

February 24, 2012

RECOMMENDATIONS FOR IMPROVING THE
DRAFT FAIRHAVEN URBAN VILLAGE PLAN (UVP)

GOAL: Adopt a Fairhaven UVP that:

- Re-affirms Fairhaven as a Tier 1 Urban Village serving local & regional markets.
- Meets accepted professional planning standards,
- Complies with all SEPA requirements
- Complies with and implements the City Comprehensive Plan
- Complies with GMA goals, standards and regulations;
- Is consistent with Fairhaven development regulations adopted simultaneously.

After reviewing the December 21, 2011 staff draft report for the Fairhaven UVP, improvements to substantive areas are evident:

1. **Plan Core Vision** – Current City Comprehensive Plan designates Fairhaven as Tier 1 Urban Village, essentially a major economic center as others (CBD, Bellis Fair, St Joes, etc.). UVP must reflect this current policy so Fairhaven can continue its service to regional *and* local market. Fairhaven is not a convenience focused commercial area like smaller locations in Bellingham.
2. **Plan Boundary** – current UVP boundary is the same as existing Fairhaven neighborhood boundary, yet proposals during the planning process raised the practical need of including two locations within the boundary: Haggen rezone proposal (to 14th St) and a waterfront industrial/commercial area (north of Knox, Reid Boiler Works to Taylor St dock).
3. **Land use** – current inventory of land uses is good, however the draft UVP does not re-affirm the core vision in item #1 above in the proposed land uses (see p. 24 in draft UVP for example of bias for local vs. regional *and* local market). Second, proposed mixed-use locations lack analysis as to their selection. Industrial Area I-2 (Port property north of Padden Estuary) contains UVP language supporting working waterfront, yet proposed zoning permits hotels, eating & drinking establishments, retail, medical offices/clinics. There has been no deliberation of the merits of these uses on Port property instead of private property among the stakeholders. Other parts of the UVP lack a basis for some uses proposed in the development regulations. GMA requires consistency between the UVP and the regulations.
4. **Environmental resources** – Existing inventory is good, yet plan lacks policies or recommendations to address the most important area: storm water management. Details in infrastructure section below.
5. **Building Capacity** – one of the most pressing deficiencies the draft UVP does not quantify *current* building capacity under *current* zoning (the “No Action”

alternative under SEPA), the draft does not quantify the *proposed* building capacity under the staff proposed land use, and the draft lacks any other *proposed* alternatives for stakeholders to consider. Staff has jumped to their proposed alternative without stakeholder deliberation of the merits/deficiencies let alone a discussion to present better alternatives. (See land use in item #3 above for one example). Build out analysis should quantify all major use categories (commercial, industrial, waterfront, mixed-use, residential, public) by alternate land use models, along a long term time line (30 years), and be consistent with the infrastructure supporting the uses (GMA requirement).

6. **Transportation** – Analysis based on staff land use model, even with deficiencies cited in #3 above; and future LOS assumed per build-out potential similar to past decade (UVP p. 43). Analysis needs to be on the same 30 year planning horizon to be internally consistent. If resulting LOS limited to existing arterial system, UVP must contain policy adopting the acceptable LOS consistent with the adopted land uses and build-out. This cannot happen presently since the build-out is not specified per above, nor have alternatives been considered.
7. **Water Transportation** – Fairhaven originated because of its maritime resources and easy access to the San Juan Islands, yet only 1 paragraph on page 39 speaks to this topic. Ferry service and public moorage (short term and overnight) are important to the regional market served by Fairhaven. UVP should correct this obvious deficiency for water uses and connection to the Fairhaven core.
8. **Parking** – Inventory of existing parking system is good, but proposed plan lacks specificity of new parking areas within existing right-of-ways or potential parking structures. Plan does not build on the success of the current parking system built by the Fairhaven Village Association (FVA). City staff relied on a comprehensive parking study that presumed parking meters as the funding mechanism, and then removed the meter option with no parallel analysis for an appropriate substitute. This is a glaring deficiency as the parking supply is critical to the proposed land use. Parking must be consistent with the land use just as other utilities per GMA.
9. **Utilities** – another glaring deficiency is the lack of any analysis on current demand for city utilities (water, sewer, storm water) related to current capacity, and no corollary analysis for future demand/capacity consistent with the proposed land uses and build-out. GMA requires consistency between the land uses and infrastructure. To be compliant, the City must “show its work”, a standard repeatedly stated by the State Growth Management Hearings Board. More importantly, this analysis is a basic planning step to inform the property owners of the impact of staff proposals. Absent this analysis, the stakeholders cannot make an informed decision on proposed land use or build-out, and the process does not meet standards of generally accepted professional planning practice.

10. **Private utilities** – the draft UVP lacks documentation of private utility capacity and demand that are critical to renovating existing structures or new development (electricity, natural gas, communication). Existing providers should be consulted and opportunities for 21st Century access (fiber optic, Wi-Fi etc.) should be discussed in the UVP.
11. **Zoning and Development regulations** – Current staff draft does not reconcile multiple levels of development review that currently constrains Fairhaven. Some good points are in the guidelines, however several proposed regulations have no basis within the underlying land use plan, and many work directly against the primary core purpose of the UVP. In short, they prevent Fairhaven from being a Tier 1 Urban Village. This inconsistency is not permitted by GMA and needs to be reconciled by first adopting an appropriate land use/build-out model, then drafting regulations as an extension of the underlying plan. Staff proposed development regulations provide good tool for stakeholder discussion, however the proposed regulations should not be sent to any city advisory board for review at this time.

Example 1 – height limits currently proposed by staff are less than those adopted in Fountain District and Samish Way UVP, both are not designated as a Tier 1 urban village by City Comp Plan, and both are auto oriented commercial districts. Fairhaven, on the contrary, has multi-modal transportation already with capacity for development, and historic heights of greater than 80' (old Fairhaven Hotel).

Example 2 – design guidelines contain many details, but additional work needed on the review path. Current draft provides for extensive review by Design Review Board with potential for contention of individual items. A better system would define design elements that are proscriptive from a palette, meaning they are elements selected by the owners that cannot be challenged. Leave the major review to major items (i.e., conditional uses, historic rehab, parking structures, etc.) so design review is less onerous on the public, staff and Design Review Board. In short, meet the standards and the project has a clearer path for approval. Current system allows for contentious review for all projects.

12. **Public Participation** – concerns about improper public process have been documented in other memos. The key component is providing the opportunity for stakeholder alternatives to be vetted among the stakeholders *before* a draft document goes out for review by any City advisory board. In addition to the deficiencies in the staff draft above, relying on the staff draft as the baseline for review ignores the stakeholders who are the property owners, businesses and residents impacted by the staff plan. A more productive and inclusive process would be to work out points of agreement among the stakeholders, then forward a draft for review by others. This complies with GMA and City code requirements for public participation.