revisions

Dear Planning Commission and Planning Department,

I want to express a few thoughts after the meeting/work session held on October 19, 2017, regarding ADUs.

The main takeaway I got from the meeting on September 7, 2017, was that the Commission wanted Planning to rework their proposal to reflect detached ADUs be allowed city-wide, vs. a single "pilot project" in Happy Valley. I saw no proposal from Planning reflecting this at the October 19th meeting. Even more curious was that when Planning staff was directly asked about this by Ali, they would not offer their position to the Commission on this subject, which in my mind, is very telling where Planning's opinion is on this issue. Why are they skirting this issue and not being forthright with the Commission and the public? This just reinforces, for me, frustration and mistrust when dealing with the Planning Department - an issue that is not uncommon with the general public, just ask.

Concerns:

Concern: Single Family Neighborhood Deterioration - As you may be aware, Portland is one of the leading U.S. cities promoting ADU development. They allow detached/attached, no parking space is required, no owner-occupancy requirement, a portion of permitting fees (System Development Charges) continue to be *waived* through July 2018 and have been *waived* since 2010 (estimated to save builders between \$12,000-\$20,000). By January 2018, Portland projects there will be 1900 ADUs on the ground which is roughly **1%** of their eligible properties. **1%!** We can easily look to other jurisdictions that have opened the "floodgates" (not my words, but a Commission member's) of ADU development to see that they are still very *rare* and not detrimental to single-family neighborhoods. The "tiny house guy" at the September 7th meeting said it succinctly and hit the nail on the head, in my opinion. He said people with resources don't want ADUs and people who could use them do not have the resources to build them. This will naturally keep a cap on them, just as Portland clearly demonstrates. I agree that each town is unique, but not so much so that we can't learn and fairly accurately project how ADU development regulation changes may or may not impact our city. (Portland could also be considered a "college town." There are approximately 27,000 students at Portland State University alone, not to mention all the other schools that are there.) It seems like this single-family neighborhood destruction fear is based on *notion* and not on *reality and facts*.

Concern: Parking - Requiring one additional parking space throws up another blockade for many to develop an ADU. Many of the older neighborhoods are on smaller lots, making ADU development impossible if an additional on-site parking space is absolutely required. If a person can demonstrate that on-street parking is available and plentiful, why deny them? If the particular project study deems on-street parking would be problematic, then the builder needs to supply an on-site parking space. Because ADU development is so *rare*, generally parking problems are not an issue. Portland has found this to be true; there are just not that many ADUs to create a parking burden. The parking concern seems based more on *notion* and not on *reality and facts*.

Concern: Illegal Units - It is the City's burden to figure out and enforce illegal ADUs. At the same time, this absolutely should not thwart the process of revision of the current code and moving forward with legal units. Many people drive illegally, are we going to stop new drivers from legally getting their driver's license? While this may be an oversimplification, you hopefully get my point. The current restrictive ADU codes and regulations clearly contribute to the illegal ADU problem.

Concern: Attached/Detached - I am truly perplexed why this is such a major issue. Why does it make any difference if there is an enclosed breezeway-type connection or not? In older neighborhoods, forcing an attachment certainly does not blend into the neighborhood and is more unsightly. If anyone on the Planning Commission would like to know our own personal proposal to the City and what the City was willing to permit, you would be amazed at how the City completely ignored their regulation that the ADU blend/match the neighborhood. They were willing to permit an ADU on their terms, which would be so unsightly we chose to not move forward with the project. Why do we need a "pilot project"? As already mentioned, there are many places we can look to that allow detached units and can see what their impact has/has not been on their cities and neighborhoods. To not allow detached units city-wide, but only in specific neighborhoods is discriminatory, unfair and makes no sense. It is already taking *years* to get to any point of revision as it is, more red-tape and more *years* to revise on a per-neighborhood basis is ridiculous.

Other issues:

Proposed 5,000 square foot minimum lot requirement for ADUs. The City already has a 30% green space requirement for our protection, thankfully. Why throw up yet another roadblock to ADU development? We live on Ellis Street. Most of the lots along our block are 4750 square feet. Many

have established garages on the back of their properties. Why deny them ADU development if they so choose? While maybe "most" city lots are 5,000 square feet, if you're the unfortunate person with a smaller lot, you're out of luck. Why place any minimum lot size requirement for ADUs when we already have 30% green space protection? While proposing to reduce minimum lot size is better than not reducing it, why dictate minimum lot size at all?

Proposed 20' height restriction (vs. currently 25'). Overall I see no big issue with this for *new* construction. However, if your particular *existing* structure will be denied because it happens to be 22' or 25' high, then again, we have another roadblock to development. Will I be forced to cut off the roof and shorten the structure so that someone can live in my already *existing* structure? Will I have to build an entirely new structure altogether? It seems there should be some language to allow a grandfathering of *existing* structures, or at the very least, a defined process to consider an *existing* structure that may not conform to the proposed 20' height restriction.

ADU - 40% - 50% of primary residence. I could not agree more with Ali on this. If I live in a 1,000 square foot house but can only build a 400-500 square foot ADU, it may not be big enough for my desired situation. Do I tear down and build a bigger house so I can build a larger ADU? Happy Valley can live with 90% on their proposal, why not city-wide? Or, as Iris mentioned, and I completely agree, why not an 800 square foot ADU maximum size, end of subject? Get rid of the percentage complexities; keep it simple. Make it user-friendly and encouraging of development. Green space is already protected. Remember these are *rare*, the permitted ones at least.

While ADUs are clearly not a fix-all to the housing issues facing Bellingham, they do seem like a smart and reasonable contribution. ADUs help to reduce urban sprawl, minimize commute and traffic, and allow a plethora of alternative housing scenarios. If you, a family member, or a friend are able to age in place with dignity and independence for as long as possible, that one *rare* backyard cottage is hugely impactful for that life.

The more restrictive the ADU city code, the more illegal units will result. Housing is a basic need and when cities grow, people have to live somewhere, whether it be in huge apartment complexes built by large developers, urban villages, nursing homes, assisted living facilities or backyard ADUs. If you could choose between a large apartment complex, a nursing home, an assisted living facility, or an ADU, what would you choose?

So far it seems like the City wants to portray the *appearance* of ADU friendliness, but clearly, that's not been the *reality*. The *reality* is only 107-ish have been developed over a 22-year time frame. This makes it obvious to me that it's a bureaucratic nightmare and the City does not truly, in *reality*, support ADU development.

I sincerely appreciate the work that the Planning Commission is doing on this. I hope the City listens.

Sincerely,

Mona Leischner

Marchand, Marie M.

From: Mona Leischner <monaleischner@yahoo.com>
Sent: Friday, April 13, 2018 3:54 PM
To: CC - Shared Department
Subject: Fw: ADUs - My Final Written Comments, Honest :)

----- Forwarded Message -----

From: Mona Leischner <monaleischner@yahoo.com>
To: RMSepler@cob.org <RMSepler@cob.org>; Christopher J. Koch <ckoch@cob.org>; Grp.PL.Planning And Development Commission <planningcommission@cob.org>
Sent: Friday, January 26, 2018, 8:29:32 AM PST
Subject: ADUs - My Final Written Comments, Honest :)

Dear Planning and Planning Commission,

I have a couple of final thoughts I wanted to mention prior to closing public written comment on the revision of the ADU ordinance.

I heard many at last night's meeting plea for the Happy Valley Pilot Project only and not allow city-wide detached units. While each town and each neighborhood may be unique, I don't believe that is so much the case that we can't look to other jurisdictions who allow city-wide detached accessory dwelling units and get a fairly good predictor of how it would or would not impact our city and neighborhoods. From all of the reading I've done, it's just not that damaging and devastating, quite the opposite in my opinion.

A few specific points, one being decreasing **height** from 25' to 20'. If the Commission backs this recommendation with Planning, I hope you will consider the impact it may have on approval/disapproval of *existing* structures. I can understand this for *new* ADU/D-ADU construction. However, if yesterday my existing 21' - 25' structure could be permitted as an ADU, and now today it can't be (if the ordinance change is approved) because the height limit has changed, it's just another barrier to development. I encourage the Commission to consider this and to make sure there is language to provide some flexibility so that the 5' height restriction difference does not prohibit at least *existing* structures from being considered for ADU development. I imagine this would not be a common scenario, but can personally attest that this definitely could occur and am happy to provide a specific example should you be interested.

The other point is **parking**. Please support and allow flexibility. If the owner can provide proof there is sufficient, nearby off-site parking, the on-site parking stall requirement should be allowed to be waived with relative ease. If nearby parking is not a problem, why make this a barrier to development?

Another point is concerning **lot size**, reducing the detached unit requirement from 10,000 sq ft to 5,000 sq ft. I fully support this as long as I understand it correctly. The way I read it, if it's a corner lot or alley lot, lot size becomes a non-issue. Some old neighborhoods have lot sizes just shy of 5,000 sq ft, but most have alley access, so my understanding is they would still qualify for a potential ADU. If my understanding is not correct, then I propose you consider no minimum lot size requirement since 30% green space is already protected.

My final point is **permitting fees**. There should be incentives to get ADUs/D-ADUs on the ground. If the fees are so high that only the elite can afford them, we'll continue to spin our wheels with very few ADUs being developed. All of the revisions and work will be in vain if the permitting costs are so expensive that people are unable to afford to build them.

Thanks for your work and serious consideration.

Sincerely,

Mona Leischner

Marchand, Marie M.

From: Mona Leischner <monaleischner@yahoo.com>
Sent: Friday, April 13, 2018 3:55 PM
To: CC - Shared Department
Subject: Fw: Accessory Dwelling Units

----- Forwarded Message -----

From: Mona Leischner <monaleischner@yahoo.com>
To: planningcommission@cob.org <planningcommission@cob.org>; Christopher J. Koch <ckoch@cob.org>
Sent: Monday, December 5, 2016, 11:54:08 AM PST
Subject: Accessory Dwelling Units

Hi,

The following is a letter I sent to both the Planning Commission and Planning Department over one year ago as a follow up to the November 19, 2015 Planning Commission Work Session on ADUs. Since it's been over one year ago, I am resending the letter as my position has not changed and believe maybe, possibly, *hopefully*, there may be more work and decisions made regarding any revision of the Bellingham ADU Ordinance. Additionally, I hope the public has more opportunity for input at a meeting. Over one year ago, we were told we would have more opportunity to participate, in the spring of 2016, which never happened. Now here we are, quickly approaching 2017. Let's hope the City moves forward with greater allowance for ADU development. It's easily understandable, from my experience, why so many move ahead with illegal units since currently, permitting an ADU is nearly impossible. In our case, the only viable option given by the City would truly spoil the integrity of the particular property and certainly not fit into the character of the neighborhood, something the City did not seem to be really concerned about at the time, unfortunately. Luckily for our neighbors and neighborhood, we are concerned about these issues.

Thank you.
Mona Leischner

The following is the letter originally sent November 23, 2015:

Dear Planning Commission and Planning Department,

After the November 19, 2015 Planning Commission Work Session on ADUs, I have a few more thoughts about it that I would like to share.

The illegal ADUs are a separate issue and should be treated as such. Concern over illegal units should not thwart the process of ADU code revisions or permitting new, legal ADUs.

- A large percent of illegal units are not owner-occupied therefore not eligible to be legal. I walked my neighborhood, not a neighborhood dense with university students, for about 1 hour. I found 9 detached, apparent ADUs, checked the Assessor's web site to find 6 owners had a different address than the ADU property. One would expect the closer proximity to the

university, the less likely it would be owner-occupied. The university area appears to have the highest number of illegal ADU units (at least based on complaints I heard) with likely the lowest rate of owner-occupancy, so not eligible to be legal.

- Most illegal ADUs appear far from meeting code, often impossible to bring up to legal code. The amount of resources needed and/or the feasibility to make it legal is not reasonable.

In summary, an overwhelming majority of existing illegal units would not be eligible or feasible to become legal. This means the dispersion concern is not valid because converting most to legal units is not realistic. The Planning Department stated that legal ADUs have not been a problem or major concern. I agree the City needs to figure out how to address the illegal ADU problem, but not at the expense of legal ADU revisions and permitting. I fully support the City's requirement that a legal ADU needs owner-occupancy on the property in single family zoned neighborhoods, but feel a revision should be made to not require owner-occupancy in multi-family zoned areas.

While I understand and, somewhat support, when needed, the additional parking requirement for ADU development, there should be more flexibility and waivers granted when it makes sense. The particular parcel and neighborhood should be considered.

- It is unrealistic in many older neighborhoods to provide an additional parking space on the small lot. At the same time street parking may be plentiful. To disallow the ADU based solely on the parking issue when the potential for on-street parking is not problematic does not make sense. If the City truly wants to support and encourage this infill and development, flexibility and creativity need to exist.
- Rigid code or inflexible attitudes that there must always be an additional on-site parking space will create designs not fitting to the neighborhood or make development impossible. Curb cuts and other unsightly parking space designs will result, often forcing the structure to be taller.

The Rental Registration and Safety Inspection Program is not going to provide any accurate data on illegal ADUs.

- If a landlord received a notice for their house rental, and in addition they have an illegal ADU, it seems obvious they are not going to voluntarily register the additional illegal ADU rental. The house, maybe. The illegal unit, of course not.
- The Rental Registration and Safety Inspection Program's web site states, "The City sent an informational notice to a database of potential rental property owners announcing the program and providing resources." If a property is owner-occupied and they have an illegal ADU, they would have never received registration for the program as their address and ownership are one in the same and would not be recognized in the database as "potential rental property." Are they suddenly going to volunteer that they have an illegal ADU rental on-site? Of course not.

In summary, for the reasons stated above, this program will not give the City any information on the numbers or location of illegal ADUs. I see no other way than walking streets and alleys like I did. The City needs to allot resources and adopt procedural protocol that is executed to address this problem.

The City should make a revision to allow for detached ADUs.

- Trying to force an attachment, especially in historical neighborhoods where the majority of outbuildings are located behind the main house, make the potential for ADU development limited. Or worse, an attachment is done which is not at all characteristic of the rest of the neighborhood.
- Detached garages converted into an ADU will help clean up many alleys, provide lighting to help reduce crime and make the area generally more appealing.

In summary, requiring an attachment often makes the project less aesthetically pleasing and limits ADU development potential. Whether the ADU is attached or is 30 feet or more away from the main residence is of no consequence. I fully support a revision to allow for detached ADUs.

Finally, in general terms of more ADU development, more liberal code to encourage development, I fully support them in our growing city for numerous reasons.

- Infill vs. urban sprawl
- Potential for affordable housing
- More appealing than huge apartment complex rental
- Convenience to services, transit, walk-ability, bike-ability
- Makes excellent use of existing resources
- Supports a myriad of housing situations: aging family, young family's ability to own a home supported by supplemental rental, numerous care taking scenarios, potential to allow people to stay longer in their own home, ability to downsize on your own property and more.

Obviously, ADUs are not a cure-all for all housing in our community, but a very wise place to begin before looking at expanding growth areas. Many other communities are using them successfully, are far more liberal in their requirements and are benefiting both their city and their residents because of them.

Thank you for your consideration.

Sincerely,

Mona Leischner
monaleischner@yahoo.com

Press Esc or click anywhere to return to Mail.

Marchand, Marie M.

From: leslie t sweeney <ltsweeney@comcast.net>
Sent: Sunday, April 15, 2018 8:13 AM
To: CC - Shared Department
Subject: ADUs

Dear Folks,

Just want to be on the record as being in favor of ADUs. I'm a condo owner in Cordata, but I could well have been an ADU renter in any neighborhood. I've lived in Bellingham for 12+ years, mostly as a studio apartment renter near Sunset Square (homeowner 3 years). We need these kinds of options!!!

Leslie T. Sweeney
PO Box 31734
Bellingham 98228

4232 Wintergreen Circle, #259
Bellingham 98226
360-738-4827

Marchand, Marie M.

From: JR Johnson <hapesjr@hotmail.com>
Sent: Friday, April 13, 2018 11:53 AM
To: Marchand, Marie M.
Subject: DADU Feedback notes
Attachments: City Council DADU Comments.pdf

Hello Marie,

April had asked me to gather feedback and notes of concern regarding the DADU proposals being developing in city council. Attached are those notes, I hope you can share w/ the other council members, as well. Thank you and have a great weekend!

JR Johnson
Columbia Neighborhood
253.691.7039

City Council DADU Comments:

I want to begin by saying I am a proponent of action, b/c inaction will result in an unbridled loss of neighborhood character. However, after having spoken to those skeptical of an updated infill toolkit, I have learned some legitimate concerns that I want to share with the council to consider as they move fwd with this important task:

- All neighborhoods are different, therefore they need to have their own unique infill toolkits. Happy Valley is doing some wonderful things for the Happy Valley neighborhood, but the number one concern I heard was, "We don't want to become Happy Valley!"
- Neighborhood pilots are needed. Aside from Happy Valley, there has been interest for pilots in Columbia, Sunnyland, and Birchwood, plus the Fountain District might be open to an Urban Village model. These pilots must be each defined with a local comments and a set review period.
- AirBnB's, longterm rentals and parking need to be part of the discussion and perhaps a permit process could be involved.
- Size limits needs to be a consideration
- Can neighborhoods be incentivized to participate in pilots, eg discounted waterbills or property taxes?
- It needs to be explicitly clarified in whatever plan that private property is still respected, and those property owners who wish to remain single family can and always will be able to.

There is no doubt that population growth is happening and to do nothing would mean more McMansions and unaffordable living near the heart of the city. I believe most are willing to see action, as long as it is a controlled process. Thank you.

Monday, April 9th, 2018

Bellingham City Council,

Please consider the following:

One ADU per square foot residential property LM.
Bellingham will create up to 15,000 ADU's or more.
Will virtual no impact if:

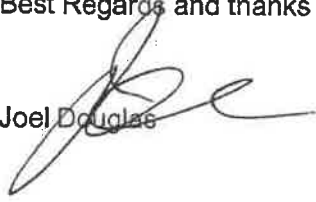
- A. Parking is off street
- B. The owner resides on site

I know of numerous south side/Edgemoor/hill areas where single widows live alone in 3,000-5,000 sq.ft. homes. It's wrong to force a widow to move out and it's wrong to waste good living quarters. As long as fees and regulations persist the problem will get worse.

My 35+ year old daughter in pacific palisades was able to share a home with a widow helping the owner out and able to rent at less than half the price!

Best Regards and thanks for serving,

Joel Douglas



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OR 734-2222
FAX (360) 647-9223
EMAIL: JOEL@HARBORLANDS.COM

JOEL DOUGLAS CELL: (360) 319-5555
MARK DOUGLAS CELL: (360) 201-5555

Bellingham City Council, April, 2018

Hi!

I am Louise Bjornson and I live in Birchwood.

I was on the City Council and helped write the ADU Ordinance. - **ONLY** after many discussion with the public – We decided on **ONLY Attached ADUS** in single family neighborhoods, as they can be designed to fit in with the **least environmental impact**. Since 1995 Attached ADUs have been permitted most ANYWHERE in the city. (As you know, Detached ADUS can be built in the Multifamily Zones)

The **State Growth Management Act** calls for us to “preserve established single family neighborhoods.”

The Attached ADUs fit in with less impact than Detached.

They are **MORE** environmentally sound with the shared walls- easier to heat

They have **MORE** green space for gardens and grassy play areas, and tree canopy

They preserve **MORE** solar access for gardens and solar panels.

In **2009** the Planning Director stated that **No Detached ADUS** allowed in Single Family Neighborhoods.

The **2016 Bellingham Comprehensive Plan** states there is **no need for any rezones** to accommodate the growth for **20 years**. Density was planned for the **Urban Villages** – like Samish Way – where the City and residents already spent a zillion hours zoning and designing for many to people to live close to services.

The **2017 Fact Sheet** from the City’s website states **No Detached ADUs** allowed in Single Family zoned areas.

Suddenly - The proposed change to add Detached ADUs citywide would, in essence be a **huge rezone of much of Bellingham** - **Without** going thru the usual rezoning process. It would have a huge impact on people - Especially in areas with narrow lots and you happen to be the unlucky person next door.

Imagine the shock you would feel if you came home from vacation and **SURPRISE!** There is a **25 foot wall** next to your garden or children's play area blocking out the sun! Someone just changed the rules when you weren't looking.

HOWEVER, this would not happen in areas with strong covenants. Only the older neighborhoods would be impacted. That is NOT equitable!

Zoning is supposed to provide **predictability for residents And for developers.**

If people in an area want to change a zone, we have a process to do so.

Right now we have choices – to live in single family area, duplex, multifamily, condos

Don't take away our ability to have choices.

Let Happy Valley go ahead with their Pilot Project and then take time to analyze the changes.

Please vote NO to the proposed massive (rezone) to build Detached ADUs citywide. It is VERY divisive and would have HUGE impact on so many people and would be going around the normal rezone process.

Thank you, Louise Bjornson

FINAL BILL REPORT

SSB 5567

C 377 L 95
Synopsis as Enacted

Brief Description: Providing for preservation of single-family residential neighborhoods.

Sponsors: Senate Committee on Government Operations (originally sponsored by Senator Heavey).

Senate Committee on Government Operations
House Committee on Government Operations

Background: Counties and cities required to plan under the Growth Management Act are required to adopt a comprehensive plan. One of several elements in the comprehensive plan is a housing element which must:

- recognize the vitality and character of established residential neighborhoods;
- include a statement of goals, policies and objectives for the preservation, improvement and development of housing; and
- identify sufficient land for housing.

(There is concern that these requirements not only do not adequately protect single-family residential neighborhoods, but increase pressure to rezone established single-family neighborhoods to allow development of apartment buildings and commercial uses.)

Summary: A comprehensive plan adopted pursuant to the Growth Management Act must include a housing element. The housing element must:

- • ensure the vitality and character of established residential neighborhoods; and
- • include a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family housing.

Votes on Final Passage:

Senate	46	2	
House	73	21	(House amended)
Senate			(Senate refused to concur)
House			(House refused to recede)
Senate			(Senate refused to concur)
House	70	24	(House receded)

Effective: July 23, 1995

Planning Commission April 30, 2009
PUBLIC HEARING CLOSED

DISCUSSION

Edie Norton asked for clarification on the Toolkit, once adopted, overriding parts of the Bellingham Municipal Code (BMC).

Tim Stewart responded that the Toolkit would over-ride parts of the BMC where the toolkit would be in conflict. He stated that not only are there 375 different zoning districts, there is also complexity in the Sub-division ordinance; as well as, complications in the utility sections of the code as it relates to the proposed housing forms. He pointed out that by allowing the Toolkit to over-ride the BMC in those areas where there is conflict, the issue is resolved.

Nicole Oliver added that the existing zoning can still be utilized, the Toolkit only will over-ride the BMC when a conflict arises between the Code and a proposed housing form.

Kurt Baumgarten suggested that both the carriage housing form and the detached ADU's housing form be allowed in the multi-family duplex zoned areas.

Tim Stewart clarified that although the Infill Toolkit does not apply to any single-family residential neighborhood; future legislative action cannot be bound. He explained that the zoning designation of a current single-family neighborhood could be changed in the future, thus allowing the Infill Toolkit housing forms to be considered for that neighborhood.

Kurt Baumgarten wanted to know if an individual property owner could request this on a single lot.

Nicole Oliver stated that there is suggested language on page 2 that clarified a rezone request would only be considered if it was area wide, or it was part of a neighborhood plan amendment.

Edie Norton requested additional explanations accompany the toolkit when it is released to the public.

Final Copy - 03

affordability for many sectors of the community, including smaller households, students, millennials, boomers, and low-income families.

Concern over housing costs and adequate housing options is a nationwide issue. Solving housing challenges for Bellingham requires a concerted effort from both the public and private sectors. The City is committed to its key responsibilities:

- Providing an adequate land supply to accommodate future growth;
- Fostering housing preservation and improvement;
- Ensuring a mix of housing options;
- Providing infrastructure and public services;
- Offering financial and other incentives (e.g. streamlined review processes);
- Coordinating and supporting agencies that provide housing and services;
- Monitoring the housing affordability gap; and
- Implementing the Home Fund (2012 Housing Levy).

Bellingham accommodates growth primarily through compact development within the City limits, including infill development in areas served by existing infrastructure and services, and mixed-use urban villages and transit corridors (see Land Use Chapter and Supporting Information section of this chapter). No upzones or urban growth area (UGA) boundary expansions are needed to accommodate the 20-year population forecast. Not only does this strategy further the community's goal of vibrant, compact neighborhoods, but it also aligns with the Growth Management Act's (GMA) charge of directing growth to urban areas. Public costs to serve greenfield development can be more than double that of the same services closer to the city center, impacting the amount of resources available for investments in existing areas. Low-density development away from the center can also result in higher household transportation costs and impacts to air quality due to greater reliance on automobiles for daily tasks.



The Shannon Building in Fairhaven is a mixed-used building with market rate housing.

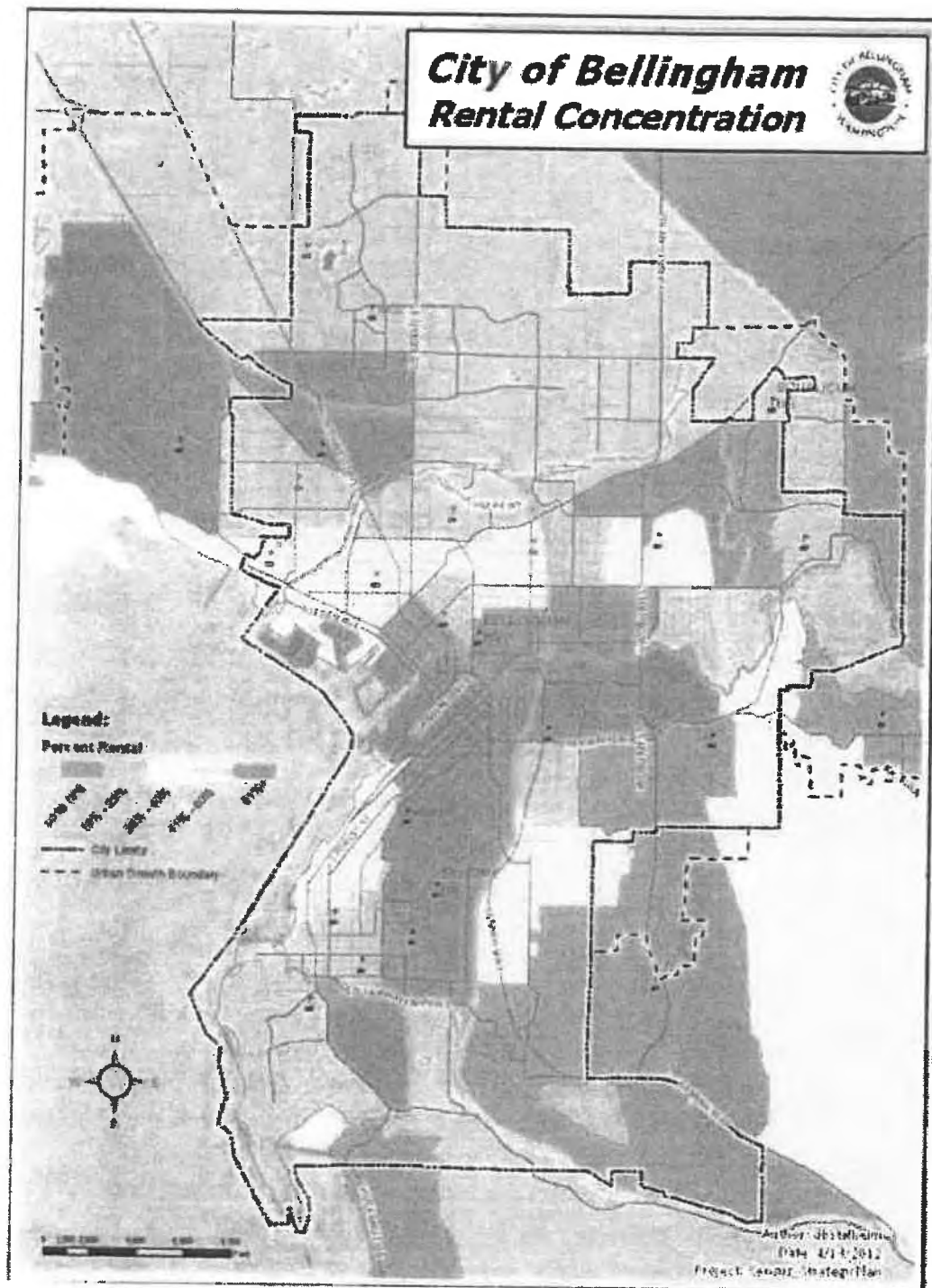
This chapter has been developed in accordance with the Whatcom County Countywide Planning Policies (CPPs) and is coordinated with the City's Consolidated Plan and the other chapters of the Comprehensive Plan. Both the Growth Management Act and CPPs encourage the use of innovative techniques to meet the housing needs of all economic segments of the population and require that the City provide opportunities for a range of housing types. The Consolidated Plan includes several housing and community development goals such as working to end homelessness, supporting equitable investment in public facilities and improvements, and assisting the housing and service needs of the elderly.

2017

Infill Housing Toolkit FAQ Sheet
Planning & Community Development Department
City of Bellingham

1. **What is the Toolkit?** *The Infill Housing Toolkit is a draft change to Bellingham's land use regulations that is proposed for review by the Planning Commission and Council. It is a set of 9 new housing forms for addition to all residential zones except single-family zones, neighborhood commercial zones, and the Lake Whatcom Watershed. The forms include Small and Smaller Lot detached single family houses, Cottages, Detached Accessory Dwelling Units, Carriage Houses over existing garages, Duplex/Triplex, Shared Courtyard, Garden Courtyard and Townhouses.*
2. **Why is the City proposing these changes?** *In accordance with established city goals and policies to promote and encourage infill as a growth management strategy, these new forms have been created to make best use of our remaining land supply.*
3. **How will the Toolkit impact single family neighborhoods?** *As proposed, the Toolkit will not apply in single-family zoned areas. However, one or more Toolkit forms COULD be proposed by a neighborhood association OR by a property owner or developer for addition to existing an single-family zone using a Type VI legislative rezone process (see the back of this sheet for a summary).*
4. **What about density?** *As proposed, the Toolkit would not increase the underlying density of existing zones – which means the number of dwelling units that can be built per square foot of property. However, if two densities are listed in one zone, the higher density would prevail when using Toolkit housing forms.*
5. **How can I find out what areas in my neighborhood would be impacted by the addition of the Toolkit?** *Check the city's website at www.bellinghamwa.gov. Search for Neighborhood Plans and Zoning. This link provides information for each neighborhood, including zoning tables and zoning maps.*
6. **Once adopted, what process would a new Toolkit project use to get a building permit?** *A project would require a Type II administrative process to be approved before getting a building permit. This includes notice to all property owners within 500 feet of the project, and an opportunity to comment. Design Review would be required for any project of 3 units or more (see the BMC 21.10.110 for details).*
7. **Where can I get more information?** *The city's website includes a detailed PowerPoint presentation on the Infill Housing Toolkit, as well as the complete draft ordinance. City staff are happy to attend Neighborhood Association meetings to provide further information. See contact info on the back of this sheet.*
8. **What are the next steps in the review process?** *The Bellingham Planning Commission is scheduled for a public hearing on the Infill Housing Toolkit on Thursday, April 16th at 7:00 p.m. in the City Council Chambers in City Hall. The Planning Commission will form a recommendation to the City Council, who will also hold a public hearing before making a decision. All written comment will be included in the record. The goal is to have Council action by June of 2009.*

FIGURE 6: RENTAL HOUSING



3 MORE reasons to buy a new home now!

3. Thousands of houses on the market
2. Newly built homes
1. Prices have come down

Find your home in The Bellingham Herald
and at TheBellinghamHerald.com/homes

THE BELLINGHAM HERALD
TheBellinghamHerald.com

RE: Dethatched Accessory Dwelling Units

April 09, 2018

RECEIVED
4/9/18 (date)
21922 (RB#)
Lisa Anderson (name)
Bellingham City Council
City Clerk Representative

Greetings City Council members,

This proposal to allow detached ADUs across all neighborhoods, using a top down approach, which does not consider the constraints, uniqueness or real opportunities based on lot size and density in neighborhoods has been divisive.

We have had to endure a lot of political name-calling these past two years at the state and national level, which greatly erodes our democracy. I never thought we would stoop so low at our local level. It has been very troubling reading and listening to members of our community marginalizing homeowners who are in opposition to this plan by referring to them as the gray haired retired wealthy segregationist NIMBY homeowners. Those "gray hairs" were all young activists at one time too. I think they (we) did a pretty darn good job as they (we) struggled in their (our) youth to build their (our) lives and to steward our city's future by working hard to create a sense of place because I think we all recognize Bellingham is a great place to live.

A little history of that stewardship: When commercial development went north and created mall sprawl, our downtown core was barely on life support. We rallied behind saving our downtown, Buy Local not only became a rally cry... it became how we lived our life. We proposed the first and supported many Greenway Levies over the years so we could protect our greenbelts and expand our parks and trails. Those NIMBYs not long ago were our Southside Yimbys who took on extra property taxation so we all could enjoy the preservation from development of our 100 acre woods. In all of my adult years, I cannot remember a school bond ever failing. We agreed to tax ourselves for homeless housing and improved alternative transportation upgrades. Pretty good I would say. What makes Bellingham great is our community and shared values. Why do we now ignore so many voices who want to have a voice in how their neighborhoods grow?

In the fall of 2006 the City of Bellingham offered the Planning Academy for residents across all of our neighborhoods. "These sessions provide the foundation for neighborhoods to embark on priority neighborhood code amendment proposals for submitting to the city," and Neighborhoods took up the challenge. Our neighbors spent thousands of hours meeting with their neighbors and businesses, conducting surveys and holding open meetings. The accumulation of these efforts, that could take a couple years, were our neighborhood plans. Our neighbors worked with City Planning to identify infill and higher density areas, address transportation and parks, and reduced parking requirements to help incentivize growth: Eleanor Apartments and the future former Aloha Motel development are good examples of these efforts. This ADU Ordinance revision is in complete disregard to this commitment from city to our residents to help steward Bellingham's future.

Attached ADUs are already allowed in all single family neighborhoods. Homeowners already have the ability to create a second private living area to rent out for additional income, to help elderly age in place, or to support parents or adult children who are in need of assistance. Attached ADUs already offer additional infill opportunities and provide additional housing choices.

The Land-Use Chapter in our 2016 Comp Plan states the desire to "promote the efficient use of land through a system of mixed use urban villages and corridors and to provide compatible infill development to maintain Bellingham's sense of place by protecting and enhancing the character of existing neighborhoods." The passage of the 2009 Infill Toolkit provides a list of housing options that would not be allowed wholesale in single-family zones without conditions. Detached ADUs and carriage houses are listed as two of these types of housing. The infill toolkit ordinance does provide a pathway for these housing options to be built in an established single-family neighborhood. Neighborhoods could propose it – as Happy Valley Neighborhood has.

Let the neighborhoods and their residents come together and decide how best to enhance their own unique character and what compatible infill looks like. Happy Valley has had the opportunity to choose their pathway for DADUs as a pilot program. Why do we take away the rights of all other neighborhoods to choose and have a voice in the process? I have heard from many residents who state they are not against DADUs, but they abhor the process of how this came about. They are concerned about the size, scope, infrastructure limitations, etc. They want to be able to look at their neighborhoods and decide what works best for the uniqueness of their part of Bellingham. This plan does not allow for that.

Within the first few lines of our Comp Plan's Housing Chapter, it states it provides the framework for promoting a diverse housing supply, protecting and improving the health and livability of the city's neighborhoods. Without a SEPA review how do we know if this major change meets this statement? This plan could affect over 13,000 single-family households. How many will build DADUs? Who knows? We make plans not for today nor just for a year from now. We set forth plans for 20 years on the horizon if not longer.

I personally feel the City's issuance of the Determination of Non-Significance may technically be correct since we are not addressing one specific development. But I truly think in reality the accumulative effect is significant, and as taxpayers we deserve to know if our city's infrastructure – especially in our older historic neighborhoods – CAN handle a lot more development. We ...don't... know. And the city cannot assure us we can handle this potentially intensive infill or what affects it will have on our quality of life without a SEPA review. What will be the strain on our small inner neighborhood parks, our transportation, our fire and safety? How much tree canopy will we lose? What will be our loss of wildlife habitat? With more non-permeable surfaces, what effects will that have on our storm water and waterways? People expressed concern on climate change. Well, the loss of our permeable surfaces and the creation of heat islands will not help. We may eventually use less cars, but we will need more air-conditioning.

Being able to alleviate and mitigate some of these concerns is why we chose, as a community, to invest our future in our Urban Villages. As Bellingham grows, the green space in our older neighborhoods will provide habitat, water protection, and visual peace from a city landscape. I never want Bellingham to look like Seattle's urban core. We deserve to have a SEPA conducted so we are informed about these questions and have the opportunity to plan on how to mitigate the negative and qualify the positive.

Let's be honest....our older neighborhoods will be the most affected neighborhoods since they do not have protective covenants. If a SEPA review is conducted, let that help us guide our framework and use that information to work with the neighborhoods to hear their collective voices to amend their neighborhood plans.

Am I against DADUs? No. I think they are a good housing option in the right conditions. I do not believe there is a one-size-fits-all. If we attempt to accomplish that with this plan, some of our neighbor's homes, lives, and investment will be impacted in negative ways. What might fit a 20,000 foot lot would not be what we would want on a 5,000 foot lot. I cannot imagine allowing a homeowner of a 1200-foot craftsman on a 5,000 foot lot to build an 800 foot DADU in their back yard and not having it impact their neighbors – especially if it was a carriage house two stories tall. That is why we need to have a per-neighborhood process for DADUs, or minimally require all DADUs to apply for a Conditional Use Permit to demonstrate they will have little negative impact on their neighbors.

I ask that we work on a pathway to legitimize the unpermitted DADUs that are currently in our neighborhoods. It makes no sense for owners to keep them underground for fear of being shut down. If they can pass a building inspection and are owner occupied, we should find a way to daylight them and be permitted. That would help fulfill Policy H-9 in our Comprehensive Plan's Housing Chapter; "Update the City's ADU ordinance with priorities on evaluating and inventorying ADUs in the city." It also states, "Identify appropriate areas for detached ADU's". Identify Appropriate Areas. I don't think a one-size-fits-all, top down decision void of working directly with neighborhoods is fulfilling that objective.

I am not against D-ADUs. What I am against is a bad process. I ask you do not approve this plan and accept Happy Valley's pilot project. Allow Happy Valley to be a true pilot test so we can learn if it can be enforced, what the impacts are, and identify how we mitigate those impacts. We should be encouraging neighborhoods to update their neighborhood plans to incorporate DADUs. Having real data based on statistical information from Bellingham, not Portland or Seattle, should be provided to develop an informed DADU ordinance that reflects specific limitations AND opportunities in the future.

Thank-you,

Lisa A. Anderson

Speaking as a resident

April 3, 20018

To the City Council Members, Mayor, and Planning Dept.

My name is Terri Marshall and I live in the Puget Neighborhood. I am a disabled widow and live with my disabled son. Our house is in a Single Family Zoned Neighborhood. I am able to live in this neighborhood because my late husband worked hard and saved money so I would be able to have enough to live on if something happened to him.

I am against the city wide change of allowing DADU's in Single Family Neighborhoods for several reasons, those listed below being a few of them.

1. The Importance that backyards play in the prevention of Global Warming. Backyard soils can lock in more planet-warming carbon emissions than soils found in native grasslands or urban forests and that backyards do benefit cities and should be factored into urban planning according to an article published in the journal Ecological Applications. The addition of DADU's in backyards add to global warming by covering up the backyard soils that help fight global warming. Those concerned with the environment and global warming should not be for building DADUs in back yards.
2. Enforcement will not happen. The City can't or won't enforce the zoning laws we have now. There are illegal boarding houses, illegal rentals and building code violations that the City says they can't do anything about, and that is just in the one block area where I live. Who is going to be the enforcers of the new regulations? The City doesn't have the resources or the will to do it.
3. Parking and traffic will be a serious problem. If more infill with-DADU's-is allowed to be built in the Puget and Whatcom Falls Neighborhoods, Lakeway Drive traffic, which is bad now, will become more of a nightmare. The illegal college houses (one with 10-13 kids living in it) on my block, also causes serious parking and traffic problems.
4. Size restrictions. The size of an DADU is limited to 800 square feet but you can have a shed or garage underneath. Once occupancy is permitted, what will stop the home owner from turning the garage or shed into more rooms to add to the DADU? A neighbor would have to complain which pits neighbor against neighbor. That is exactly what happened to me and my neighbor and his 3 unit building.
5. Because I live in a Single Family Neighborhood, I have been called an elitist, racist and exclusionary. I am none of these. I have friends whose first languages are different than mine, are from different countries and are from upper and lower income levels than mine. The Single Family Neighborhood where I live has people from different backgrounds, different countries and are from a lot of different income levels. We have neighborhood functions and I know at least several families donate time and money to make this a better world. I certainly wouldn't call our neighborhood elitist, racist nor exclusionary.
6. I am also on the Puget Neighborhood Board. We have been called exclusionary and quasi government. I guess Abraham Lincoln didn't know what he was talking about when in his Gettysburg Address he said, "of the people, by the people, for the people". We are accused of the evil of pushing back against what The City Council wants to do. I think that is our right as Americans.

April 3, 20018

7. The citizens in Bellingham should be able to have input into what happens in their neighborhoods. They know their neighborhood and know what is best for them. The college students who are here don't, but they are very vocal about calling names and telling us how to run our neighborhoods. Let the citizens who will be affected decide. That is what our country is founded on. Right now, a lot of citizens and neighborhood boards in Bellingham feel marginalized. I know I feel like our city government thinks I am not smart enough to be listened to, my point of view is wrong and the city knows what I need and I don't. The City Council, and the City Planning Commission do not know me, my neighborhood nor my Neighborhood Association Board. Making false and unwarranted accusations about us is not helpful. Please go ahead with the Happy Valley Pilot Project and let the rest of the neighborhoods watch for a few years to see the outcome. That way each neighborhood can make an educated decision on what will work in their neighborhood.

Respectfully yours,

Terri Marshall

The New York Times

A Secret Superpower, Right in Your Backyard

RECEIVED
4/9/18 (date)
21922 (AB#)
Tesi Marshall (name)
Bellingham City Council
City Clerk Representative



Carly Ziter, a Ph.D. candidate at the University of Wisconsin, collecting a soil sample in Madison.
Lauren Jensen

By Kendra Pierre-Louis (<https://www.nytimes.com/by/kendra-pierre-louis>)

March 6, 2018

As the verdant hills of Wakanda are secretly enriched with the fictional metal vibranium in “Black Panther,” your average backyard also has hidden superpowers: Its soil can absorb and store a significant amount of carbon from the air, unexpectedly making such green spaces an important asset in the battle against climate change.

Backyard soils can lock in more planet-warming carbon emissions than soils found in native grasslands or urban forests like arboretums, according to Carly Ziter, a Ph.D. candidate at the University of Wisconsin-Madison.

The results of her research, published Tuesday in the journal *Ecological Applications* (<http://onlinelibrary.wiley.com/doi/10.1002/eap.1689/full>), were something of a surprise, given that those of us who have yards generally don't

think of them as “nature,” or as especially beneficial to the environment. But at least in this case, the things we enjoy for ourselves are also helping the community at large.

Ms. Ziter studied the powers of yards by knocking on doors in Madison and asking residents to let her sample their backyard soil. Parents would often send their children outside to observe Ms. Ziter’s work. “They would say, ‘Oh, there’s a scientist in the yard, go see what she’s doing,’” she said, laughing. “All of a sudden there would be three small children and a dog surrounding me when I’m taking soil samples.”

As cities look for ways to mitigate the effects of global warming, urban green spaces are often cited as a potential solution. Green spaces can reduce temperatures in cities where paved surfaces magnify hot weather (<https://green.blogs.nytimes.com/2012/04/25/on-an-urban-heat-island-zippy-red-oaks/>), and they can capture storm water to reduce flooding as climate change leads to increasing rainfall (<https://www.nytimes.com/interactive/2017/08/08/climate/nine-takeaways-climate-report.html>) in some parts of the country.

Until now most research in this vein focused on larger green spaces like parks, which could give the impression that smaller spaces like yards do not contribute to the bigger urban ecosystem.

“But what we realized is that people’s backyards are a really big player here,” Ms. Ziter said.

To get a more nuanced picture of the services that green spaces provide in a city, Ms. Ziter took soil samples from 100 sites in Madison. The sites ranged from forests to grasslands to open spaces, a category that includes parks, golf courses and cemeteries. She also sampled from residential lots, which cover 47 percent of Madison’s landscape (but only parts of those lots are yards).



A soil sample collected by Ms. Ziter. Her findings suggest people's backyards may do more to store carbon than previously thought. Carly Ziter

The study showed that the soil in forest ecosystems was best at absorbing water. But soil on open and developed land — like golf courses and backyard lawns — was better at absorbing carbon.

It was not clear why the soil in residential green spaces was better at sequestering carbon, but Ms. Ziter thinks it might be related to how people manage their yards, like by mowing. So there is a risk that the carbon we release using gas-powered lawn mowers, for example, could eclipse the soil's ability to absorb carbon.

And before we start chopping down forests and putting in lawns, it is important to note that the study focused on soils, not on what may be growing above.

“Carbon storage as an ecosystem service can't be just reduced to soil carbon,” said Marco Keiluweit, an assistant professor of soils and the environment at the University of Massachusetts, Amherst, who was not involved with the study. “You also have to factor in the carbon above ground. If you have a forest ecosystem you probably have as much locked up in trees.”

Still, the study suggests that fragmented ecosystems like those in backyards do benefit cities and should be factored into urban planning. For example, green spaces placed next to developed spaces might act as a buffer against the

negative effects that impervious surfaces have on the environment.

Ms. Ziter and Dr. Keiluweit agreed that minimizing pavement and keeping green spaces green was an important first step.

“You don’t need to have a perfect lawn for it to be really beneficial,” Ms. Ziter said. “You don’t have to have an incredibly intensive management system. It’s O.K. to have things to be a little wild.”

Kendra Pierre-Louis is a reporter on the climate team. Before joining The Times in 2017, she covered science and the environment for Popular Science. [@kendrawrites](https://twitter.com/kendrawrites) (<https://twitter.com/kendrawrites>).

(https://www.facebook.com/dialog/feed?app_id=9869919170&link=https%3A%2F%2Fwww.nytimes.com%2F2018%2F03%2F06%2Fgarden-global-warming.html&smid=fb-share&name=A%20Secret%20Superpower%2C%20Right%20in%20Your%20Backyard&redirect=https://twitter.com/intent/tweet?url=https%3A%2F%2Fwww.nytimes.com%2F2018%2F03%2F06%2Fclimate%2Fyard-garden-global-warming.html&text=A%20Secret%20Superpower%2C%20Right%20in%20Your%20Backyard)
(mailto:?)
subject=NYTimes.com%3A%20A%20Secret%20Superpower%2C%20Right%20in%20Your%20garden-global-warming.html)

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Marchand, Marie M.

From: brfking@aol.com
Sent: Thursday, April 12, 2018 7:51 AM
To: CC - Shared Department
Subject: ADU's

Dear Members of the City Council,

I strongly oppose allowing the expansion of ADU's in the South Hill neighborhood. It will put an **unfair burden** on an area with most of the on-street parking needed for current residents. This is due to the fact that many homes do not have driveways or garages. In addition many alleys are narrow, not through, and serve houses on steep slopes which makes using them for resident parking difficult.

Requiring only one off street parking place for a new ADU which could house up to 4 residents has the possibility of placing many more cars on our streets which are already impacted by WWU student parking - although illegal.

This change will cause residents, many of whom are aging, to often park further from their homes and then walk longer distances carrying groceries and other heavy necessities.

Thank you for your consideration of this matter.

Barbara King
416 N Forest St.

RE: Detached Accessory Dwelling Units

April 09, 2018

Greetings City Council members,

This proposal to allow detached ADUs across all neighborhoods, using a top down approach, which does not consider the constraints, uniqueness or real opportunities based on lot size and density in neighborhoods has been divisive.

We have had to endure a lot of political name-calling these past two years at the state and national level, which greatly erodes our democracy. I never thought we would stoop so low at our local level. It has been very troubling reading and listening to members of our community marginalizing homeowners who are in opposition to this plan by referring to them as the gray haired retired wealthy segregationist NIMBY homeowners. Those "gray hairs" were all young activists at one time too. I think they (we) did a pretty darn good job as they (we) struggled in their (our) youth to build their (our) lives and to steward our city's future by working hard to create a sense of place because I think we all recognize Bellingham is a great place to live.

A little history of that stewardship: When commercial development went north and created mall sprawl, our downtown core was barely on life support. We rallied behind saving our downtown, Buy Local not only became a rally cry... it became how we lived our life. We proposed the first and supported many Greenway Levies over the years so we could protect our greenbelts and expand our parks and trails. Those NIMBYs not long ago were our Southside Yimbys who took on extra property taxation so we all could enjoy the preservation from development of our 100 acre woods. In all of my adult years, I cannot remember a school bond ever failing. We agreed to tax ourselves for homeless housing and improved alternative transportation upgrades. Pretty good I would say. What makes Bellingham great is our community and shared values. Why do we now ignore so many voices who want to have a voice in how their neighborhoods grow?

In the fall of 2006 the City of Bellingham offered the Planning Academy for residents across all of our neighborhoods. "These sessions provide the foundation for neighborhoods to embark on priority neighborhood code amendment proposals for submitting to the city," and Neighborhoods took up the challenge. Our neighbors spent thousands of hours meeting with their neighbors and businesses, conducting surveys and holding open meetings. The accumulation of these efforts, that could take a couple years, were our neighborhood plans. Our neighbors worked with City Planning to identify infill and higher density areas, address transportation and parks, and reduced parking requirements to help incentivize growth: Eleanor Apartments and the future former Aloha Motel development are good examples of these efforts. This ADU Ordinance revision is in complete disregard to this commitment from city to our residents to help steward Bellingham's future.

Attached ADUs are already allowed in all single family neighborhoods. Homeowners already have the ability to create a second private living area to rent out for additional income, to help elderly age in place, or to support parents or adult children who are in need of assistance. Attached ADUs already offer additional infill opportunities and provide additional housing choices.

The Land-Use Chapter in our 2016 Comp Plan states the desire to "promote the efficient use of land through a system of mixed use urban villages and corridors and to provide compatible infill development to maintain Bellingham's sense of place by protecting and enhancing the character of existing neighborhoods." The passage of the 2009 Infill Toolkit provides a list of housing options that would not be allowed wholesale in single-family zones without conditions. Detached ADUs and carriage houses are listed as two of these types of housing. The infill toolkit ordinance does provide a pathway for these housing options to be built in an established single-family neighborhood. Neighborhoods could propose it – as Happy Valley Neighborhood has.

Let the neighborhoods and their residents come together and decide how best to enhance their own unique character and what compatible infill looks like. Happy Valley has had the opportunity to choose their pathway for DADUs as a pilot program. Why do we take away the rights of all other neighborhoods to choose and have a voice in the process? I have heard from many residents who state they are not against DADUs, but they abhor the process of how this came about. They are concerned about the size, scope, infrastructure limitations, etc. They want to be able to look at their neighborhoods and decide what works best for the uniqueness of their part of Bellingham. This plan does not allow for that.

Within the first few lines of our Comp Plan's Housing Chapter, it states it provides the framework for promoting a diverse housing supply, protecting and improving the health and livability of the city's neighborhoods. Without a SEPA review how do we know if this major change meets this statement? This plan could affect over 13,000 single-family households. How many will build DADUs? Who knows? We make plans not for today nor just for a year from now. We set forth plans for 20 years on the horizon if not longer.

I personally feel the City's issuance of the Determination of Non-Significance may technically be correct since we are not addressing one specific development. But I truly think in reality the accumulative effect is significant, and as taxpayers we deserve to know if our city's infrastructure – especially in our older historic neighborhoods – CAN handle a lot more development. We ...don't... know. And the city cannot assure us we can handle this potentially intensive infill or what affects it will have on our quality of life without a SEPA review. What will be the strain on our small inner neighborhood parks, our transportation, our fire and safety? How much tree canopy will we lose? What will be our loss of wildlife habitat? With more non-permeable surfaces, what effects will that have on our storm water and waterways? People expressed concern on climate change. Well, the loss of our permeable surfaces and the creation of heat islands will not help. We may eventually use less cars, but we will need more air-conditioning.

Being able to alleviate and mitigate some of these concerns is why we chose, as a community, to invest our future in our Urban Villages. As Bellingham grows, the green space in our older neighborhoods will provide habitat, water protection, and visual peace from a city landscape. I never want Bellingham to look like Seattle's urban core. We deserve to have a SEPA conducted so we are informed about these questions and have the opportunity to plan on how to mitigate the negative and qualify the positive.

Let's be honest....our older neighborhoods will be the most affected neighborhoods since they do not have protective covenants. If a SEPA review is conducted, let that help us guide our framework and use that information to work with the neighborhoods to hear their collective voices to amend their neighborhood plans.

Am I against DADUs? No. I think they are a good housing option in the right conditions. I do not believe there is a one-size-fits-all. If we attempt to accomplish that with this plan, some of our neighbor's homes, lives, and investment will be impacted in negative ways. What might fit a 20,000 foot lot would not be what we would want on a 5,000 foot lot. I cannot imagine allowing a homeowner of a 1200-foot craftsman on a 5,000 foot lot to build an 800 foot DADU in their back yard and not having it impact their neighbors – especially if it was a carriage house two stories tall. That is why we need to have a per-neighborhood process for DADUs, or minimally require all DADUs to apply for a Conditional Use Permit to demonstrate they will have little negative impact on their neighbors.

I ask that we work on a pathway to legitimize the unpermitted DADUs that are currently in our neighborhoods. It makes no sense for owners to keep them underground for fear of being shut down. If they can pass a building inspection and are owner occupied, we should find a way to daylight them and be permitted. That would help fulfill Policy H-9 in our Comprehensive Plan's Housing Chapter; "Update the City's ADU ordinance with priorities on evaluating and inventorying ADUS in the city." It also states, "Identify appropriate areas for detached ADU's". Identify Appropriate Areas. I don't think a one-size-fits-all, top down decision void of working directly with neighborhoods is fulfilling that objective.

I am not against D-ADUs. What I am against is a bad process. I ask you do not approve this plan and accept Happy Valley's pilot project. Allow Happy Valley to be a true pilot test so we can learn if it can be enforced, what the impacts are, and identify how we mitigate those impacts. We should be encouraging neighborhoods to update their neighborhood plans to incorporate DADUs. Having real data based on statistical information from Bellingham, not Portland or Seattle, should be provided to develop an informed DADU ordinance that reflects specific limitations AND opportunities in the future.

Thank-you,

Lisa A. Anderson

Speaking as a resident

Marchand, Marie M.

From: CC - Shared Department
Sent: Wednesday, April 11, 2018 2:21 PM
To: Grp.CC
Subject: FW: ADU policy input
Attachments: Accessory Dwelling Units in Portland Oregon_ Evaluation and Inte.pdf

From: Mike and Kristina Heintz <mikeheintz@msn.com>
Sent: Wednesday, April 11, 2018 2:04 PM
To: CC - Shared Department <cc@cob.org>
Cc: Koch, Christopher J. <ckoch@cob.org>; MY - mayorsoffice@cob.org <mayorsoffice@cob.org>; Sepler, Rick M. <rmsepler@cob.org>
Subject: ADU policy input

Dear Council Members,

I want to thank you for this public dialogue & comment period regarding the standardization of ADU Codes & the allowance of city-wide D-ADUs.

I have revised my support in one area from my previous comments. I support all the planning commissions' proposed recommendations and ask Council to adopt all of them as written, EXCEPT for the parking requirement. The parking requirement should be eliminated. There is no data that shows the need for this costly addendum and what data there is suggests they increase the traffic congestion they claim to mitigate, increase construction & downstream rental costs & displace buildable/gardening land.

I request that Council use data, evidence & compassion to drive and inform policy-making, not succumb to fear and anecdote.

Below are some links that provide data & support for A-ADUs/D-ADU that I would like to share as part of this conversation and hope that you will consider in your deliberations.

YES-ADUs do fill affordable housing niches:

<https://www.mauicounty.gov/DocumentCenter/View/95481>

Cites data from a Berkley study that 30% of ADUs are affordable to those renters at 30-49% AMI & additional 49% affordable to 50-80% AMI. They cite Marin County, CA data that shows 62% of ADUs rentals are affordable to those making less than 80%AMI.

See above attachment re: results of Portland, OR ADU owner survey. It shows 13% free rentals & 7% below \$500 month rents(far below market value) for ADUs.

<https://accessorydwellings.org/2014/08/07/do-adus-provide-affordable-housing/>

"...Studies in two cities indicate that, without any regulation or subsidy, 15-20% of ADUs are occupied for rents that are zero or far below market rates...."

Berkley study showed 20% free ADU rentals (7 of 34).

Also the nextcity link article below under ADU cites a report showing a majority of ADUs rent for below market rates(58%).

ADUs:

<https://accessorydwellings.org/2018/04/03/accessory-dwelling-units-a-tale-of-two-cities/>

Describes how Minneapolis succeeded in building 92 ADUs (internal, attached & detached) by allowing city-wide ordinance compared to 1 ADU approved in St. Paul with a neighborhood to neighborhood approach to allowing ADUs.

<https://www.huduser.gov/portal/pdredge/pdr-edge-featd-article-072417.html>

Filling in Housing Gaps

<https://www.citylab.com/design/2018/01/the-granny-flats-are-coming/550388/>

<https://santacruzarchitect.wordpress.com/2016/12/19/california-legislature-lowers-the-bar-on-granny-units/>

<https://nextcity.org/daily/entry/california-adu-applications-skyrocket-after-regulatory-reform>

Benefits of reducing permitting obstacles & parking requirements and cites a study showing 58% of ADU owners charge below market rents.

Exclusionary Zoning Practices:

Below please find several links to the plethora of evidence showing that low-density exclusionary zoning is a primary driver of economic & racial segregation and social inequity:

<http://www.sightline.org/2016/04/20/how-exclusionary-zoning-robs-our-cities-of-their-best-qualities/>

<http://www.sightline.org/2018/03/14/infographic-the-mean-musical-chairs-of-rising-rent-and-home-prices/>

<https://www.mercatus.org/publication/how-land-use-regulation-undermines-affordable-housing>

"...Because land-use regulations tend to limit housing supply and drive up the price of housing, current homeowners tend to benefit while renters and new homeowners are harmed...."

<https://www.sciencedirect.com/science/article/pii/S016920461500242X>

As compactness doubles, the likelihood of upward mobility increases by about 41%.

Parking Requirements:

The following links discuss the literature that shows that parking requirements create barriers to affordable housing- raise housing & rental prices, increase traffic congestion, and usurp buildable land:

<https://www.scribd.com/document/357379790/Eliminating-Parking-Requirements>

<https://accessorydwellings.org/2016/01/19/to-dadu-or-not-to-dadu-seattles-adu-debates/>

<https://www.seattlemet.com/articles/2018/3/30/how-seattle-s-new-law-would-change-parking-requirements>

http://www.atlantabike.org/parking_minimum

In my observation, ADU builders are homeowners, not developers, who appear to desire something more than profit. I want to be a part of the solution in creating housing for someone that needs it for little to no rent. By having Council approve D-ADUs city-wide and eliminate permitting & parking barriers which increase

construction costs, I hope to be able to build a D-ADU and contribute to the creation of a more vibrant diverse community.

I have no doubt we can become an inclusive joyful city where all have enough and all are able to thrive if we have the dedication, will and vision to care for each other as our common goal.

Thank you for your time, thoughtful consideration and service,

Kristina Heintz
Birchwood

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Good Morning, Marie,

Thank you for your feedback and for passing my comments on to Council. I am very appreciative. I had 2 attachments, but since the Maui one had a link in the text, I assume you are speaking of the Portland attachment.

https://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?referer=http://r.duckduckgo.com/&httpsredir=1&article=1040&context=trec_seminar

This is a seminar on PDF with good graphs. Found that ADUs are urban infill utilizing pre-existing infrastructure, with removal of restrictions construction of ADUs increased about 8-fold, 96.6% used as housing, much lower environmental impacts, lower vehicles per household, DADU average cost to construct \$100,00 & property tax increase \$1134. It is based from the study below, so the text summary is found in the link below.

<http://www.oregon.gov/deq/FilterDocs/ADU-surveyinterpret.pdf>

ADUs do provide housing. At any one time about 80% of ADUs are in use as long-term residences. The remaining 20% have alternative uses, but can be converted to housing with no further construction or permitting. Changing uses is part of the attraction for owners.

2. Most properties with ADUs (64%) are occupied by their owner, even though Portland has no requirement they do so.

3. ADUs seem to be at least as attractive to renters as apartments in multifamily buildings, and may be preferred by them.

4. ADUs are likely to have a low environmental impact compared to other dwellings. Their median area per resident is 44% lower than newly constructed single family residences, and some ADUs have a notable number of above-code green features.

5. ADUs are associated with an average of 0.93 cars per dwelling, lower than the Portland average of 1.31 for all new rentals. Of those 0.93, an average of 0.46 are parked on the street. Since ADUs are also extremely rare, ADUs have had negligible impact on parking conditions citywide. ADUs may be as effective in reducing vehicles owned per household as transit-oriented developments.

6. ADUs do serve older persons, both as places to live and assets to own, but not to a greater extent than other forms of housing. However, many Portland ADUs are owned by 55-64 year-olds, who will be 65+ in a decade. The beneficial effect of ADUs for older persons will likely be larger then.

7. ADUs support the community economically through one-time construction costs, averaging \$78,760 per unit, and ongoing property taxes, estimated to average \$1134/yr (using recent tax levy rates).

8. The claim that ADUs provide affordable rental housing is a complex one to evaluate. Housing affordability has been defined in many ways, and ADUs have unusual properties as rentals. 18% of Portland ADUs are occupied for free or extremely low cost. This unregulated, "volunteer" affordable housing has been created with little subsidy or intervention from the government. Meanwhile, about 80% of ADUs rent for market rates, or a slight premium, compared to apartments of similar size and location.

9. Financial gain through rental income is the most common motivation for the homeowner-developers who create ADUs, followed by housing for a family member or helper. Construction costs, design constraints and financing are the most common barriers to ADU development. Overall, ADUs seem to differ from other housing in the individualistic ways they are created, owned, and managed by typical homeowners rather than developers and investors. In Portland, this "grassroots," nonprofessionalized kind of development appears to be providing a variety of benefits to owners and

Additional links & summaries for Council are below:

<https://accessorydwellings.org/2014/08/07/do-adus-provide-affordable-housing/>

So — to sum up — ADUs do create affordable housing, but not in the usual institutional way. The affordable housing ADUs create is unlike the product of the affordable housing industry. It is totally voluntary and unguaranteed, and the way it is made available will not always be fair. For these reasons ADUs can never be the entire solution to the affordable housing challenge. On the other hand, ADUs are extremely economical to construct per unit, cost the government little or nothing to allow, and — given the number of single family residences in US cities — could be incredibly abundant.

<https://www.strongtowns.org/journal/2017/4/6/accessory-dwelling-units-a-flexible-free-market-housing-solution>

Accessory dwelling units will not solve housing affordability crises by themselves, nor will they be suited to widespread adoption in every market. But there is little reason for towns and cities to persist in outlawing a flexible housing form that was widespread in the first half of the 20th century, just because it fell afoul of trendy regulations in the second half. The American built environment was notably adaptable throughout the growing country's many changes up until the postwar land use codes were imposed and accumulated. Given the significant national changes still unfolding, land-use and building regulations need to provide as much adaptability and flexibility as cities can provide. Legalizing accessory dwelling units should be a simple way to engage that process.

<http://www.rstreet.org/wp-content/uploads/2017/03/89.pdf>

As an NYU Furman Center working paper noted: "Micro-units [ADUs and compact apartments] in many cities frequently rent at rather high rates per square foot, but at lower total monthly rent levels, than larger apartments." 11 In this sense, ADUs remain a source of affordable housing. In supply-constrained housing markets, any production of additional dwelling space will help ease rental market pressure, and production of low total rent units is all the more welcome. Further, as Brown and Palmieri note, the zero and below-market rents that are presumably charged to family members or friends should not be dismissed. Voluntarily discounting rent to those with whom the property owner has pre-existing relationships is still a provision of affordable housing. Where the housing is provided to elderly relations who might otherwise require costly personal care, it also represents a potentially large government savings. Rejoining multiple generations in close living arrangements allows for child care or eldercare to be provided by the family, instead of relying on expensive market services.

Thank you for your help on this & have a great day,

Kristina Heintz

Marchand, Marie M.

From: Colleen and Greg <cghoffenbacker@yahoo.com>
Sent: Tuesday, April 10, 2018 7:54 PM
To: Barker, April; Knutson, Gene R.; Hammill, Daniel C.; Vargas, Pinky T.; Bornemann, Terry R.; Lilliquist, Michael W.; Murphy, Roxanne J.
Cc: MY - mayorsoffice@cob.org; CC - Shared Department; Koch, Christopher J.; Grp.PL.Planning Mail (planning@cob.org)
Subject: Accessory Dwelling Units (ADUs) - A Modest Proposal

Dear City of Bellingham Council Members, Mayor Kelli, and Mr. Koch,

We sincerely hope that you can honor the commitment to the original 2009 growth plan, but if for some reason that is not possible, then we hope that you will consider something between the two extremes of ALL or NOTHING.

- 1) On one extreme, we continue the citywide ban on all DADUs.
- 2) On the other extreme, we allow new DADUs to be built everywhere, without any consideration for neighbors, without any consideration for the environmental impact, and without any consideration for affordability.

It seems to me, that between these two extremes, there is plenty of room for a good common-sense solution that actually works for everyone socially, environmentally, and economically.

Here's A Modest Proposal: why not allow DADUs in some existing structures (like my neighbors DADU - see Good DADUs vs. Bad DADUs below), but ban new construction of DADUs without neighborhood collaboration? This would allow a significant number of good DADUs that are socially, economically, and environmentally friendly, while preventing construction of bad ones that aren't.

This is just one possibility. *Let's be open to collaboration and let's be open to some compromise to create a good solution that benefits the entire community.*

Good DADUs vs. Bad DADUs

Our neighbors have a DADU. I think it's over a hundred years old. It was probably originally built as a carriage house or small garage. Years ago, it was converted to a small studio apartment and occupied for a few years. It's illegal and for the last several years hasn't been used at all.

Personally, I like it. It's an example of what I call a **good DADU**. It could be a nice one- or two-person home. Since there is no new construction involved, it's environmentally friendly and it would probably be relatively affordable.

On the other hand, however, if my wife and I were to build a DADU in our backyard to the specifications proposed in this ordinance, I think our neighbors would classify it as a **bad DADU**.

1. It would block their view and it would shade their small backyard.
2. It wouldn't be environmentally friendly. We would need to cut down some trees and eliminate our garden and some greenspace and wildlife habitat.

3. It wouldn't be affordable. It would be expensive to build and we would have to charge considerable rent in order for us to afford it. We would also have to sell our home for a higher price when we move out, which is not good news for any prospective first-time home buyers wanting to buy in town.

Thank you considering these ideas, for your time, and for your service to the citizens of Bellingham.

Sincerely,
Greg & Colleen Hoffenbacker

Marchand, Marie M.

From: Mike and Kristina Heintz <mikeheintz@msn.com>
Sent: Tuesday, April 10, 2018 3:10 PM
To: Koch, Christopher J.
Cc: CC - Shared Department; MY - mayorsoffice@cob.org; Sepler, Rick M.
Subject: HUD & other ADU studies

Good Afternoon, Chris,

I am writing to provide you with information regarding the HUD study data I referenced in my public comments at last night's meeting.

It turns out I conflated different articles, 3 from HUD & 1 from accessory dwellings. I have included the links below for clarification. The data is the same, it is sourced from study sources other than just HUD. I apologize for any confusion & hope this corrects anything that I may have misstated.

<https://accessorydwellings.org/2014/08/07/do-adus-provide-affordable-housing/>

"...Studies in two cities indicate that, without any regulation or subsidy, 15-20% of ADUs are occupied for rents that are zero or far below market rates...."

However, the averages aren't the story — rather, the story is the lower end of the distribution. 13% of ADUs are occupied for zero cash rent, and another 5% are occupied for <=\$500/month, extremely low rents for Portland in my experience. If you make the arbitrary rent dividing line a little higher than \$500, the proportion of free or ultra-low cost units easily reaches 20%.

This figure is no fluke — a survey in the Bay Area showed a similar number. There, 17% of (mostly unpermitted) ADUs are occupied for zero cash rent.

This is a remarkable finding, because it shows that the homeowner-developers behind ADUs are not acting like professional real estate investors. With zero subsidy or regulation, they are choosing to receive far less than market rent, in a real estate market where many could make four figures monthly. They are choosing to prioritize something other than financial return...."

(Part of the data from the above article is from the UC Berkley IURD Working Paper: Understanding the Market for Secondary Units in the East Bay below link.

<https://escholarship.org/uc/item/9932417c>

You can read the actual study if you download the main content pdf. 20% of the units were free (7 of 34) & several were far below market rents starting at \$550 per month.)

Below are 3 links to different HUD studies(2 cite the same ADU study but elaborate on different aspects) that I referenced & compiled data from:

https://archives.huduser.gov/periodicals/ResearchWorks/march_09/RW_vol6num3t2.html

Accessory Dwelling Units: Case Study is available as a free download at www.huduser.gov/publications/affhsg/adu.html or in print, free of charge, by calling HUD USER at 800.245.2691.

<https://archives.huduser.gov/rbc/archives/strategy/1480.html>

"...Each of the study areas adopted variations of bylaws and code revisions that allow ADUs to be built by right or by special permit. Revising restrictive zoning policies and adopting incentive programs to encourage ADU

development has proven advantageous to the study areas. The report concludes that successful ADU programs must be flexible, uncomplicated, include fiscal incentives, and be supported by public education campaigns so as to engender and maintain community support...."

To view the report in its entirety, please visit <http://www.huduser.gov/publications/affhsg/adu.html>. You can also order a hard copy of the report by calling HUD USER at 1-800-245-2691, option 1.

The 3rd is a case study that discusses aging in place & multigenerational flexible housing choices ADUs can provide.
<https://www.huduser.gov/portal/casestudies/study-09082016.html>

I also just came across this but have not explored the site. It has a RBC database that may be useful for helping guide policy.

Regulatory Barriers Clearinghouse
<https://www.huduser.gov/portal/rbc/home.html>

Thank you for your hard work in compiling your ADU recommendations. I am so very impressed with the competence, data, and care for the community reflected in the Commission's & Director Sepler's insightful policy proposals.

Please let me know how I can help to participate in creating housing solutions housing for our community.

All the best. Thank you, again, for your kind service & dedication to our community.

Sincerely,

Kristina Heintz
Birchwood

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Marchand, Marie M.

From: Barbara Rofkar <rofkarb@openaccess.org>
Sent: Friday, April 6, 2018 4:59 PM
To: CC - Shared Department
Subject: backyard cottages

To our City Council Members,

We believe people should be able to put additional living facilities on their property with regulations, such as sewer and water, to allow people affordable housing in our community.

Thank you,
George and Barbara Rofkar

Marchand, Marie M.

From: Rachael Weasley <rachael.weasley@gmail.com>
Sent: Friday, April 6, 2018 6:07 PM
To: CC - Shared Department
Subject: I support ADU's in Bellingham

Hi,

I live in a diverse neighborhood in Bellingham with mixed income levels. I really value this class diversity and am grateful to raise my children in a densely populated urban area where they can mingle with children of different income levels and racial identities. This population density helps prevent urban sprawl so that when I leave the city, the outlying areas are beautiful farms and wilderness, not housing developments.

Nearby me are two tent encampments. This housing shortage in Bellingham, especially for folks making minimum wage, is unacceptable.

I fully and whole-heartedly endorse the passage of this ordinance allowing DADUs to be built in all Bellingham neighborhoods. As our population increases, we must find environmentally friendly and socially equitable ways to increase density within our city and make all neighborhoods accessible to people who need a place to live but have a reduced income. Let's avoid the smog of a commuter culture by keeping housing within city limits affordable.

Please pass this ordinance and keep our city inclusive!

Thanks,
Rachael

Marchand, Marie M.

From: Preston Schiller <Preston.Schiller@wwu.edu>
Sent: Friday, April 6, 2018 8:07 PM
To: CC - Shared Department
Cc: Koch, Christopher J.; MY - mayorsoffice@cob.org; Aucutt, Gregory R.; Sepler, Rick M.
Subject: Public Hearing 21922: Support for ADU Ordinance changes as proposed by staff
Attachments: plsADUcomments4-18.docx

TO: Bellingham City Council Members, Mayor Kelli Linville, Greg Aucutt, Chris Koch
FROM: Preston L. Schiller, 1704-6th St., Bellingham, WA, 98225
RE: Public Hearing 21922: Support for ADU Ordinance changes as proposed by staff

I am writing, as a private citizen, in support of the ADU Standards Changes Proposed by City of Bellingham Staff as indicated in Section IV and Attachment C of materials for the materials included in the packet for Public Hearing 21922: 'Consideration of Revisions to Bellingham's Accessory Dwelling Unit Regulations'.

I believe that allowing ADUs city-wide without quotas, and DADUs (where appropriate), is a reasonable and desirable way to moderately densify existing neighborhoods and support a number of Growth Management Act and smart growth goals. The proposed changes also wisely remove some of the current hurdles to ADUs such as excessive fees and unnecessarily excessive parking requirements.

Moderate densification fosters the maintenance of existing housing stock and neighborhood appearance. It supports the need for affordable housing for many homeowners as well as moderate income single persons and couples or small families. It also supports the need to allow for the growing segment of the population which desires "aging in place." And it offers a housing option that is attractive to a segment of the homeownership and rental market; some homeowners welcome sharing a portion of their house--not just for the helpful income but also for the added security of having someone nearby in case of need, and some renters prefer renting part of a house to a large apartment complex.

At present the City of Bellingham is a relatively low density city, except for a handful of neighborhoods. Most neighborhoods, including newer ones, are below the density threshold of 7 households per acre that is the rule-of-thumb of the density needed to support minimal transit services. Moderate densification is also supportive of increased walking and bicycling. (I teach courses and write books and articles about sustainable transportation and transit)

Much of the existing and older housing stock in Bellingham is reflective of an era when family size was considerably larger than today and multi-generational households were more common. In general family size has shrunk in recent decades and multi-generational households are rare. There are many empty rooms that could better serve the needs for low and moderate income housing for current homeowners as well as responsible renters.

As a person who owns my residence as well as a rental house (with my daughter) I believe that the City of Bellingham has done a very good job in the recent (and much needed) licensure and inspection of rental housing. I see no reason why the additional rentals that might eventuate with the proposed ADU changes will jeopardize that good program.

Please adopt these well-thought-through changes so that more City attention can be directed towards addressing the much more serious problem of the main impacts of short-term and vacation rentals.

Thank you for your consideration.

Marchand, Marie M.

From: Eowyn and Jesse Savela <eowynjesse@gmail.com>
Sent: Saturday, April 7, 2018 7:27 AM
To: CC - Shared Department
Subject: Support DADU ordinance

Hello councilmembers,

I support the ordinance proposed by the planning commission to allow DADUs city-wide. Tackling our housing crisis is going to need new ideas and a variety of solutions. I think this well-thought out ordinance is one of those solutions. I am especially glad to see the ordinance would allow DADUs in all neighborhoods. Inclusive zoning like this is important to me.

Thank you,
Eowyn Savela
(Sunnyland home owner with no intention of building a DADU.)

Marchand, Marie M.

From: Michael Chiavario <mchiavario7@gmail.com>
Sent: Saturday, April 7, 2018 9:48 AM
To: CC - Shared Department
Subject: Affordable Housing

Councilmembers:

How could Bellingham move toward a solution like this:

<http://peoplespolicyproject.org/2018/04/05/a-plan-to-solve-the-housing-crisis-through-social-housing/>

Michael Chiavario

Marchand, Marie M.

From: Jim Long <jr_long@comcast.net>
Sent: Saturday, April 7, 2018 3:11 PM
To: CC - Shared Department
Subject: Proposed Detached Accessory Dwelling Units Ordinance

Dear Bellingham City Council Members:

The DADU ordinance as proposed for Council's consideration is of concern as, among other reasons, it would have City-wide impact and not necessarily be appropriate for blanket application in all neighborhoods. As drafted, it is likely to have unintended consequences and detrimental impacts to long-established neighborhoods and the interests of most resident homeowners, without a direct contribution to the social and economic objectives underlying its intended purpose. Those purposes would appear to be achievable in a more beneficial way applying currently existing enabling ordinances and regulations in areas already designated and targeted for such residential uses, in proximity to employment and activity centers and transportation facilities.

From a resident homeowner's perspective, my wife and I believe the points made by Councilman Bornemann are well considered and representative of an owner-occupied homeowner's interest as opposed to an investment driven perspective. We would request that Council include the recommendations outlined in the January 25th letter to City Council and the Planning Commission prepared by the Bellingham Neighborhood Coalition (submitted April 3, 2018 for the upcoming Council public hearing) in any Detached Accessory Dwelling Unit Ordinance that may be enacted.

Thank you for your consideration.

Jim & Nikki Long
1982 37th Street
Bellingham

Marchand, Marie M.

From: Vbiciunas <vbiciunas@comcast.net>
Sent: Saturday, April 7, 2018 5:10 PM
To: Terry Bornemann; CC - Shared Department
Subject: Thank you!

Terry,

Thank you for articulating so clearly the reasons to keep DADU's out of single family neighborhoods as currently proposed.

I applaud your courage.

Vince Biciunas

Marchand, Marie M.

From: Caroline Abbott <caroline9180@gmail.com>
Sent: Saturday, April 7, 2018 5:44 PM
To: CC - Shared Department
Subject: ADU

I support ADUs in single family neighborhoods.

We can not afford to keep living sprawled out, wasting precious land when people need places to live.

We can not call ourselves a green city and still cherish our picket-fenced 1950's suburban ideal.

We can not call ourselves progressive when we prioritize having spacious private yards over cottages that could house someone in need.

Our demographics are changing and we need housing options to address different social and economic needs. ADU's will bring a welcome diversity to our neighborhoods and I would welcome them to mine.

- Caroline Abbott
2208 Lynn Street

Marchand, Marie M.

From: K. Rismondo <klrismondo@gmail.com>
Sent: Saturday, April 7, 2018 7:27 PM
To: CC - Shared Department
Subject: Please pass the citywide ADU ordinance as recommended by the Planning Commission!

Hello esteemed Bellingham City Council members,

I am writing to urge you to pass the ordinance as recommended by the Planning Commission that allows DADUs to be built citywide. We desperately need more housing in our city, both in quantity and in options, and this ordinance helps on both fronts.

As a single working adult trying to buy a house, I feel increasingly like I will never be able to afford a home in Bellingham, and even living on my own is precarious with rapidly rising rental costs. Allowing more ADUs to be built in any capacity allows me and my peers greater stock and options for rental housing and the potential to help us afford a home in the future by supplementing our mortgage payments with rental income from an ADU.

Additionally, the variety of housing configurations afforded by ADUs allow families and individuals with diverse needs to have them met, and allows us to preserve the visual character of our historical homes and neighborhoods by providing for density increases without having to tear existing housing down.

We cannot put off infill perpetually - please vote to pass the ordinance and help us grow in healthy ways within the neighborhoods we love and live in.

Respectfully,

Kathryn L. Rismondo
1800 1/2 D Street
14-year Bellingham resident
Lettered Streets Neighborhood Association Treasurer

Marchand, Marie M.

From: Stoney Bird <sjbird@centurylink.net>
Sent: Sunday, April 8, 2018 9:21 AM
To: CC - Shared Department
Subject: Please support the ADU ordinance

Please support the ADU ordinance proposed by the Planning Commission.

Please also drop by the exhibit on the Vienna Model that is showing this month at 221 Prospect Street. Vienna has become the most livable city in the world, partly because a majority of the housing is off the market, being owned by the municipality or by non-profits. In addition, the city has comprehensive, longstanding and imaginative policies that require each new development to meet criteria of affordability, design, social sustainability and ecological restraint. Bellingham – and all other US cities – would do well to take a page from Vienna’s book.

Stoney Bird

Stonewall Jackson Bird
1346 Humboldt St
Bellingham, WA 98225
360-647-6696 (H)

Marchand, Marie M.

From: Geoff Mumley <geoffmumley@gmail.com>
Sent: Sunday, April 8, 2018 10:11 AM
To: CC - Shared Department
Subject: Affordable Housing

Greetings!

To whom it may concern, please please pass the citywide ADU ordinance as recommended by the Planning Commission.

I work with WWU students and recent graduates, and many of them would love to stay in town and seek work in the area. However, as the housing market continues to climb, it gets harder and harder for that to happen. I strongly, strongly endorse a position that allows these types of affordable homes across our City - it's very important to me!

Sincerely,

Geoff Mumley

Marchand, Marie M.

From: Jane E Lowrey <jelow14@gmail.com>
Sent: Sunday, April 8, 2018 1:51 PM
To: CC - Shared Department
Subject: ADUs

Dear Council Members, I am writing to express my distress at the proposed ADU issue. I believe this is an idea which will not serve the expressed concern to provide low cost housing. While I do support the City finding ways to provide such housing, this is not an efficient or effective way to do it. ADUs would be most expensive and would seriously unfairly impact the character of the neighborhoods. I strongly suspect that lower income neighborhoods, especially Birchwood, would be affected disproportionately. Many questions remain unanswered. Who would pay for the ADUs? Would developers be partnering with homeowners to build them and reap the profits? Would rent control be imposed to limit rents? Would neighbors have any say in what is built near them? How exactly would this serve the desire for affordable housing? Some Council members seem to be determined to push this through leaving these questions unanswered. Thank you to Terry Bornemann and Gene Knutsen for their continued support of realistic solutions to the housing crisis and for their support of the character of our diverse neighborhoods. Jane Lowrey

Marchand, Marie M.

From: Morgan Kay <morgan.activism@gmail.com>
Sent: Sunday, April 8, 2018 9:36 PM
To: CC - Shared Department
Subject: ADUs

Dear City Council,

Please pass the citywide ADU ordinance as recommended by the Planning Commission. ADUs are a wonderful way to provide more affordable housing in a city with a growing population, while providing opportunities for families to earn more income. Passing this ordinance now will create a better future for Bellingham.

Thank you!
Morgan Kay
Fairhaven/Happy Valley

Marchand, Marie M.

From: dave <bamdad@comcast.net>
Sent: Sunday, April 8, 2018 10:25 PM
To: Koch, Christopher J.; CC - Shared Department; Aucutt, Gregory R.; MY - mayorsoffice@cob.org
Cc: bamdad@comcast.net
Subject: RE: Bellingham - ADU Ordinance Update

All,

I am unable to attend the Monday meeting as of right now, but I would like the following recorded for the record and also for you to consider when adopting regulations around ADUs

I would really like to know how a Duplex is any different than a detached ADU? Seems you are creating some real bias against Duplex owners. Are you going to remove the same restrictions that you are removing for detached ADUs? Ref Attachment 1- Staff memo for AB21922

Reduce the minimum lot size for detached ADUs from 10,000 sq. ft. to 5,000 sq. ft.

This seems way to low to me. The regulation for duplex is 7,200 sq ft (3,600 for each unit) Shouldn't it be the same for ADU?

Also seems to me you are going to create an environmental issue here since you will have less filtration of rain water. Less vegetation, etc.

20.32.045 for duplex states than no more than 40% of the total site should be covered by structures. Should that not apply to ADUs as well? It goes on to say that 40% also needs to be left as open space, should this not apply to ADUs? What about minimum yards? (section E) Do we want ADUS that would consist of structure on 100% of the property?

Require a minimum of one off-street parking space for each ADU.

Is this for a one Bedroom ADU? For duplexes with 2 bedrooms the requirement is one and ½ spots and ½ spots need to be rounded which means 2 parking spots. (20.32.060) IS this the same requirement for ADUs? It should be.

Eliminate transportation and park impact fees for all ADUs

What about duplexes? Shouldn't they be removed as well? (especially if its owner occupied)

Sincerely,

David McCluskey
3rd Ward Bellingham

From: Koch, Christopher J. <ckoch@cob.org>
Sent: Wednesday, April 04, 2018 3:14 PM
Subject: Bellingham - ADU Ordinance Update

Good Afternoon,

This is a courtesy notice. You are receiving this email because you expressed interest in upcoming updates to Bellingham's accessory dwelling unit (ADU) regulations.

The Bellingham City Council will hold a public hearing on **Monday, April 9, 2018, at 7:00 PM, in the City Council Chambers, City Hall, 210 Lottie Street, Bellingham, Washington**, to take public comment on the following:

A public hearing to consider amendments to the Bellingham Municipal Code relating to accessory dwelling units (ADUs), including a detached ADU pilot program proposed by the Happy Valley Neighborhood Association, a proposal by the Planning Commission to allow detached ADUs in single family zoned areas citywide, and related amendments to BMC 20.30.100 and 20.32.110 to eliminate the required 10' garage door setback from public alleys for detached accessory buildings.

The City Council agenda packet for **April 9, 2018** has been published and includes materials for the subject matter. Detailed agenda materials can be found at <http://meetings.cob.org/>.

Anyone wishing to comment is invited to attend, or send comments to the Council Office, 210 Lottie Street, ccmail@cob.org, or fax 778-8101. Any written comment received hereafter will be distributed to Council, but not included in the published packet. ***PLEASE INDICATE THE NAME OF THE PUBLIC HEARING IN THE SUBJECT LINE.***

Due to limited seating, community members are encouraged to watch the meeting on the following media: <http://meetings.cob.org>, Comcast Channels 10 and 321, and CenturyLink Channels 40 and 1040.

The Council Chambers is fully accessible. Elevator access to the second floor is available at the west entrance. Hearing assistance is available from the Clerk. Contact the Legislative Assistant at 778-8200 for additional assistance prior to the meeting.

Regards,

Christopher Koch, Planner II

City of Bellingham
Planning and Community Development
210 Lottie Street
Bellingham, WA 98225

Direct: (360) 778-8349

Main: (360) 778-8300

Fax: (360) 778-8301

Email: ckoch@cob.org

Website: www.cob.org

Office Hours: M,T,Th,F 8:30-4:30, W 9:30-4:30

Tell us how we're doing!

[Permit Center survey](#)

Please note: My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.

Marchand, Marie M.

From: diane tanner <dianescecina@gmail.com>
Sent: Sunday, April 8, 2018 11:33 PM
To: CC - Shared Department
Subject: ADU ordinance

Dear City Council Members,

Please support the ordinance allowing DADU's to be built in Bellingham neighborhoods. Because I would like to remain in Columbia neighborhood and am retired on a fixed income, having a DADU on my property would allow me to rent my home and live in the DADU. I think that the owner of the property should live on the property, preventing investment in rental property.

Sincerely,

Diane Tanner
Columbia

Marchand, Marie M.

From: Danne Neill <dannen@muljatgroup.com>
Sent: Monday, April 9, 2018 12:26 AM
To: CC - Shared Department
Subject: Accessory Dwellings In Bellingham

Dear Council Members.

Firstly, thank you for serving on the City Council. The hours you spend researching, listening and making decisions are appreciated.

I encourage you to amend the Bellingham Municipal Code relating to accessory dwelling units in order to allow detached dwelling units in single family zoned areas city wide.

As a real estate broker I work with sellers and buyers. Many buyers can no longer afford a home in this area. Rents are also skyrocketing so they can't afford to buy or rent unless they move out of town and drive. The single family residential inventory is fewer than 100 homes - a few years ago at this time there were around 250 active residential listings for sale. As I type this Sunday evening there are 93 active residential homes for sale in all of Bellingham 4 homes are priced under \$300,000. all others are more expensive. The inventory will drop tomorrow as weekend sales are posted.

People can't downsize because there is no place to go. People who want larger homes are remodeling and staying in place. Cash buyers have the ability to out bid people who need financing. I see this on a daily basis.

I listed a small home for \$250,000. The seller receive 15 offers. The house was bid up to \$315,000. The seller accepted a cash offer with no contingencies mid day on Monday - the sale closed on Friday the same week. 5 of the offers were cash and 5 had no Inspection Contingency. This

is not an unusual situation and it is happening in many neighborhood and price ranges. Affordability as we knew it is gone.

I've never seen so many cash buyers. Many from Seattle. The word is out, people are moving here for the quality of life. That includes, outdoor recreation from Baker to the Bay, walkability, schools from elementary to WWU, relaxed atmosphere and comparatively little traffic. These buyers are not dependent on local jobs.

Higher density is essential in Bellingham. ADU's are one way to maintain single family neighborhoods and increase density. I'd like to see a number of varieties of ADU's, attached ADU's, detached ADU's, alley homes, carriage houses, tiny homes and others. These will provide non-intrusive healthy living spaces.

Some of the benefits:

As values increase property taxes will increase. Increase from rental income will help to offset taxes.

Safe living spaces. In my work I go through a lot of houses. I see garages, unfinished basements, sheds, campers and travel trailers used for housing. Some are pretty sketchy.

Rentals on people's property are very closely monitored and usually well maintained.

They may be used to house additional family members and provide flexibility. When kids move out people can move into an ADU and rent the house. They don't have to sell in order to downsize.

They provide people with different incomes the ability to live in the same neighborhood which encourages diversification and helps prevent gentrification.

They won't solve our housing problems. Hand in hand with use of the Infill Tool Kit, large buildings along freeway corridors, incentives for single family homes to be built such as fee reductions in targeted areas, development of better infrastructure, consistent accurate information from

city planners and the engineering department. Encouraging Cohousing and Cooperative housing. The governor just signed a bill that will change the laws regarding cooperative housing in Washington. Putting housing back in the waterfront development. Creating an overarching plan for the City that represents all people rather than just the squeaky wheels...etc.

A bit about me; I am a founding member Kulshan Community Land Trust and "Sustainer" of Sustainable Connections - the group that founded Sustainable connections. I served on the COB Planning Commission for about 4 years. I currently serve on the Whatcom Land Trust and Community Boating Center Boards. I've lived in Bellingham for 32 years and grew up in Seattle.

I encourage you to vote to include ADU's in the City of Bellingham.

Again thank you for your time, energy and dedication.

Danne Neill



Danne Neill, BROKER, CRS, ABR, EcoBroker, SRES, CBA
The Muljat Group Broadway
1313 Broadway, Bellingham, WA 98225

Mobile: 360 303-4428
Office: 360 714-1880

Fax: 360 714-0001
dannen@muljatgroup.com
DanneNeill.com

Member-NW Multiple Listing Service, Commercial Brokers Association

Marchand, Marie M.

From: Robert Theslowlaneguy <theslowlaneguy@yahoo.com>
Sent: Monday, April 9, 2018 5:57 AM
To: CC - Shared Department
Subject: I favor the change to allow auxiliary dwelling units in single family zones

From
Robert Ashworth
319 E. Holly #2A
PO Box 2161
Bellingham, WA. 98227

Dear Bellingham City Council

Allowing ADUs is a good idea to help alleviate Bellingham's housing shortage. It also helps to bring income diversity to Bellingham's neighborhoods; rather than concentrating lower income people in certain areas and higher income people in other areas. Income diversity can help society together more. Less all apartment ghettos. Hopefully more trust and connection among our citizens.

It's also good for the environment to provide more places to live in the city; rather than people having to live in the county possibly facing longer commutes.

We do face the problem of population growth. That's a worldwide problem. Like quite a few cities and towns in this country, Bellingham is a popular place to live. Population growth comes from several sources including immigration to the US. There are some folks who would like to build a wall; especially on our country's southern border. I've also heard that idea expressed in another way; a wall across I-5 south of Bellingham to keep people from moving here. There's also the idea that a restrictive single family neighborhood can be a wall as well; especially when median home prices are starting to reach toward the half million dollar mark.

Walls can be draconian and impractical. Instead, it's up to us to do our part to accommodate people. Yes, I am one to support reducing world population growth, but in the meantime new people are a reality. We need to practice what we preach if we want to be a welcoming city and a city that also strives to reduce the carbon footprint. This versus pushing the growth into the county's rural areas.

I am also okay with the part of the proposal that I hear would wave some of the permitting and park impact fees for the small units. As a person who's transportation is by bicycle, I do appreciate park space, but I also realize the need for some compromise. This relates to the concept of taxes and fees being progressive. That can help to give smaller footprint units a slight break.

Thanks for your consideration.

Robert Ashworth

Marchand, Marie M.

From: Pamela Fuller <pamelafuller@pogozone.net>
Sent: Monday, April 9, 2018 9:24 AM
To: CC - Shared Department
Subject: In Support of DADUs

Dear City Council Members,

As a 15-year resident in the Columbia neighborhood, I am writing to express my solid support of an ordinance that would allow detached accessory buildings to be permitted as dwelling units. I am a single woman on a fixed income, supplemented by a part-time therapy practice. I would very much like to remain in my present home and age in place. If the existing garage-studio on my property could be permitted as a Detached Accessory Dwelling Unit, I would be able to supplement my income as well as plan with confidence for advanced elderhood.

During my frequent walks in our beautiful neighborhood, I observe a "mother-in-law" dwelling in almost every block. I would like the legal option to create what many of my neighbors have already done "under the radar." Please create an ordinance that will allow me (and others, if they choose) to do so. It is the fair and equitable thing to do.

Thank you for your consideration.

Respectfully,

Pamela Fuller
2222 Lynn Street
Bellingham, WA 98225

Marchand, Marie M.

From: Kathy Hasenjaeger <k.hasenjaeger@gmail.com>
Sent: Monday, April 9, 2018 10:52 AM
To: CC - Shared Department
Subject: ADU ordinance

Please allow detached ADU's in single family zones citywide. This is needed for seniors to be able to afford to age in place, or to build an ADA accessible dwelling to move into and then rent main house out to a young family. Multi-generational housing is greatly needed. We need more rentals. Although this will only be a drop in the bucket, it creates the flexibility greatly needed to preserve the home-like character of Bellingham.

Thank you!
Katherine Hasenjaeger
1802 Larrabee Ave
Bellingham, WA 98225

Marchand, Marie M.

From: Barb Kehl <bbkt@aol.com>
Sent: Monday, April 9, 2018 11:32 AM
To: CC - Shared Department
Subject: Re Adus

I think each neighborhood should make their own decision about Adus.
This is not a one size fits all situation.

Barb Kehl 360-734-4976

Barb@Barbkehl.com

You can still use BBKT@AOL.COM

NEW TUPPERWARE WEB ADDRESS: www.barbkehl.com

http://facebook.com/barbtedkehl

Marchand, Marie M.

From: Greta Merkel <merkelg@wwu.edu>
Sent: Monday, April 9, 2018 12:18 PM
To: CC - Shared Department
Subject: Citywide ADU Ordinance

Hi there!

As a member of the Bellingham community I'm reaching out to urge you to revise the city's current ADU ordinance to allow DADU development in all of Bellingham's neighborhoods. As you know rates of homelessness are high in Bellingham due to an unaffordable housing market and stark housing options. Especially in single family zones, DADU development is one way to diversify and increase housing options.

I'm currently a renter living in an attached ADU in the Happy Valley neighborhood. My landlord has made it possible for two families to live in our home; which cuts down on energy usage and adds to the housing options in our community. If the ordinance were revised more folks could similarly renovate their properties to share with others which would alleviate the pressures of low housing access in our city.

Opponents of this revision want the decision of ADU development to be made by individual neighborhoods. However many neighborhood associations in Bellingham are inaccessible to the folks who would benefit from increased housing options. The decision would ultimately be made by wealthy homeowners whose values exclude the poor, minorities, students, and the elderly. I hope City Council recognizes the subtle bigotry underlying the politics of many opponents of this revision.

I will not be able to make it to the public hearing this evening, but I am there in spirit with the folks speaking in support of this revision.

Thank you for all of the work you do!

Best,
Greta Merkel

Marchand, Marie M.

From: Jason Garat <jgarat@comcast.net>
Sent: Monday, April 9, 2018 4:09 PM
To: CC - Shared Department
Subject: DADU proposal

Greetings Council,

I've been following the DADU discussions and can appreciate the passion and arguments both for and against.

I planned to submit my own lengthy letter in opposition to the current proposal while providing my reasoning, then I read the letter by Councilman Bornemann that he intends to submit to the Council tonight. His letter sums up the majority of my thoughts, feelings, and reasonings.

I don't believe the current proposal will:

- positively impact affordability issues
- solve housing shortage issues
- foster trust and cooperation between government and citizenry
- honor existing zoning rules and tools
- give ordinary citizens confidence to invest and plan for the future with any long range certainty
- have an equitable impact for all

We should all acknowledge that there's been unfair labeling and demonizing of groups and individuals by both citizenry AND some representatives. I encourage you to not pass this current proposal and to take the lead in the healing process. In my daily interactions, I'd guesstimate a 30/70 split for/against. There's a better process and proposal to be found. And it will take cooperation between government and the citizens. It always will.

Thank you for your service to the community. It's a tough role and you've stepped up to do your part. Good luck tonight!

Respectfully,

Jason Garat
2949 Plymouth Dr

Sent from my iPhone

Marchand, Marie M.

From: Dave Lind <dlind17@comcast.net>
Sent: Monday, April 9, 2018 1:58 PM
To: CC - Shared Department
Subject: D-ADU council meeting tonight comment

I'm sorry this is late but my computer has been down.

Dave Lind
2908 Lorraine Ellis Court, 98225

I am strongly against the D-ADU because it removes the 10' setback from the alley if there is a garage. I live in the Columbia Neighborhood and had a pole building put up last year with the required 1 car parking spot. I am very close to the property line with the long side of the building and have a garage door facing my 1 required parking spot. Per code.

The house across the alley from me on the 2900 block of Walnut St. has space behind the house for 3 cars. Prior to my pole building I had a parking spot in the same area but much smaller. I had one person hit my fence and bend it because they backed up too far. It's about 11' to 12' from the edge of the alley. I then put in wood bollards to protect my fence and they were never straight.

Currently I can see tire imprints on the pit run that was put down. So they are backing up at least 6'+ to back out of their spot and get down the alley. I have purchased \$400 worth of 4" steel bollards to protect my building and fence. I've told the new owners of the house across the alley that if anything is hit by a car backing up that I will put up heavy chains that will damage a car.

There is no way a vehicle except a sub compact can turn into a garage without additional space in the alley. Our alleys are not wide enough and at least in my neighborhood, garages are right on the property line. The excuse of more green space vs a hard surface has been made. Well people should be required that the ten foot space does not drain onto the alley and either porous concrete (which clogs eventually) or better those # concrete blocks could be used and filled with dirt, sand or pea gravel but not with crushed limestone that turns into a non porous fill.

Someone suggested a double car garage or they just have a motorcycle or bikes. My comment was "who's going to enforce that?" Then people still need to put out their garbage and Sanitary Service still need to make it down the alley. It's so tight as it is.

My only suggestion is to leave the 10' setback and allow the second story to cantilever out maybe 5'. And the owner is required to put in the porous surface.

I also strongly feel that this entire matter has been shoved down our throats so companies that own rentals can add more capacity to their lot. And you should know darn well that the owner most likely doesn't live on the property.

Also whoever is on the Council and owns rentals should not vote on this. It's a humongous conflict of interest. (This isn't the White House).

Thanks for your time,

Dave Lind

Sent from my iPad
DLind17@Comcast.net

Marchand, Marie M.

From: Gabe <gabrielstarbuck@gmail.com>
Sent: Monday, April 9, 2018 12:55 PM
To: CC - Shared Department
Subject: BMC ADU Amendment

Hello,

My name is Gabe Starbuck. I moved to Bellingham in 1993 to attend WWU. I have owned a home in the Cornwall Park neighborhood for 10 years.

In general I support the proposed amendments. However, I think that reducing the required parking is a big mistake that will undermine much of the good that the amendments could accomplish. Parking can quickly become an issue that causes resentment. I've seen how the addition of a couple of vehicles on my block can impact the entire block. Suddenly, I can't park in front of my house to unload groceries so I park in front of a neighbor's house, that neighbor parks in front of another neighbor's house etc. This situation feels especially painful when renter parking displaces home owner parking and/or when a neighborhood with no history of parking issues suddenly experiences them.

I believe that the amendments are well meaning and mostly improvements, but the parking will undermine the plan.

Allowing 4 people to occupy an ADU but only requiring one parking space will result in ADUs getting blamed for parking issues.

Thank you,
Gabriel Starbuck

Marchand, Marie M.

From: Jeff Braimes <jeff@braimes.com>
Sent: Monday, April 9, 2018 8:28 AM
To: CC - Shared Department
Subject: ADU Public meeting April 9

My name is Jeff Braimes and I live in the Sunnyland neighborhood. As a board member of the Kulshan Community Land Trust, affordable housing and the relative lack of it is a topic of great concern to me.

In my day job as a Realtor, I interact a wide cross section of the new residents that are competing for the limited amount of housing available in Bellingham. It's not just retirees, although the boomers are getting their money and Bellingham is a consistently highly rated destination for retirees. It's not just students, although the student body of Western and the city's other two colleges continues to grow disproportionate to the creation of new housing to accommodate them. It's not just telecommuters, although more and more people no longer need a traditional "job" in Bellingham in order to live here. I have personally helped no less than 6 young families relocate to Bellingham this year from Seattle.

These refugees from Seattle and other points along the West Coast invariably have deeper pockets and are easily able to outbid established locals scraping together downpayments for what few available listings have presented themselves in this time of low inventory. It's not my intent to disparage people moving to Bellingham from Seattle or California. I'm one myself although I first came to Bellingham in the mid-80s as a student. In my experience, our new neighbors are coming here precisely for what Bellingham is and not in spite of it.

But the fact remains that we are in the midst of a housing crisis and if we continue to constrict the supply of new housing, the problem is only going to get worse. DADUs are only one part of this solution, but they are a part. The thoughtfully-implemented and responsibly-managed legitimization of the DADU as a housing unit should be looked on as win-win. Additionally, I hope to see more creative use of the infill toolkit. And whatever public partnerships are possible to construct quality affordable housing throughout the city.

With median housing prices at \$400k and rental vacancy rates at less than one point, Bellingham's creatives and working families are being priced out of the community that derives its character from them. No one wants to see our neighborhoods bulldozed in favor of concrete hirises. But there are some lower hanging solutions and ADUs are one.

Jeff Braimes, Sunnyland

Marchand, Marie M.

From: HOLLY KARPSTEIN <karpsth@comcast.net>
Sent: Monday, April 9, 2018 12:23 PM
To: CC - Shared Department
Subject: Approving the increased use of ADU's in Bellingha

Approving the increase of ADU's in Bellingham is not a long term solution and I ask that the council not approve it as a short term solution. I am particularly concerned about allowing detached ADU's. How can this be short term when a permanent structure is allowed to be built? This is just an opportunity to allow others to commercialize their properties at the expense of neighbors who wish to control there neighborhood integrity. My neighborhood has covenants against what you are proposing. How does this help? It has already been stated that unapproved ADU's have been built or there are those who are not operating within code or approval. If this can't be monitored, what is to happen when you approve more ADU;s to operate? Please look for long term solutions. These are the only ways to solve a problem and be done with it. If other cities can have rent control, why not Bellingham? I'm concerned that this may only be means for Bellingham to consider increasing revenue.

I'm not sure if my words will be considered, but I am concerned that Bellingham is falling into a reactive mode rather than seeking proactive and long-term solutions to better or community's current and future appeal.

hank you.

Holly Karpstein

Bellingham, WA

Marchand, Marie M.

From: Michael Chiavario <mchiavario7@gmail.com>
Sent: Tuesday, April 10, 2018 9:57 AM
To: Bornemann, Terry R.; CC - Shared Department
Subject: ADUs

Hi Terry,

Nice to see you last night.

This is to respond to your letter to council colleagues re: ADUs. I have known you for a long time and I have appreciated your generally progressive stands on Council and elsewhere. I am a bit confused by your position on ADUs and what appears to be the fact that you had sided clearly with one side of the issue even before the public hearing process was completed by signing the BNC petition and shaking your head at testimony with which you didn't agree during the April 9 public hearing. I understand that most council members are leaning one way or the other during the public process, but in order to keep an open mind and validate that process, at least attempts to appear open minded to other positions seem appropriate to me.

Concerning some points in your letter:

I agree that economics (in its current legal structure) is a major factor in segregating poorer folks. I agree with you that real estate has become a commodity rather than a community asset. I agree that covenants in neighborhoods like Edgemoor will limit ADUs there until there is a legal way to override them. I agree that we need to solve the problem of real estate speculation. I agree that promises between government and constituents should be kept.

I disagree with your position that ethnicity has nothing to do with the economic stratification and neighborhood segregation in Bellingham. It is no accident that denser more affordable areas of town have much higher numbers of non-White residents. This is the result of historical systemic racism which is tied up in laws that govern economic relations. These laws resulted, among other injustices, in non-White families having less generational wealth than Whites.

One thing that the ADU ordinance will do to decrease economic speculation in housing in neighborhoods is the provision that requires lots with ADUs to be owner occupied.

I have never seen evidence that the city ever made an agreement to permanently prevent DADUs from being allowed without the CUP process in the neighborhoods. What I have seen is an evolving process with much public participation that is now looking at many ways to deal with our affordable housing emergency.

I don't agree that permitting DADUs in all neighborhoods is an attack on neighborhoods. Many neighborhood concerns have been carefully included in the ordinance, including solar access, privacy, heights, absentee ownership safeguards, size restrictions, and a mandated review process soon into the process of developing relatively few units. I think that it is likely that skeptical neighbors will see after a few years that their fears have not come true.

It is true that ADUs are not the definitive answer to affordability, equity, diversity, or stopping urban sprawl. **They are**, in my view, one piece of the solution to our housing emergency.

I hope that you receive this in the spirit of friendship and our common concern for a better Bellingham.

Michael Chiavario

Marchand, Marie M.

From: brian estes <bestes@gmail.com>
Sent: Tuesday, April 10, 2018 9:11 AM
To: CC - Shared Department
Subject: Public Testimony Yes on DADUs 4-9-18
Attachments: DADUhousing-estes-4-9-18.pdf

Please see attached.

--

All the Best
Brian Estes

Public Comment on DADU Issue by Brian Estes, 4-9-2018

Land use defines our community. I'm going to say that again: land use defines our community. What kind of a community is Bellingham now and in the future?

The DADU ordinance before you this evening is not just about backyard cottages or granny flats. This is about our values as a community. Are we a welcoming, fair, equitable, inclusive community and does our housing policy support those values or not. This is about providing a lot more not less housing choice in every neighborhood throughout our city.

So where does our current exclusionary housing and zoning policy leave us today?

First, almost 70% of residential land in Bellingham neighborhoods only allows single family homes. This significantly limits where the 9 separate in-fill toolkit housing options including DADUs can be built.

Second, we have a significant mismatch between our existing housing stock of large single-family homes with 3+ bedrooms in contrast to recent reductions in family size.

Third, our current exclusionary housing policy has resulted in de facto segregation by race and income by housing type--essentially creating two disparate communities more commonly known as north Bellingham and south Bellingham. The three figures from the recent COB Assessment of Fair Housing 2018-2022 clearly depict this situation (see below)

Consider this: the current single-family housing policy effectively draws moats and drawbridges around several Bellingham neighborhoods in terms of housing choice. Is it fair or equitable to, as some have suggested, that we delegate housing policy decision making to neighborhood councils, so they can dictate, neighborhood by neighborhood, who gets to live there? This is a very extreme idea--one that should be strongly rejected.

So, do we value inclusion or exclusion in our neighborhoods? Do we value a city that is fair and equitable? The city's recent update to the consolidated plan said it best "concentrating any single type of housing in a neighborhood limits economic diversity and housing choice."

Lastly, Bellingham should have a housing policy that addresses intergenerational income inequality in our community. If the infill toolkit is applied to all Bellingham neighborhoods this will provide housing equity opportunities to many individuals and young families that are shut out of the homeowner housing market. Allowing more duplex, triplex, and other forms of smaller multi-family units throughout the city has the potential to greatly expand homeowner opportunities throughout all of Bellingham's neighborhoods.

I urge the city council to approve DADUs throughout Bellingham and next apply the infill toolkit to every neighborhood. This is a sensible, equitable, and sustainable solution to our affordable housing crisis. Let's get busy building the Bellingham of 2050 not 1950. Let's eliminate unfair, inequitable, and exclusionary housing policies that were put in place decades ago--no more moats and drawbridges around single family neighborhoods.

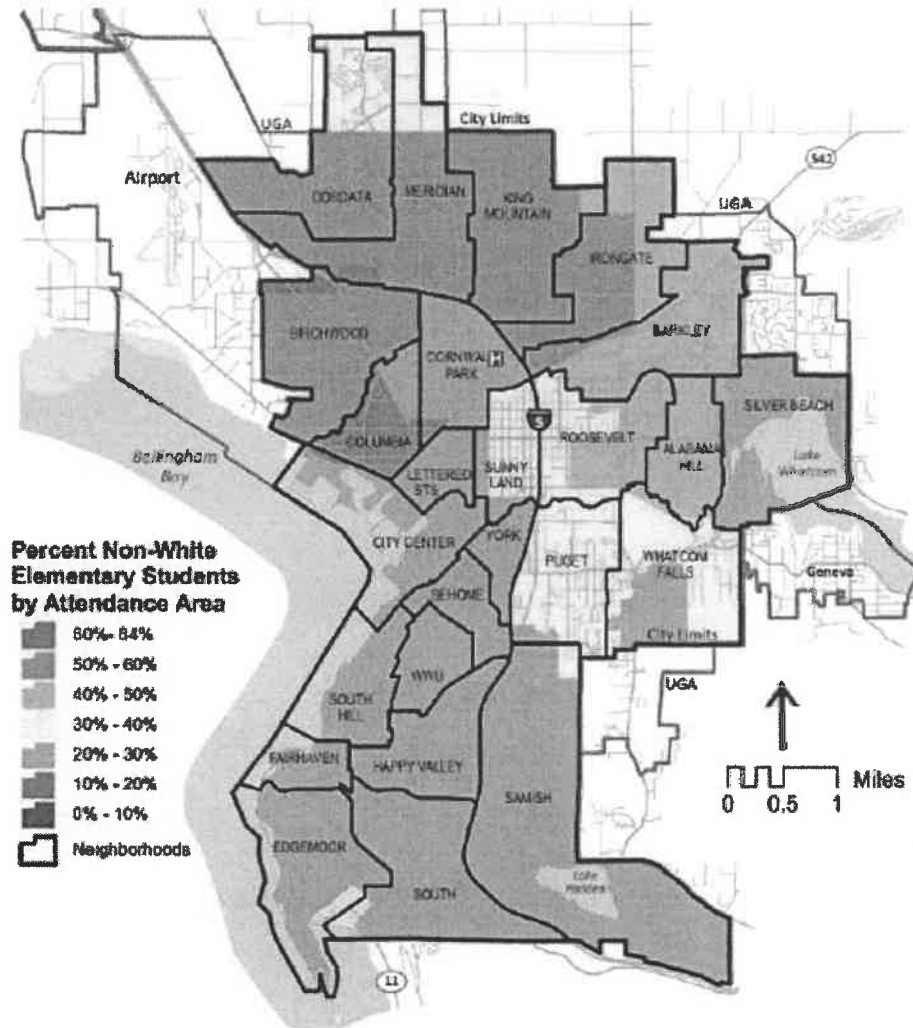
Our children and future generations will thank you for it.

Sincerely,

Brian Estes

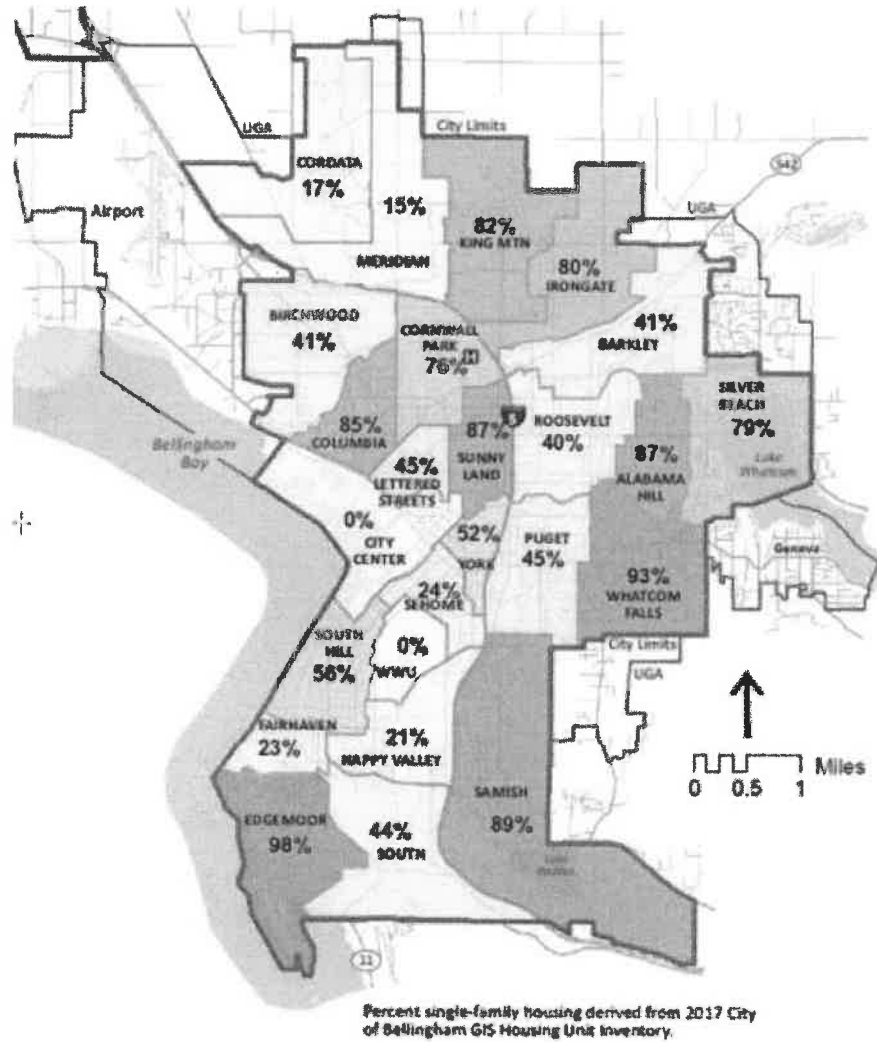
4720 Spring Vista Way, Bellingham

Figure 3. City of Bellingham racial diversity of elementary school students by neighborhood



Map shows percent of 2016/2017 enrolled public school elementary students identified as non-white, or more than one race for each attendance area. Data source is WA State Office of the Superintendent for Public Instruction, Report Card data for Bellingham & Meridian districts.

Figure 1. Percent single-family housing by neighborhood



Percent single-family housing derived from 2017 City of Bellingham GIS Housing Unit Inventory.

Marchand, Marie M.

From: MY - info@cob.org
Sent: Tuesday, April 10, 2018 8:59 AM
To: CC - Shared Department
Subject: FW: Council meeting on DADUs

Good morning,

Please see the email below with a comment on last night's council meeting and the ADU discussion.

Thank you,

Monea Kerr
Mayor's Office
City of Bellingham
(360) 778-8000
mjkerr@cob.org

*My incoming and outgoing e-mail messages are subject to public disclosure requirements per RCW 42.56.

-----Original Message-----

From: Ronalee Kincaid <lkincaid@aol.com>
Sent: Monday, April 9, 2018 10:54 PM
To: MY - info@cob.org <info@cob.org>
Subject: Council meeting on DADUs

Dear Council Members,

I attended tonight's Council meeting and heard the presentation about ADU's. I was impressed with the thoroughness of the process and of the presentation. I also listened to an hour of the public testimony which seemed to be mostly against the proposal with notable exceptions.

I strongly support the measure allowing ADU's in all neighborhoods. The mother concerned about housing for her disabled son, the young professional with his experience of living in such units, and Jennifer Mason's report on community input reinforced exactly what I had been thinking. I know neighbors often feel they should have control over everything they can see from their homes, but that is not right. My lot in Birchwood is ideally situated for a DADU with alley access, a large lot, an existing building large enough. I believe there are many similar. Please consider all the benefits which could result for individuals and put aside the fears of change or the worst possibilities. The city has the know how to make this work and "gentle infill" could make some lives much simpler.

Thank you all for your service. I admire so much your attention to the public and your willingness to let everyone have their say.

Sincerely,
Ronalee Kincaid
2920 Eldridge Avenue
Bellingham, WA. 98225

Marchand, Marie M.

From: Kevin Covey <kevincovey@gmail.com>
Sent: Monday, April 9, 2018 9:35 PM
To: CC - Shared Department
Subject: Report on the racial wealth gap and implications for housing.

Dear Councilmembers,

Thank you for your time and patience tonight in taking extensive public comment.

I worry that the statistics I quoted on the racial wealth gap sounded too extreme to be believed, so I wanted to send a link to the full report from which those numbers come.

You can find the report at https://prosperitynow.org/files/PDFs/road_to_zero_wealth.pdf

The numbers I cited are shown visually in a graph on page 8, and are given in the middle bullet in the executive summary on page 5 (which I'll copy below).

Again, thank you so much for your time and willingness to listen.
-kevin

The accelerating decline in wealth over the past 30 years has left many Black and Latino families unable to reach the middle class. Between 1983 and 2013, the wealth of median Black and Latino households decreased by 75% (from \$6,800 to \$1,700) and 50% (from \$4,000 to \$2,000), respectively, while median White household wealth rose by 14% (from \$102,200 to \$116,800). If current trends continue, by 2020 median Black and Latino households stand to lose nearly 18% and 12%, respectively, of the wealth they held in 2013. In that same timeframe, median White household wealth would see an increase of 3%. Put differently, in just under four years from now, median White households are projected to own 86 and 68 times more wealth than Black and Latino households, respectively.

Marchand, Marie M.

From: Michael Chiavario <mchiavario7@gmail.com>
Sent: Monday, April 9, 2018 9:11 PM
To: CC - Shared Department
Subject: ADUs
Attachments: ADU hearing talk.pdf

Council members:

Here is the most important portion of the remarks which time limits did not allow me to give at the hearing on Monday night:

The ADU ordinance is **not an attempt to destroy** neighborhood character or quality. It is an attempt to make neighborhoods a little more inclusive and affordable. **It will, in fact, protect** the properties that add ADUs on existing lots from the absentee ownership that has lowered the quality of neighborhoods in many ways. ADU's can and should be a housing form that adds to the long term housing stock of Bellingham and the draft ordinance helps prevent existing homes from being speculation fodder by permanently making them part of owner occupied lots.

Attached are the full remarks.

I do not believe that by passing the ADU ordinance, Council is violating a promise with neighborhoods or that it will divide the community. When the reality of the well crafted ordinance begins to play out, most neighbors will see that it is not a negative or destructive vehicle for their neighborhood.

thanks again,
Michael Chiavario
360-820-2315

Thank you council members for your hard work and long hours on this project.

My Name is Michael I am a retiree who has lived in Bellingham for 50 years- most of that in York neighborhood and the last 20 years in the South Neighborhood.

I am generally in favor of the draft ordinance that we are considering tonight.

I hope to build a detached ADU on my property. My privileged choice as a homeowner who could afford to buy a home on a working class wage in Bellingham many years ago will give more choice to others who don't have the privilege of owning a house as I do.

Everyone who lives in Bellingham has skin in the game of the issues of ADUs and affordable housing whether or not they own a house in a single family zone or regardless of how long they have lived here.

I would make one change to the draft and that is to eliminate any parking requirements. A parking space is a minimum of 162 square feet that could contain trees, a vegetable garden, a lawn or other green amenities that neighbors who are skeptical of ADUs are concerned might be lost when ADUs come into their neighborhoods.

It is time to de-emphasize cars and give more City support to walkability and public transit. Parking spaces - if we build them they will come with a car. If we begin providing transit in a timely way like so many other cities have done successfully we might be able to avoid becoming Seattle in the future. I also urge you to pass the ordinance that will prevent ADUs from becoming short term rentals. Without that assurance, the ADU ordinance could result in disaster.

The ADU ordinance that Council is considering will do only a little to increase housing affordability in Bellingham.

The ADU ordinance will do only a little to increase density and reduce environmentally destructive urban sprawl.

The ordinance will not stop the inflationary influence of speculative capital from both local and non-local sources on mortgage and rental costs but it is a small step in the right direction.

The ADU ordinance is **not an attempt to destroy** neighborhood character or quality. It is an attempt to make neighborhoods a little more inclusive and affordable. **It will, in fact, protect** the properties that add ADUs on existing lots from the absentee ownership that has lowered the quality of neighborhoods in many ways. ADUs can and should be a housing form that adds to the long term housing stock of Bellingham and the draft ordinance helps prevent existing homes from being speculation fodder by permanently making them part of owner occupied lots.

The changes we need in Bellingham are to make housing affordable for all and stop urban sprawl. That means increasing density within our current borders while working on many ways to make housing affordable.

The struggle for quality affordable housing for all, for quality neighborhoods, and to prevent urban sprawl will be long and hard. This ordinance is one small step along the way.

Thank you.

Marchand, Marie M.

From: Robert Hart <rhhart@gmail.com>
Sent: Monday, April 9, 2018 6:56 PM
To: CC - Shared Department
Subject: ADU Public Hearing, April 9 2018

Dear City Council,

Thank you for hearing public comments on these housing amendments. I am writing to express my strong **support** of the proposed amendments. Here's why:

I grew up in Atlanta in the 80's and 90's, watching the city expand from pockets of close-knit neighborhoods to the vast urban sprawl that it is today. Along the way, the city officials made every effort to welcome industry and commerce, but they did very little to plan residential communities for health, longevity, or integration.

The result for Atlanta has been gridlock, segregation, income inequality, and environmental degradation. Traffic there is famously terrible for citizens' mental health, physical wellness, and financial stability. Unemployment soars, while at the same time, inflated real estate prices drive away the new graduates from Atlanta's many colleges and universities. Even the prices of high-density housing exclude would-be Atlantans, who have to look to the outskirts for affordable shelter.

As a resident of Bellingham, I gladly escape all of these woes. I live in affordable housing in a quiet residential zone with access to bike trails and natural retreats. As an educator making less than \$20,000 per year, I still manage just fine with Bellingham's cost of living, and I get to bring my creative gifts into the community through music, art, agriculture, and advocacy. Many of the people I know share similar values, endure the same financial conditions, and offer equal benefit to the community. We're only able to contribute in this way because of the unique balance afforded by Bellingham's size and economic stability.

However, as housing demand increases with the population, these perks may not last. Developers looking to offer low-cost housing are already speculating on property far outside of Bellingham, which would encourage more traffic, greenhouse emissions, and disconnected living spaces.

As an Atlanta native, I've seen what happens when newcomers assemble in the outskirts: rather than integrate with existing neighborhoods that honor a city's personality and history, they introduce a kind of "everywhere USA" vibe just beyond the borders of town -- and of course, these new boondocks also segregate themselves according to socioeconomic status, which in turn leads to age and race segregation. Soon, the prefab aesthetic of strip malls and filling stations overwhelms the local flavor of unity and diversity, and the city becomes another crass commercial outpost. Bellingham, too, could cease to be a community, surviving only as a monument to suburban consumerism.

None of us wants this kind of sprawl. Bellingham is too unique, too good at heart, and too wild and free to submit to the ravages of real estate speculation and suburban anonymity. There's got to be a better way for us.

Let's imagine another urban life cycle -- one which introduces newcomers right into the heart of the community. Through adding small dwellings and infill initiatives, new and lower-income residents can live next door to established leaders and organizers. Elders in the community can befriend and instruct the younger generation as their mentors and guides. Allies of all ages can learn about each other as neighbors, even if they don't share the same economic resources or family backgrounds.

This approach to infill offers environmental and infrastructural benefits as well. Fewer and smaller construction projects are needed, minimizing industrial and construction waste. Bellingham's borders are kept closer, eliminating the need for wider surface streets and diminishing expressway traffic. Commutes are also shorter, meaning fewer greenhouse emissions, more use of alternative transportation, and more centralized commercial activity.

If we grow from the middle instead of the edges, we can be sure the future of Bellingham is much like its present: connected, people-centered, and balanced with nature. Please take every necessary step to ensure this kind of growth is not only legal and local, but easier and cheaper than the nationwide default of urban sprawl. Invest in infrastructure that makes infill attractive. Relax the housing codes that prevent multi-family dwellings. Restrict land use beyond Bellingham's residential zones so that it can only be utilized for environmentally restorative activities. Offer financial benefits to cooperatively owned, high-density housing that supports local business and promotes social integration.

Let's gradually reinvent the American town by growing in a purposeful, balanced, people-and-planet-centered direction.

Thank you for your time and consideration, and may you always have your ears open to the people's voices.

Sincerely,

Rob Hart

Educator, Artist, and Bellingham Resident

Marchand, Marie M.

From: Hannah Sear <searhm@outlook.com>
Sent: Monday, April 9, 2018 5:54 PM
To: CC - Shared Department
Subject: Pass the ADU ordinance

Bellingham City Council,

There is huge housing shortages in Whatcom county and often people are priced out of their neighborhoods. As a student, I know how hard it can be and the ADU will really help those in need. Please pass this measure.

Hannah Sear

Marchand, Marie M.

From: David Stephan <dstephan264@me.com>
Sent: Monday, April 9, 2018 5:46 PM
To: CC - Shared Department
Subject: ADU ORDINANCE UPDATE

Greetings, my name is David Stephan. I live at 2711 Grant St, in the Sunnyland Neighborhood, and have resided there since I purchased the home in 2003. I will not be able to make the public hearing meeting at city hall this evening where the topic of Detached ADU's will be discussed, but I wanted to take advantage of the opportunity to send an email in expressing my support for homeowners to be able to build detached ADU's in neighborhoods such as mine that are zoned single family residences.

We are clearly in a new era for housing here in our community, and I think that the ability to build DADU's can be a part of the housing solution for a portion of our community. I support removing the 10 ft setback requirements in alleyways, requiring a space to park, and owner occupied main house or DADU.

Currently in my neighborhood, within a block perimeter there are 10-12 of the approx. 800 sq ft garage like structures that are legal for extra space, office, guest space, etc. I find that they do not negatively effect my neighborhood "feel", "vibe", or quality of life. I love my neighborhood more now than I did when I first moved in 15 years ago. Being able to build an DADU would help me provide housing for my retired Mom in the immediate, and also perhaps for me when I retire and don't need a home as big as my current one is. It will help me stay in my neighborhood, perhaps supplement my retirement, and provide housing for another Bellingham family that may want to live in my home that I've worked so hard to fix up over the years.

My retired dad lives in a small attached ADU across the alleyway from me on Franklin St. He gets to live in a neighborhood setting (across alley from his son and grandson) in a reasonably priced rental, and provides rent to his retired landlady who lives in the main structure and takes care of her Mother, who is suffering from dementia. I mention this, because although it is an attached ADU in a single family zoned residence, the benefits would be no less significant for homeowner providing housing for a renter in a detached unit. I have seen how important this reasonable priced housing is for my dad and his landlady, both on fixed incomes. Both have a enhanced quality of life because of the arrangement. I believe that this arrangement should be available to others residing here in Bellingham as well, and feel that it could be an opportunity that enhances this community and make it even better than it is...Which is already pretty great!

I am grateful that council is willing to examine this option, as I truly believe that it could provide some much needed flexibility in Bellingham housing and provide homeowners with another tool to remain in the neighborhoods they love as their needs change through the years. Thank you for providing an opportunity to comment on this important community planning topic.

Sincerely,
David M. Stephan
2711 Grant St.
Bellingham

(360) 303-2474

Sent from my iPad

Marchand, Marie M.

From: T Camp <campbelltjmail@gmail.com>
Sent: Monday, April 9, 2018 5:46 PM
To: CC - Shared Department
Subject: ADU Public Hearing - April 9, 2018

Dear City Council,

I support the proposal and recommendation prepared by the Planning Commission to allow increased use of accessory dwelling units citywide as discussed in BMC 20.30.100 and 20.32.110. Allowing for the growth of additional housing in Bellingham through ADU and DADU development is a key step to addressing housing availability and affordability.

Me and many of my friends are having extreme difficulty finding affordable rent that is close enough into the city to accommodate our needs and I know many property owners who are interested in renting out ADUs at affordable rates.

Our city is growing, but our city has options for how it chooses to grow. Increasing our density with intentional practices as seen in the Planning Commission's review will better allow for people like myself to establish long term roots in this community.

Thank you for your consideration,

Ty Campbell

Psychologist
Western Washington University

Marchand, Marie M.

From: Frankie Cruz <frankieakcruz@yahoo.com>
Sent: Monday, April 9, 2018 5:42 PM
To: CC - Shared Department
Subject: ADU Ordinance

Dear City Hall Council,

I am emailing in regards to support the citywide ADU ordinance as recommended by the Planning Commission because Bellingham needs more homes and options. I know as a college student here at Western, finding homes within reasonable price is an issue we face every spring. Due to this the forms of infill housing styles proposed are very mild-density and compatible with the surrounding neighborhood. This ordinance will support our city's efforts to avoid urban sprawl into farmland and provide more affordable homes. I fully support this ask and hope you will also. Lets make Bellingham a place where we can proudly say our housing is affordable and inclusive.

Thanks you so much for your time,

Francesca Cruz

Marchand, Marie M.

From: Lynn Billington <lynnbillington@comcast.net>
Sent: Monday, April 9, 2018 5:35 PM
To: CC - Shared Department
Subject: Comments on amendments to the Bellingham Municipal Code relating to accessory dwelling units (ADUs)

Dear City Council Members:

April Barker, Gene Knutson, Daniel Hammill, Pinky Vargas, Terry Bornemann, Michael Lilliquist and Roxanne Murphy

I have been a resident of the South Hill neighborhood for over 30 years and I am Native American. My neighborhood is an "inclusive" mixed incomes neighborhood. There are many old timers in our neighborhood like me, student houses that have been grandfathered in like "International House" and all income levels from the South Hill Apartments to the rental houses down the street including a triplex and duplex in the blocks next to us. I know most of the neighbors here in my community where I have lived and worked and I am now raising my teenagers.

As a Woman Engineer for over 30 years, who works to protect the environment, I believe it is appropriate to base our decisions on data and facts not assumptions without facts. We need to take the time to first implement the Happy Valley Pilot project, get the data from this project and see what facts about affordability and other impacts come to light before we move forward on this major citywide zoning change. The information provided from this pilot should tell us if these unit should be built citywide or neighborhood by neighborhood or at all. The current US administration has made changes without information that is harming our environment throughout the United States (US). I would like our city, Bellingham, to be better than this US administration and base our regulatory changes on data and facts and follow the correct procedure to get to an end result we can all live with or at least one where we have all had input and been heard by the city. The proposed changes to the city codes are based on assumptions from what has happened in other cities and not doing a pilot here in Bellingham. I believe we need Bellingham specific data on Detached Accessory Dwelling Unit's (DADU's) before decisions are made if these units should be allowed citywide. It appears to me there is a group that wants to have DADU's throughout the city regardless of their impact. The DADU impacts have not been quantified as you would do in any major action, like this one.

In addition, Bellingham wants to bill itself as a "Green City", however these changes will take away trees and greenery from a city that is already rapidly losing our tree canopy and green spaces as we have no ordinances that protect them. Mitigating climate change requires protecting our tree canopy and greenery to lessen the impacts of this change.

This zoning change is an "Up Zone" for all of our neighborhoods. There are many community members that do not necessarily agree with this Up Zone with limited input and no data. The city is also trying to take away the "impact" fees for these "additional housing developments" so the rest of us must pay more taxes to keep the city infrastructure maintained citywide. These units and the additional population they bring will not pay their fair share, and they should, for they will impact all of the infrastructure in the city if they are added to our neighborhoods.

I appreciate your thoughtful consideration of my comments.

Sincerely,

Lynn Billington, MS, PE

Marchand, Marie M.

From: Steve Abell <steve@ea-sa.net>
Sent: Monday, April 9, 2018 4:50 PM
To: CC - Shared Department
Cc: Koch, Christopher J.; MY - mayorsoffice@cob.org
Subject: Comment on ADU Ordinance revision
Attachments: ADU Samish letter Apr 2018.pdf

This is a slightly revised version of the comment letter the Samish Neighborhood Association sent to the Planning Commission last fall. Our sentiments and comments remain unchanged. Please accept this letter from the Samish Neighborhood Association as you consider revisions to the Accessory Dwelling Unit Ordinance.

Thank you.

Steve Abell, President
Samish Neighborhood Association

April 9, 2018

To: Bellingham City Council

From: Samish Neighborhood Association

Subject: Public hearing for revisions to the ADU ordinance

Setting aside the area included in Lake Padden Park, and except for a very small amount of residential multi and commercial property, Samish Neighborhood is a residential single neighborhood. This residential single character is what has attracted homebuyers to our neighborhood for many years, and continues to do so. Our neighborhood does not oppose growth but we do not want to sacrifice our neighborhood character in order to grow. Samish residents attracted to the single family residential character of our neighborhood need to have confidence that the investment in their homes and their quality of life will not be degraded by growth-driven changes.

We support attached ADUs (A-ADUs) for existing single family homes consistent with current city code. We see these as both useful and supportive of neighborhood character as long as they are well designed and constructed in a way that blends in with the main house and surrounding houses. We see detached ADUs (D-ADUs) as potential threats to neighborhood character and quality of life in a number of ways. Therefore, we ask that the following requirements and recommendations be considered as the City of Bellingham contemplates revisions in the code governing ADUs.

- *Complete the inventory of existing ADUs.* Regardless of how a revised ordinance may be written, the city must have a baseline for how many ADUs exist (including unregistered ones) and their locations. In other words, fully document current ADU density. It makes little sense for the city to revise ADU density regulations without knowing where it started. We believe the city has already set this goal in place. Finish it.
- *Maintain the owner occupancy requirement for properties that include an ADU.* Eliminating this requirement would create an “open season” on real estate speculation, particularly by out-of-town landlords who want to turn reasonably priced single family homes with ADUs into rental cash cows. This has no benefits for the long term neighbors surrounding the property and would, in fact, be a giant step toward turning a comfortable family neighborhood into a rental slum. An owner constrained to live in either the main house or the ADU will have a stronger interest in maintaining property appearance and in contributing to community. An absentee landlord will have neither.
- *Ensure adequate provision for parking.* Parking seems to be a growing problem in many areas of the city now, especially if the location is close to one of our post-secondary schools. Inadequate on-site parking for additional ADUs is likely to squeeze the vehicles of current residents into fewer and fewer spaces, possibly leading to the inability to find a spot close to one’s home. Streets crowded with parked cars can also interfere with access for emergency and delivery vehicles, raising safety concerns for residents.

- *Maintain the prohibition of D-ADUs in single family neighborhoods.* D-ADUs change neighborhood character in ways that are subtle but significant to homeowners. Required minimum lot size in Samish Neighborhood residential single zones is either 12,000 or 20,000 square feet. There is a sense of space and a feeling of openness to our neighborhood that will be increasingly lost as D-ADUs pop up on existing residential single lots. A sense of crowding will replace that feeling of openness. This sense of openness is a large and desirable part of neighborhood character.
- *Develop enforcement procedures that include detection of violations and non-compliance penalties that have teeth.* Without enforcement there is no incentive to comply. An example of this is the conversion of moderately priced single family homes into rooming houses for five to eight unrelated persons. The city has chosen not to enforce the current definition of family with regard to housing. As a result, some landlords have no compunction about adding three bedrooms to the basement of a normal three bedroom home and charging \$3600 per month rent. Such a house - an otherwise affordable home for an actual middle-income family – has been made out of reach to them.

There is room for growth within Samish Neighborhood. We welcome this but want growth to be consistent with current zoning requirements. Growth that is inconsistent with our single family residential character betrays current residents who bought homes here because they wanted their families to enjoy what they found here. This is true for recently arrived residents as well as those who have lived here for decades.

Samish residents deserve protection from code changes that will lead to the gradual loss of our neighborhood character. Forces within the city that want growth by any means and try to label neighborhoods that resist as exclusionary are simply wrong. The Samish Neighborhood Association, along with many other neighborhood associations in Bellingham, is trying to preserve stability and predictability of neighborhood character to our current and future residents.

Sincerely,

Steve Abell, President
Samish Neighborhood Association

Marchand, Marie M.

From: Julia Burns <ms.juliaburns@gmail.com>
Sent: Friday, April 6, 2018 2:05 PM
To: CC - Shared Department
Subject: Support DADUs please!

Hello City Council Members!

I cannot attend the meeting about DADUs this coming Monday so I wanted to give you my two cents early!

Aside from all of the benefits ADUs and DADUs provide for supporting economically integrated communities and for increasing the diversity of our housing stock and for increasing density in our massively land heavy single-family zoned neighborhoods; I also think DADUs and ADUs are important for allowing families to grow and change while remaining in the neighborhoods they call home.

Here is what is going on with both me and my partner and with my parents and why DADUs could help all of us.

My partner and I are both moderately well paid for Bellingham (we both make about \$42,000) and we want to buy a home. We have been approved for a mortgage at \$250,000 which as you know won't get us anything within the city limits, which will have a monthly payment of \$1500. \$1500 a month is about the maximum monthly payment we can afford but costs in the City are going to require that we bump our mortgage up a lot higher. The only way we are going to be able to get into a house (that allows us not to have a car) is if we have an ADU. We, as young professionals in Bellingham, are not alone in this. If the city is looking to keep our age group in the city, then DADUs are a great way to support that.

My parents want to retire and have a house in the Sehome neighborhood that is too big for them and that will at some point be difficult for them to navigate with multiple stair cases. They love their home and neighborhood and don't want to sell it but they also need to simplify. Being able to build and move into a DADU for them would mean that they could supplement their income in retirement, stay in the neighborhood they love and build something that doesn't require them to walk up stairs.

It saddens me to see how divisive this issue has become when really I just think that it is a practical tool that we can use in the battle against rapidly increasing house and rental costs and stagnating wages.

Thanks for your time!

Best,
Julia

Marchand, Marie M.

From: Elizabeth Stuart <elizabethreedstuart@gmail.com>
Sent: Friday, April 6, 2018 8:18 AM
To: CC - Shared Department
Subject: Yes to ADU ordinance

Hello,

I am a local mom, mother of 3, who works and lives in Bellingham (Columbia neighborhood). My family currently rents and would like more housing opportunities as rents have become outrageously high. Please pass the ADU ordinance as recommended by the planning committee. We need more inclusive housing options in Bellingham.

Liz Stuart
2430 Victor St.

Get [Outlook for iOS](#)

Marchand, Marie M.

From: Kate Rinder <katerinder@gmail.com>
Sent: Friday, April 6, 2018 7:47 AM
To: CC - Shared Department
Subject: ADUs

Hello,

I am writing to encourage members of City Council to vote in support of allowing ADUs and other diverse, affordable housing types. The 'In-Fill Toolkit' housing types should be allowed in all Bellingham neighborhoods. Rents and home prices in our community are so expensive, and only seem to be continuing to rise. Our community is stronger when we have a wide variety of types of people living here, including all socioeconomic levels in all neighborhoods. Not to mention the environmental impacts that come with urban sprawl. So I ask you to vote YES to support the city-wide ADU ordinance, and any other measures to support affordable housing for all.

Thank you,
Kate Rinder

Happy Valley

Marchand, Marie M.

From: Kathie Wilson <kathiejo1733@gmail.com>
Sent: Thursday, April 5, 2018 8:03 PM
To: CC - Shared Department
Subject: affordable housing

City Council Members,

Thank you for taking up this important issue. Bellingham has changed so much in the 39 years since we've moved here! But nothing has changed the climate of the community as much as the scarcity and price of housing. We never would be able to buy a house at today's prices and our daughter and her family are struggling financially, despite having good jobs, as their rent keeps going up. Inclusive neighborhoods just seem to make so much sense. Please consider passing the ADU ordinance to make it possible to for working folks to stay in our city. Thank you. Kathie Wilson

Marchand, Marie M.

From: Margaret Lyons <lyonsmm@gmail.com>
Sent: Thursday, April 5, 2018 10:54 PM
To: CC - Shared Department
Subject: Proposed DADU changes

Good day, Council Members.

I've been keeping up with the city's proposal to allow DADUs in all neighborhoods, and I've had many mixed feelings. However, I think that ultimately a blanket allowance for DADUs all over Bellingham is a bad idea.

I agree that having more housing options would be nice, but DADUs are really just passive income generators and drive up housing values for subsequent buyers far too much and thus negate the extra and 'affordable' housing. DADUs already exist all over town, as a walk down any alley will prove. Until the city can enforce current regulations (owner-occupied being my primary concern) and collect taxes on the rental and AirBNB incomes, DADUs should not be legalized!

ADUs already address the benefits lauded for DADUs - extra housing options in the city, affordable apartments, and help for families wanting to house loved ones. ADUs have a smaller footprint, lower cost, require more accountability from the homeowner, and address infill.

While the intention of legalizing DADUs city-wide is positive, the city is not going about it with enough input from individual neighborhoods, enforceable regulations and enforcers, or an understanding of what housing stock we already have, and without finishing Happy Valley's long-planned pilot project. Please do not legalize DADUs until the Happy Valley situation is complete and much more research and discussion on what it would take to make DADUs successful in different parts of the city.

Thank you for your hard work,
Margaret Lyons
2818 Humboldt St.
98225

Ask yourself, "Who can I make smile this morning?"
This is the art of creating happiness.

Thich Nhat Hanh

Marchand, Marie M.

From: rick98229@yahoo.com
Sent: Wednesday, April 4, 2018 11:00 PM
To: CC - Shared Department
Subject: DADU Ordinance

Dear Council,

We are strongly opposed to the DADU Ordinance as proposed. A blanket ordinance that covers all neighborhoods in our city is NOT good planning and ignores the wishes of the citizen taxpayers of Bellingham.

The Happy Valley neighborhood has indicated a willingness to give this concept a trial run. Please take them up on that offer before proceeding with a city-wide experiment.

Please insure that each DADU project meets a stringent set of criteria, preferably a conditional use permit or comparable.

It is absolutely imperative that there be an owner occupancy requirement. Lack of this requirement will destroy the fabric of our neighborhoods forever. It is a given fact that lack of owner occupancy leads to deterioration of neighborhoods as is very evident already in many neighborhoods with illegal rooming houses. Please place to wishes of the citizens of our neighborhoods above those who place greedy profit above the residents of neighborhoods.

Please enforce existing laws.....to continue to allow illegal DADUs and over occupied Rooming Houses is a dereliction of your duty and betrayal of the oath you took. Enforce the law!

A blanket ordinance may appear in theory to solve our city's housing issues. Please consider this issue with caution. Do not make the resident owners of our neighborhoods pay the price for flawed planning.

Sincerely yours,
Richard & Patricia Anderson
4219 Adams Ave
Bellingham, WA 98229

360-671-0532

Marchand, Marie M.

From: Lynne Pendleton <mlpendlet@gmail.com>
Sent: Thursday, April 5, 2018 10:50 AM
To: CC - Shared Department
Subject: Permitting Detached A.D.U.'s

5 April 2018

Dear Bellingham City Council Members,

I would like to request that you act to permit Detached Accessory Dwelling Units in all Bellingham neighborhoods.

As the population of our region grows, we face a choice between increased density or increased urban sprawl. This forward thinking move brings increasing density to existing Bellingham neighborhoods, with minimal impact.

Increasing density in existing neighborhoods allows more efficient use of existing city services and utilities, including schools and public transportation.

As residents of single family housing age, many look to 'down size', while wanting to stay in the same neighborhood. ADU's may provide desired smaller living spaces. They can encourage more diversity in our neighborhoods, giving single people of all ages more options.

I would like to see reasonable building regulations, that encourage, but do not force, appropriate building designs of these structures. To avoid problems I would like to see the permitting require that one unit be 'owner occupied'.

I am a resident of one of the neighborhoods that would be affected. I currently live in a large older house in the Columbia neighborhood. I love living in a location within walking, biking or busing distance to all the services - library, post office, restaurants, theaters, shops, businesses, etc - that a thriving downtown area offers. While I have enjoyed sharing my house with others, now I would love to find a smaller dwelling in this neighborhood. Detached ADU's would provide me with the location, as well as the privacy, that I seek.

There has been resistance from some current residents of this neighborhood to Detached ADU's, predicting that we will be overrun by short-term rentals. I realize that change is

sometimes difficult to absorb. However it is inevitable, and we will benefit when it is planned and regulated. I believe we can increase the density of this established neighborhood, without destroying the character that makes it a desirable place to live

Regards,

M Lynne Pendleton

2415 Williams St

Bellingham, WA 98225

Marchand, Marie M.

From: Richard Conoboy <riton@comcast.net>
Sent: Thursday, April 5, 2018 8:49 AM
To: Lilliquist, Michael W.; Vargas, Pinky T.; Bornemann, Terry R.; Knutson, Gene R.; Murphy, Roxanne J.; Barker, April; Hammill, Daniel C.
Cc: Ruffatto, Peter M.; Sepler, Rick M.; Koch, Christopher J.; Aucutt, Gregory R.; Gardner, Mark J.; Marchand, Marie M.
Subject: ADU ordinance - possible conflict with boarding house rule
Attachments: decision.pdf

I would like to call your attention to a possible conflict between current city of Bellingham ordinances with respect to the creation of boarding houses and the recommendation of the planning commission to allow no more than four residents in an ADU regardless of relationships. This seems to fly in the face of the current definition of family and the ADU as a dwelling unit.

I do note that staff has recommended against raising the allowable number beyond 3, however, there was no mention of family or boarding house creation.

Attachment C

ADU Standards

Summary of Changes Proposed by Staff

11. Occupancy: (SP): The total number of persons who may occupy the D-ADU shall not exceed three (3), regardless of relationship. Currently there is no specified occupancy limit for D-ADUs. The proposed occupancy limit would be consistent with what is currently required of A-ADUs.

Relatively recently, the hearing examiner rejected a proposal that contained 4-bedroom units in a development called University Ridge. See attached decision Paras 56 and following.

A move nearly a decade ago under Tim Stewart, the planning director at the time, looked at the issue of changing the family definition, however, given the use of the word family throughout the BMC and the possible ramifications of a change within the many code sections in which the term was used, the idea was abandoned.

It would seem that the definition of family and the prohibition of boarding houses in certain areas would have to be amended prior to raising the allowable number of residents in an ADU above three.

Dick Conoboy

COB
staff
note:

74 page attachment
too large for packet.
See Planning Dept.
Notice of Decision
Oct. 23, 2013

Marchand, Marie M.

From: Carrie Blackwood <CEBlackwood@outlook.com>
Sent: Thursday, April 5, 2018 8:44 AM
To: Marchand, Marie M.
Subject: ADU Public Hearing Packet April 9, 2018: Please replace my 3/29 5:22PM Email Comments with this email content.

Marie, Please replace my 3/29 5:22PM Email Comments with the following to be added to the Published Packet for the Monday April 9, 2018 Public Hearing:

Bellingham City Council

Re: ADUs & STRs

Summary of Public Comments:

- Happy Valley ADU Pilot Program: Support
- ADU Implementation City-Wide: Support
- STR (Short Term Rental Regulation): Support regulating in the same way as month-to-month rentals (with registry and inspection) along with a requirement to pay relevant taxes and obtain a business license.

I support tourism, in-fill, affordable housing, sustainable living, and access for everyone to enjoy the wonderful City we live in. For these reasons, I support Accessory Dwelling Units "ADUs" and Short-Term Rentals "STRs" and in our City. I ask that you represent my interests during discussions on these matters.

We are a vibrant, dynamic, diverse City that must not shy away from our alluring awesomeness, but instead embrace it and welcome others without unreasonable and irrational barriers.

Despite the "the sky is falling" rhetoric that ADUs and STRs are the end of the world as we know it, I am unconvinced.

We have had ADU's and STRs for years, and luckily, there have been wonderful results. For example, with ADUs, folks have been housed without the need for urban sprawl, often in the downtown walkable core, in smaller foot-print homes that use our natural resources in more sound ways, and in compliance with our articulated comprehensive planning vision. With STRs folks have enjoyed tourism, been able to live like a local, visited relatives, checked out colleges, slept comfortably during a visit for a funeral, wedding, sporting event,

child's birth, or while working in town. We even met "strangers" and they were cool too. Maybe even cooler than us! Yay! Sounds like goodness to me.

Regarding STRs, here are a few items for consideration:

- Growth of STRs has stayed relatively stagnant.
- The majority of STRs would not otherwise be available for purchase by first time home buyers.
- Less than 1% of the housing stock in the COB.
- Provide access to walk-able tourism in our downtown cores.
- Fuel tourism.
- Is a form of small economical and sustainable business, which we need to support for a thriving local economy.
- Have no significant impacts greater than a month-to-month rental, in fact, there are arguably less impacts.
- Yes, "strangers" may stay at an STR. We call them guests, tourists, customers, adventurers, travelers, out-of-town family and friends, and visitors. Yay!

I ask that before you start over regulating STRs, you ask what has actually occurred with STRs that is of greater concern than what occurs with month-to-month rentals. I think the answer is a lot of great stuff.

My suggestion is that you treat STRs like a month-to-month rental (with registry and inspection), require taxes and a business license, and then get out of there.

I am also happy to sit down with anyone of you over tea and talk about my experiences.

Thank you for the work you do and for the listening. Also, forgive errors and length at the end of a long day.

Carrie Blackwood- 1123 19th St. 98225

Marchand, Marie M.

From: Peter <peterreads@yahoo.com>
Sent: Wednesday, April 4, 2018 3:42 PM
To: CC - Shared Department
Subject: Planning Commission ADU Proposals

I write in support of the Planning Commission's proposed changes to the City's ADU regulations. While I have some reservations about eliminating the impact fees, especially on new construction, i feel that the proposed changes will improve both the livability and affordability of Bellingham.

Peter Drewes
Samish Neighborhood

April 4, 2018

Dear City Council Members and Mayor Kelli Linville,

We are writing to you regarding the proposal to allow Detached Additional Dwelling Units in all Single Family zoned areas of Bellingham.

Before you make such a sweeping change to all Single Family Zoned (SF) neighborhoods, we encourage you to clearly define the problem to be solved and to take cautious steps to implement any changes. You have an opportunity to do that now since Happy Valley has voted to allow DADUs as a pilot program.

We encourage you to monitor and assess the Happy Valley pilot and to confer with and to inform every SF Zoned neighborhood the results of the pilot program. All residents will be affected and should have their voices heard before you change their neighborhood and Bellingham permanently and forever.

If the problem to be solved is the lack of affordable housing for rent or sale, we offer a few suggestions:

- If you first enact meaningful and enforceable legislation for short term rentals, you may see a rise in the number of long term units available for residents due to the regulations imposed on vacation rentals.
- You could petition and involve WWU and WA State in providing housing for growing student populations.
- Urban Villages are a great idea and Fairhaven Village is an example. However, all of the most recent housing developments in urban villages have been prohibitively expensive. Perhaps for developers to get a building permit, they could be required to build units of varying size and price ...some large, medium and small, in whatever they're developing for sale or for rent. Perhaps a percentage of units need to be "affordable" housing in perpetuity. This would foster more diversity.
- Developments like the existing Harris Ave cottage housing built through Kulshan could be encouraged as well as co-housing communities like the one in Happy Valley.
- Subsidized housing apartments, like the three Squares currently for low income seniors, could be built to help alleviate homelessness in all populations.
- Since Detached Additional Dwelling units can be built using a Conditional Use Permit, there is no reason to abandon this process- one that shows consideration for

others and helps to keep neighbors and neighborhoods cordial and friendly. Maybe it needs to be updated.

Finally, allowing uncontrolled Detached and Attached ADU 's everywhere won't necessarily be affordable or encourage diversity. But this is what it certainly will do....it will change neighborhoods forever making them less environmentally sustainable, less green and permeable, more congested with cars and noise, and more likely to provide short term vacation rentals than housing for our residents.

We thank you for serving on the City Council, for your work as Mayor and for taking the time to read and to consider.

Sincerely,


Anita Ballweg


Ray Ballweg

Marchand, Marie M.

From: Barry Dikeman <bdikeman@gmail.com>
Sent: Wednesday, April 4, 2018 3:30 PM
To: CC - Shared Department
Subject: ADU/D-ADU Feedback

Hello Council Members,

I have been following the developments in City government (both council and the planning commission) surrounding the issue(s) of ADUs, DADUs and Short Term Rentals (STRs) with great interest. My wife and I have been on-again-off-again residents of Bellingham since 1993 and recently (2016) moved back to town after a 10-year absence during which time we resided in Portland, Maine. We currently reside in the Sehome neighborhood and formerly resided in the Columbia neighborhood. A little personal background might be helpful and provide some background that forms our perspective. We are both in our late 40s and at the mid-points of our professional careers, we have no children and our parents (both sets still living) and extended family live in different states. Having lived in downtown Portland, Maine for 10 years we grew to love the convenience of being able to walk to grocery stores, dozens and dozens of restaurants, local parks and other amenities that were available because of Portland's denser layout. In addition to the perspective we gained by living in another similarly sized city where we saw unique and different approaches to solving similar problems to those faced by Bellingham, our 10-year absence from Bellingham left us shocked upon our return to witness how much sprawl (and resulting traffic snarls) had increased since we left in 2008. I think it might be time to look for other solutions beyond Bellingham's historical practice of sprawl-inducing annexation to accommodate future growth.

Upon moving back to Bellingham in mid-2016 we began searching for a new home with two major criteria requirements: 1.) that the home be located in a neighborhood that would be walkable to downtown and 2.) that the home include a permitted separate dwelling unit for visiting family to be able to stay, to accommodate our elderly parents when the time comes that we need to care for them and...looking to the future here; a place for our caregiver to stay when we become elderly. The walkable-to-downtown requirement meant that our home search was targeted to Bellingham's older, well-established neighborhoods like Columbia, Sehome, Lettered Streets, etc.. Thankfully, we were able to locate and purchase our home on Newell Street which had a legally permitted Accessory Building which is distinct from an ADU or DADU wherein our deed also has covenant prohibiting any cooking facilities in the Accessory Building which we have strictly abided to. Unfortunately, we are not currently permitted to use our legally-permitted Accessory Building to temporarily house visiting friends or family under the current code. See City code 20.30.100 that addresses our permitted structure which I cut and pasted below -

Specifically reference Regulation #2 under Section B Regulations which limits human habitation in the Accessory Building to the "resident family" which to our reading excludes our family members (aged parents and siblings) from habitation because they currently are not part of our "resident family" which at the present is comprised of only my wife and myself. Regulation #2 goes on further to prohibit any business (unless specifically permitted) usage of the Accessory Building which prevents us from either using it as a STR or to house my wife's graphic design business. Regulation #2 as it is currently written appears to ban us from using our permitted Accessory Building for anything other than my wife or I choosing to sleep out there from time-to-time which is ridiculous! Our Accessory Building is a well designed (built with a permit and inspected by COB) building that matches our house and is under 400 SQFT in size but under Section 20.300.100 we are forced to leave it as vacant liveable space as it was purposely built detached from our main home structure. My interpretation of the current ADU regulation is that if we were to attach our existing Accessory Building to our

home by designing and constructing a covered breezeway structure which connected to the buildings then, we would have a LEGAL ADU and therefore could let non-resident family members stay in the Accessory Building, rent it out to non relatives and perhaps legally register the unit as an AirBNB. The attached distinction makes absolutely NO sense and our scenario is not unique in the City.

The point I am trying to make here is that our current zoning laws have not kept up with local growth and shifting demographics and need to be carefully reevaluated (prepare yourselves for a lengthy process!) as a whole, not as a knee-jerk reaction to Short Term Rental usage nor as a false dilemma decision between ADU and DADU. Please, please take the time to consider all of the facts and address all of the needs on this very complex issue. If the decision is made to not allow DADUs I feel that citizens should be given an explanation as to why a distinction was made between "attached" and "detached"

20.30.100 Accessory buildings and uses.

A. Generally.

1. Uses and buildings accessory to the permitted principal use shall be allowed unless specifically prohibited.
2. Uses accessory to a conditional use shall be permitted outright if contained within the main building. Buildings accessory to the main building of a conditional use shall be permitted outright if less than 800 square feet in total floor area. However, if said building will exceed 800 square feet in total floor area, separate approval as a conditional use is required.
3. Exempt home occupations and babysitting shall be considered an accessory use.

B. Regulations.

1. The regulations of BMC 20.30.040 shall apply to all accessory buildings except that:
 - a. Accessory buildings shall not exceed one story in height, or 12 feet under either height definition.
 - b. Accessory buildings may be located in a rear yard and in the rear 22 feet of an interior side yard; however, a garage, the entrance of which faces the rear lot line, shall not be located within 10 feet from the rear lot line.
2. Buildings accessory to single-family homes shall not be used for human habitation other than the resident family, nor used to conduct any business, unless specifically permitted.
3. Accessory buildings shall not be constructed prior to the commencement of the construction of the main building.

4. An accessory building may not exceed 800 square feet in area, provided the hearing examiner may approve, by conditional use permit, larger buildings after proper review and consideration. [Ord. 2002-10-069 § 52; Ord. 9024, 1982].

Thank you,

--

Barry Dikeman
Bellingham, WA

Marchand, Marie M.

From: Patrick McKee <onlineatlast2003@yahoo.com>
Sent: Wednesday, April 4, 2018 1:52 PM
To: Knutson, Gene R.; Lilliquist, Michael W.; Bornemann, Terry R.; Hammill, Daniel C.; Vargas, Pinky T.; Murphy, Roxanne J.; CC - Shared Department
Subject: ADU Ordinance Update Public Hearing

April 4, 2018

To: Bellingham City Council

From: Patrick McKee

RE: April 9th Public Hearing on ADU Ordinance Update

Dear Council Member,

The Infill Housing Code (BMC 20.28) was passed in 2009. This new code allowed DADU's to be built in many areas of the city. (BMC 20.28.020) Half the residential area of the Sunnyland Neighborhood is zoned for SF Homes, Duplexes, and DADU's. Many older neighborhoods, like Roosevelt, Cornwall Park, and Lettered Streets have similar zoning. All neighborhoods created after 1995 (i.e. Barkley), can have DADU's in Single Family areas. There are hundreds of home owners, who can build DADU's, if they want one. There is no pressing need to radically change City Code and permit DADU's in SF neighborhoods city wide.

Any changes to the ADU Ordinance should be considered on a Neighborhood by Neighborhood basis, starting with a limited number of DADU's permitted. All permit applications should use the Conditional Use Permit process. (BMC 20.16) Owner Occupancy of one unit is a very important requirement, and should be part of any new code.

Sincerely,

Patrick McKee

Grant St, Bellingham

Marchand, Marie M.

From: Dean Fearing <deanf41@gmail.com>
Sent: Wednesday, April 4, 2018 6:28 PM
To: CC - Shared Department
Subject: Consideration of Revisions to Bellingham's Accessory Dwelling Unit Regulations

Dear City Council,

I am writing in support of detached ADUs and hope you will approve DADUs throughout the City of Bellingham.

As we've all become aware, Bellingham is faced with an unprecedented housing crisis never seen before. Rental vacancies continue to stay historically low and the price of homes continues to soar. As noted on Redfin, home prices rose 1.2% in the past month or 14.8% in the past year! The average home price in Bellingham is now \$435,000.

While that's great for those of us lucky enough to own a home, it's not for families dreaming of owning a home and putting down roots in our community. Based on \$435,000 you need to earn over \$93,000 a year to afford that home. Jobs don't pay that in Bellingham, even with two income earners and saving \$40,000 - 80,000 downpayment seems daunting if not impossible.

While DADUs won't solve our housing crisis, they are a step in the right direction and an incentive that can create affordable housing. Allowing homeowners to develop DADUs on their property will allow family members to stay close by, it will create affordable rentals and relieve some of the demand on the rental housing market.

Additionally, ADUs will have a positive impact on the environment by reducing or eliminating commutes. The impact of not having affordable housing directly increases traffic on our roads as people "drive to affordability". We can see that happening already with increased traffic on I-5, Meridian and Mt Baker Highway (as well as increased traffic accidents). The added drive time not only increases the number of cars on our roads but increases pressure on cities to spend more money on roads to accommodate increased road capacity, further negatively impacting the environment.

Having a toolkit of incentives creates a positive impact on our housing needs. More incentives allows people the opportunity to create ways to invest in our community. Supplemental income from a DADU reduces housing cost burden for many people and creates an opportunity for much-needed rentals in Bellingham.

Among many needed housing options, DADUs will allow more people get to live close to jobs, schools, and services. More housing options will allow hard-working families the opportunity to put down roots and stay in the community we all love.

Sincerely,

Dean Fearing

511 Wilson Ave

Bellingham, WA 98225

Marchand, Marie M.

From: Karin Clumpner <kclumpner@gmail.com>
Sent: Wednesday, April 4, 2018 5:14 PM
To: CC - Shared Department
Subject: Rezoning

I live in Sunnyland and am in favor of the rezoning to allow ADU buildings on one family lots. We would like to have one for my elderly mother who wants to be nearby but not on top of us and she can't afford available condos. Thank you.

Karin Clumpner
2530 Franklin street

Sent from my iPhone

Marchand, Marie M.

From: David Weasley <david@fccb.net>
Sent: Wednesday, April 4, 2018 5:01 PM
To: CC - Shared Department
Subject: Public Hearing Comment: ADU Ordinance

Dear City Council,

I am writing to express my support for the proposed changes to the Bellingham Municipal Code in support of Detached Accessory Dwelling Units. I think these changes will help to ease the housing crisis in Bellingham, and I think that the requirement that one of the units be owner-occupied addresses many of the concerns that have been raised about fueling real estate speculation.

My congregation is deeply passionate about expanding affordable housing and services in Bellingham, and I support all efforts to make more room in our community for folks experiencing poverty and homelessness.

Thank you for your patience and wisdom in this process; I hope you will vote to help Bellingham grow in ways that are sustainable and accessible to a wide variety of neighbors!

take care,
David

Rev. David C. R. Weasley
Pastor for Youth, Young Adults, & Mission



First Congregational Church, UCC
2401 Cornwall Avenue
Bellingham, WA 98225

o. 360-734-3720
c. 773-729-8460
Pronouns: he, him, his
[facebook.com/fccbucc](https://www.facebook.com/fccbucc)
www.fccb.net

Marchand, Marie M.

From: ingelep1929 <ingelep1929@gmail.com>
Sent: Wednesday, April 4, 2018 4:37 PM
To: CC - Shared Department
Subject: Neighborhood matters

Dear housing people

Our neighborhood, South hill, close to the university, is changing from expensive owner-occupied homes to student rooming houses. I live in a three block lane off morey ave. And we already have one house with students, and the house next to mine has been readied for more students. I pay a lot of taxes for the priviledge of my view, but I do not wish to see my neighborhood change so drastically just because it is in walking distance from the university.

My suggestions are that you learn from the happy Valley pilot project, use conditional use permits to ensure neighborhood quality of

Life through owner occupancy requirements for housing, such as DADUs.

And please enforce your existing laws in all matters of owner occupancy of single family housing areas.

Ingeborg Paulus

285 Morey Lane

Bellingham, WA. 98225

Sent from my Galaxy Tab A (2016)

Marchand, Marie M.

From: Dianne Foster <diannefoster234@gmail.com>
Sent: Wednesday, April 4, 2018 11:43 AM
To: CC - Shared Department; MY - mayorsoffice@cob.org
Subject: DADU comment

Dear City Council,

I am against the DADU ordinance, though not against DADU's per se. It has been shown they do not increase housing affordability, so what is the goal? Since Permitting staff told me last week that family DADU's are currently legal, all we need to do is ensure that they have a covenant built into the deed that ensures permanent owner-occupancy to prevent them falling in the hands of investment companies after they're sold.

We should recognize and license all of the existing "illegal" DADU's such as the 27 documented by State Senator Harriet Spanel in the Sehome neighborhood. They must be on the mandated inventory map, (mandated per Comp plan H-9), and could then be inspected for safety. As a PCO that has canvassed this precinct many times, I can attest to their existence.

Rather than a top-down process, we need a CUP-3 process for each neighborhood to determine whether the character of that building fits their own design standards. We've lost democracy at the national level, but we need to fight for it on the local level. We can work this out in a unified way, if willing.

York neighborhood is an example of occupied territory, with 40 grand old houses being allowed to deteriorate by the dynasty that owns them. Let us begin the decolonization process by not incentivizing future big business plans in the historic downtown core.

This ordinance, and the series of them affecting density are aimed only at the downtown core, whose neighborhoods don't have covenants, and are vulnerable to developers.

What we need, instead, is an anti-mcmansion law, similar to Portland. They have a moratorium on tear-downs to protect old houses, which are affordable stock for renters and first-time buyers as fixer-uppers. Then they ban building anything over 2500 square feet. In Seattle, where imported workers for Amazon have flooded the housing market, they are tearing down a craftsman per day, often replaced with 10,000 sf mcmansions that displace green space and heirloom trees. Their history is disappearing. **Let that not happen HERE.**

Yours truly,

Dianne Foster
Sehome Neighborhood Board, member, Occupy Bellingham, Democratic PCO 246



City Council Agenda Bill

21704

Bill Number

Subject: Update on Water Contract Negotiations with Lummi Nation

Summary Statement: On September 25, 2017, Council gave direction to negotiate with the Lummi Nation to develop a water contract that takes into account a business as usual approach (retail rate plus our city multiplier, and 11.5% utility tax), or create a wholesale rate and evaluate utility tax, or a combination of both whichever works best for both entities. Direction was also given to develop a contingency plan if development doesn't proceed. In October 2017, the City provided the Lummi Nation with a draft contract for negotiation on the provision of water service. On Monday, April 9, 2018, the City received the only written communication in reference to the draft contract that the City provided.

Previous Council Action: 8/14/17 Economic Study on Proposed Lummi Nation Development; 9/25/17 direction to negotiate; 4/9/18 direction to provide update

Fiscal Impact: Estimated at \$1M or more General Fund loss to the City annually

Funding Source: General Fund

- Attachments: 1. STAFF MEMO
- 2. LICB RESPONSE TO 10-17-17 DRAFT CONTRACT

Meeting Activity	Meeting Date	Recommendation	Presented By	Time
Committee Briefing - Information Only	04/23/2018	Information Only	Ted Carlson, Public Works Director	5 minutes

Recommended Motion:

Council Committee:
Committee Of The Whole

Agenda Bill Contact:
Brian Heinrich, Exec, x8117

Council Action:	Reviewed By	Department	Date
	<i>Brian M. Heinrich</i>	Executive	04/11/2018
	<i>Amy B. Kraham</i>	Legal	04/17/2018
	<i>Kelli J. Linville</i>	Executive	04/18/2018



MEMORANDUM

TO: Bellingham City Council
FROM: Ted Carlson, Public Works Director
CC: Mayor Kelli Linville
SUBJECT: Update on Water Contract with the Lummi Tribal Water and Sewer District and the Lummi Nation
DATE: 04/23/2018

As you will recall from various Council meetings on the subject, as a general matter, the overarching guidance for the extension of City water service beyond the City's boundaries is found in Chapter 15.36 of the Bellingham Municipal Code, which provides that water should be extended only when the extension meets the best interests of the City of Bellingham. Under this guidance and following discussion with the City Council, City staff sent a draft contract to the Lummi Nation.

On September 25, 2017, City Council made a motion for staff to negotiate a water supply contract with the Lummi Nation. The Council motion stated that two approaches would be acceptable. The first was "business as usual," meaning the use of the form of contract that the City has entered into with other governmental and private entities. As discussed with Council, that form of contract includes the retail water rate plus the out of City multiplier, agreement to annexation and an 11.5% utility tax. The second approach, also approved by City Council, was to negotiate a wholesale rate and evaluate the utility tax.

Ted Carlson met with representatives from the Lummi Nation twice in the fall in an attempt to gather information necessary to negotiate a wholesale rate. The Lummi Nation did not provide the information necessary to formulate a wholesale rate. The last time Public Works staff asked for this information was in a meeting on September 12, 2017.

Pursuant to the September 25, 2017 City Council motion, on October 31, 2017, City staff sent a draft contract with the typical terms included in a "business as usual" wholesale water contract. Staff expected to negotiate from those draft terms as a starting point. However, no response was forthcoming until April 9, 2018, when I received a letter from Jeremiah Julius, the Chairman of the Lummi Nation. Although his April 9th response does not provide a revision of the proposed contract or propose specific contract terms, it states that the Lummi Nation is not interested in the "business as usual" contract the City enters into with other governmental entities and water districts and finds those terms "objectionable."

In particular, Mr. Julius objects to an agreement to annex as a condition of the contract. The requirement of annexation, when providing direct water service, is explicit in the Bellingham Municipal Code. Because the subject property is in the UGA, under state law the City should not providing urban level services, such as water, to areas that will not be annexed. The Growth Management Act contemplates that if urban level services are provided, annexation will occur. In addition, providing water service to an area within the City's UGA without an annexation requirement is not consistent with BMC 15.36.040. County-wide planning policies, adopted in collaboration with city governments, state that cities shall not extend water and service utilities into urban growth areas without an adopted program for annexation. The City Attorney's office advises me that under current law annexation does not infringe on tribal sovereignty from a legal perspective. In addition to abiding by municipal code policies and county-wide planning policies, one reason the City includes this language in its water contracts is to preserve the ability to apply sales tax, applicable to those non-tribal members who purchase taxable goods and services provided by businesses operating in the area, in the same manner as in other areas of the City.

If annexation is not a requirement, the City would not receive the local portion of sales tax from the area, rather the County would continue to receive it, as it does now. Annexation would not add to the sales tax burden of those transacting business on the trust land in question, but would shift the local portion from the County to the City. In addition, if the service area were not annexed, the City would be unable to annex adjacent areas that are not contiguous with City jurisdictional property, such as the area known as Area 6 – Curtis Road currently in the City's UGA, but not accessible due to the airport and/or the trust land. Removal of industrial land from the City's future tax base makes it less feasible to annex costly urban growth areas, such as the Alderwood area. Without annexation, the economic benefit to the City of providing water is greatly reduced, if not eliminated. Mr. Julius misunderstands the scale of the benefit the City's water system would receive from flushing additional water through the pipes. Although this would be marginally helpful, the City has other ways of maintaining chlorine residual, that are not nearly as costly to the City as providing water at a below market rate would be. Finally, Mr. Julius's response does not note the potential benefits of annexation, which, may include, based on further discussion and agreement, the provision of certain City services to the subject area.

City staff looks forward to receiving the information necessary to formulate a wholesale rate if the Lummi Nation prefers to take that pathway.



LUMMI INDIAN BUSINESS COUNCIL

2665 KWINA ROAD BELLINGHAM, WASHINGTON 98226 (360) 312-2000

DEPARTMENT _____

DIRECT NO. _____

April 9, 2018

Mayor Kelli Linville
City of Bellingham
210 Lottie Street
Bellingham, WA 98225

Dear Mayor Linville,

On September 12, 2016, we wrote to you to request water and sewer service for our trust property located within the Bellingham service area. We wrote again on October 14, 2016, to clarify that our request was for wholesale water only and did not include sewer service.

In late October 2017, we received a draft contract that proposed we reopen our existing retail water contract, demanded that we pay 150% of retail water rates and required that we agree to allow Bellingham to annex our lands in exchange for any amount of water. To be clear, we find those terms to be objectionable. To be honest, we believe that the proposed contract reflects a desire to undermine our good faith attempt to work collaboratively with the City of Bellingham.

Prior discussions and correspondence made clear that this would be a new wholesale water service agreement with a reasonable rate designed to encourage the Lummi Nation to purchase significant quantities of water. Annexation was never discussed, nor should it ever have been discussed, and in our early meetings with your staff we made clear that we were not interested in reopening our existing retail water contract to serve this property.

We expected a negotiation that would result in a draft agreement that respected the water rights and sovereignty of both Bellingham and the Lummi Nation. It was our understanding that the City of Bellingham would benefit from flushing water from the system near Marietta in order to reduce the build-up of potentially harmful substances in the City's water. We anticipated a cooperative approach resulting in a fair agreement that benefited both our respective communities.

As you are well aware, the Lummi Nation is one of the largest employers in Whatcom County. We provide jobs and exciting careers for many residents of the City of Bellingham and we intend to engage in further economic development that will certainly benefit both the Nation as well as the City. We encourage you take a longer view of the potential benefits to be had by engaging with us in a productive manner. We remain confident that the City and the Nation can work together to our mutual benefit.

We strongly suggest that you reevaluate your October 2017 proposal.

Sincerely,

Jeremiah Julius, Chairman
Lummi Nation

cc: Ted Carlson, Bellingham Public Works Director
Bellingham City Council