

# Taking the city to task with the state

## City's current Comp Plan contains 830-acre error

### GUEST SPOT

by LARRY HOROWITZ

Bellingham ... we have a problem; our aching growing pains are getting worse. The 2006 Bellingham Customer Satisfaction Survey confirms that the four "most important problems facing Bellingham today" are all growth related. Seventy-one percent of residents agree, "Bellingham is growing too fast and is losing its character."

And relief is nowhere in sight. The Growth Management Act, city officials argue, is forcing us to sacrifice in the name of accommodation. To citizens' dismay, our leaders have:

- \* Reduced adopted service levels on critical roads to the lowest level "F" (as in "Failure") - sanctioning further development in overcrowded areas and intensifying traffic congestion.

- \* Eliminated highly valued view protections - allowing the construction of taller and wider buildings to obstruct bay and mountain views.

- \* Endorsed a new Greenways levy - subsidizing developers by substantially funding the park system expansion necessitated by growth with our tax dollars rather than development impact fees.

- \* Recommended artificially low growth impact fees - further stimulating growth and enabling developers to contribute less than their fair share.

- \* Approved aggressive upzones in established neighborhoods - sacrificing neighborhood character by enabling multi-family, high-density

construction.

\* Recommended an expansion of the city's Urban Growth Area (UGA) - delivering cherished greenspace to insatiable developers, enabling them to annex their upzoned properties and earn a windfall profit.

But the city's case for sacrifice is hollow. "Accommodate" means "to hold without crowding or inconvenience." Let's be clear: If measures

damental promise "to establish a government more responsive to the people and more open to that essential ingredient, the concerned participation of citizens."

As it stands, residents must find other ways to remedy our growth crisis. One option is to petition the Growth Management Hearings Board, an agency created in 1991 to resolve growth-related disputes. Earlier this month, local residents

If measures to accommodate growth cause "crowding or inconvenience," they ... violate the intent of the state's Growth Management Act.

to accommodate growth cause "crowding or inconvenience," they do not meet the definition of "accommodate," and they violate the intent of the state's Growth Management Act.

These misguided actions, which only intensify our growth crisis, are best explained by economics. The 71 percent who agree that Bellingham is growing too fast have no financial incentive to attend public meetings or write letters. And why should they? Elected officials are on the job, promising to protect their interests. Although citizen participation is high, public meetings are dominated by those who profit from growth and lobby for growth-promoting legislation. Human nature takes care of the rest.

Ordinary citizens cannot compete with the powerful pro-growth lobby. And, although there is no lack of public input, leaders have abandoned the City Charter's fun-

Harold and Donna Macomber, Helen Green, and I filed a petition with the board to challenge Bellingham's recently adopted Comprehensive Plan update. The hearing is set for December 14, with a final decision expected in February.

In our appeal, we prove that the Comp Plan's land supply analysis contains a massive 830-acre error due to what we allege is an incorrect estimation of required park land. Presently, based on its flawed land analysis, the city claims it must increase the zoning density of residential land, the size of the city's UGA, or both. Naturally, city residents oppose being forced to live like sardines, and county residents oppose the urbanization of their rural lands.

After months of rejecting public input, including detailed recommendations by the Mayor's own Neighborhood Advisory Commission, officials adopted a Compre-

hensive Plan update based on a fatally flawed land supply analysis. Although city officials have the option of correcting the simple-to-prove 830-acre error now - and a number of high-ranking officials agree it should be corrected - it is unlikely they will do so without enormous pressure from concerned citizens.

We are confident the Hearings Board will remand Bellingham's Comp Plan back to the city and declare the plan invalid. In February 2007, eight months after it finally adopted its long-awaited and overdue Comp Plan update, the city will be forced to amend the plan and correct its flawed analysis. A waste of precious time.

Correcting the 830-acre error will change the entire planning paradigm from a shortage of residential land to a surplus, will immediately relieve the pressure to adopt excessive zoning densities or expand the UGA, and will allow us to creatively plan for Bellingham's future, rather than simply react. Correcting this error will provide an opportunity to manage growth rather than simply accommodate it.

Filing a petition with the Hearings Board is a temporary solution, a response to the city's disregard of an inconvenient truth. If we are to preserve Bellingham's unique quality of life, leaders must honor their pledge to be open and responsive to citizen participation, to truly base their decisions on public input and the greater good, and to genuinely work with residents to solve our most important problems.

Bellingham's citizens have consistently demonstrated their commitment to work with city officials.

We respect city officials and staff, and we believe that these problems will be solved, if we work together. We also understand the enormous influence of special interests that incessantly lobby officials and staff. Private citizens cannot match that intensity; but must be fairly represented nonetheless.

We hope our leaders will honor our trust in them. But we are prepared to do whatever is necessary, placing our faith in the laws of Washington, which affirm:

"The people of this state do not yield their sovereignty to the agencies that serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may maintain control over the instruments that they have created." (RCW 42.56.030)

*PS - I wish Mark Asmundson success and enjoyment in his new role as manager of the Northwest Clean Air Agency, and I welcome our new mayor to office. Let's all take this opportunity to re-establish strong working relationships between the citizens of Bellingham and those who have dedicated themselves to serving us as elected or appointed officials of our government.*

-WI

Larry Horowitz is a resident of Bellingham.

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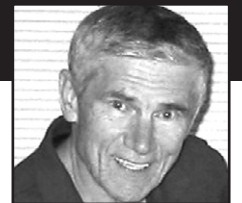
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Richard Lewis, a retired biologist, has been writing light verse for twenty years, the last four in Bellingham, where he reads regularly at various venues. richard@whatcomindy.com

### MISSED KISS

by Richard Lewis

The display of Rodin sculptures at the Whatcom Art Museum demands that every art lover find a way to see 'em.

For full appreciation multiple visits may be needed, and if this verse dissuades you I hope it goes unheeded.

As I entered the exhibit I knew something was amiss, for this display of sculpture did not include "The Kiss." It's a favorite of millions and its absence will be missed and leave many people wondering why it didn't make the list.

For those who haven't seen it, the piece depicts a tryst between a man and woman who clearly can't resist an entwining of their bodies and lips meeting in a kiss that's so intense it gives the lovers reason to exist.

There's a rumor circulating that the omission of "The Kiss" may be due to a local critic who with a cogitative twist warned that kissing may be okay in some adult romancing but the young need protection, as it could lead to dancing.