



June 8, 2023

To:

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City of Bellingham
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Below are Whatcom Million Trees Project's comments regarding the proposed 68-unit development on Meridian St. (adjacent to the Bellingham Golf & Country Club) by Stream Real Estate & Development of Seattle. We reviewed all project documents posted to date in the City of Bellingham's TRAKiT Web Portal that were submitted by the developer and its representatives/consultants.

Note that WMTP is not opposed to infill development in Bellingham, even if it involves *some* loss of trees. We recognize Bellingham needs more housing due to strong demand. Our goal is to ensure proposed developments reflect a *nature-integrated* planning/design approach, which many cities around the world have demonstrated is attainable even in high density developments.

We see the following six major problems with this project application:

1. Eight larger units do not meet the spirit or intent of COB's Infill Toolkit.
2. Inner "garage ghetto" does not meet the spirit or intent of COB's Infill Toolkit.
3. The project's site layout is not responsive to other COB policy goals.
4. Key SEPA issues are understated/ignored.
5. Green Factor minimum requirement is not actually met.
6. Proposed replacement tree approach is problematic and not a true offset.

Each problem is detailed in the pages below. **Collectively, we believe these problems strongly warrant the Hearing Examiner to DENY and/or REQUIRE MODIFICATIONS of the current application.**

1. Eight larger units do not meet the spirit or intent of COB's Infill Toolkit.

The proposed eight 2,215 SF, 3-bedroom, two-story "patio" units arrayed along the golf course side of the site do not meet the spirit or intent of COB's Infill Toolkit -- both in size and anticipated pricing. **BMC 20.28.010** states that infill housing should feature [*bold italics ours*] "***more efficient use of the remaining developable land***, protection of environmentally sensitive areas, ***creating opportunities for more affordable housing and increasing housing choice and diversity.***"

Each of these eight large units require *twice* the site area of each of the 60 quadplex units, tightly squeezing all buildings and other elements in the site. **The layout squeeze forces, despite the design team's best efforts, virtually all other negative impacts detailed in this letter.**

Fewer units, such as removal of the eight larger units so there can be more flexible site placement of the remaining quadplexes -- **OR a more vertical re-design of the entire project** (i.e. mid-rise townhome tower(s)) -- are two ways to provide high-density infill housing at this site that would retain many more existing mature trees and solve many of the other negative impacts.

2. Inner "garage ghetto" does not meet the spirit or intent of COB's Infill Toolkit.

The project's inner lane "garage ghetto" does not meet COB's Infill Toolkit guidelines in spirit or intent. Below are ordinance sections from COB Urban Infill Toolkit related to this issue. The proposed design of this inner lane does not meet the following requirements [***bold italics*** ours].

20.28.010a *An intent of these design details is that they collectively contribute to and enhance the public realm, create a sense of place, foster social interaction, and make alternative transportation options more attractive, inviting, and safe to use, and thereby more likely to be used. Guiding principles are: (1) Parking should not be located between dwelling units and the street or lane, and (2) When garages front on a street or lane, they should be proportionally subordinate to the width of the dwelling unit, and (3) Fronting housing units on an existing street should be prioritized over fronting units internally off a new lane or common pedestrian corridor.*

20.28.050.A(4a) *The width of the garages and driveways accessing a street or lane shall be proportionally less than the width of the dwelling unit.*

20.28.050.A(4a) *Architectural and landscaping details shall be embellished to minimize the visual presence of the garages and any open driveway parking.*

20.28.050.I(3) *Along streets, lanes and alleys, landscaping shall be provided to separate the parking and driveways between individual dwelling units, or the director may approve an alternative approach that breaks up parking and provides visual interest to parking facilities.*

3. The project's site layout is not responsive to other COB policy goals.

This project's current design is inconsistent with...

-- the **City's Urban Forestry Management Plan**, due later this year, which has the goal of improving our city's urban tree canopy coverage in neighborhoods with a low Tree Equity score, such as the Birchwood neighborhood where this development is located. **This project produces a substantial net loss of Bellingham urban tree canopy that will take small replacement tree seedlings many decades to match.**

-- the **City's approved Climate Action Plan**, which aims to improve climate resilience to flooding, urban heat stress, and other climate-caused extremes that are increasingly common. Mature trees are one of our most potent tools to mitigate all of these issues. Mature trees can effectively buffer and moderate such extremes. **This project's substantial net loss of mature tree canopy is NEXT to Meridian/Birchwood Ave/Squalicum Parkway intersections with a history of flooding problems.**

The tightly squeezed, max-out site prevents an infill project design that would more appropriately balance the City's need for housing with its urban tree canopy and climate action goals.

4. Key SEPA Issues are understated/ignored.

SEPA Checklist responses by the applicant seriously understate or ignore key factors for noise, air (emissions), water runoff (including stormwater), and recreation impact. The SEPA Checklist question for each factor is shown in *italics* below, as is the applicant's answer and our comment.

a) Noise

What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Applicant's answer:

Noise from existing development and traffic.

Our comment:

That's quite the understatement! See our related comments below for Air (emissions).

b) Air (emissions)

Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Applicant's answer:

Exhaust from vehicles traveling along Meridian Street may affect the development.

Our comments:

Meridian Street (including Birchwood & Squalicum Parkway intersections) is a very busy thoroughfare that has a unique traffic factor that other COB thoroughfares lack: it's the prime route for commercial traffic to/from the waterfront and other industrial areas of Bellingham. It's unlike the quieter portion of Meridian Street further south which has relatively little commercial traffic, slower speed limits, and older homes/businesses set back substantially from the street.

The noise from trucks and semi's is deafening and extended, as are emissions from those vehicles as they idle for long periods at dual stoplights (or slowly creep ahead to reach a future roundabout). We encourage the Hearing Examiner, before deciding on this project, to personally stand on the northwest corner of the Meridian & Birchwood intersection at 4:30pm-5:30pm on a weekday to witness the extreme fumes/emissions and noise at this location.

Development along a major thoroughfare is not prohibited by Bellingham ordinances. However, in this proposal **the very close proximity of the Meridian-facing quadplexes** subjects those future residents to *extreme* vehicle noise and pollution. This is especially true for units on the southern (narrower) half of the site which are only setback 30' from the curb! Required small outdoor decks on those units also face Meridian, rendering those spaces unusable. Again, the maxed-out nature of the proposed site plan forces this proximity.

We recommend that the Hearing Examiner require the applicant to have a qualified independent professional measure the noise (decibels) profile and air quality emissions (i.e. particulate matter, ozone, carbon dioxide) along this stretch of Meridian -- as part of a full SEPA submittal by the applicant. The sampling should occur at different times of day that include peak traffic hours.

All of the proposed units along the golf course side of the site have a different air/emissions hazard: periodic drift from pesticides/herbicides applied to keep the golf course's grass green and pristine. Such toxic emissions from golf courses have been well documented by research studies, such as those [summarized here](#). Drift can occur during or after application. It occurs when pesticide/herbicide particles and/or vapors become airborne and leave the golf course site, landing on a non-target surface. These surfaces include exterior walls, outdoor furniture, doors, windows, and residential lawns that residents of these future homes will continually contact with and track inside their home.

We recommend that the Hearing Examiner require -- as part of a full SEPA submittal by the applicant -- sampling and chemical analysis by a qualified professional of nearby surfaces (i.e. tree leaves adjacent to the golf course) to determine the extent of such contamination. The applicant should also provide a record of the golf course's historic and current spraying schedule. Only then can the potential chemical risk to future residents of this development be evaluated.

c) Water runoff (including stormwater)

Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Applicant's answer:

Stormwater will be generated from roofs, driveways, patios, sidewalks and other impervious surfaces. Stormwater will be managed on site by infiltration of all impervious surfaces.

Our comments:

The current site is 100% pervious soil and almost entirely tree canopy covered, both of which are proven to slow/buffer heavy rainfall. Yet there is a recent history of flooding during major storm events at the Meridian/Birchwood/Squalicum intersections -- especially in our new climate era of periodic 'atmospheric rivers' and torrential rains.

To somehow believe that the project's proposed reliance on *infiltration alone* (the process by which rainfall and stormwater runoff flows into and through the subsurface soil) will adequately take care of runoff from all of the new impervious surface coverage of the site is *extremely unrealistic*. We *strongly* recommend that the Hearing Examiner require the applicant to provide more extensive groundwater/stormwater mitigation on-site.

d) Recreation (impact)

Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Applicant's answer:

Common outdoor useable space will be provided on the site for residents. This space will be improved with seating, lawn or other amenities to encourage recreation. Each unit will also have private deck or patio space for passive recreation.

Our comments:

First, the proposed "Community" common outdoor space is very close to Meridian Street -- just 20' feet away! As mentioned earlier, Meridian Street is a *very* busy thoroughfare, especially in this portion because it is the prime route for commercial traffic to/from the waterfront and other industrial areas of the City. The noise from trucks and semi's is deafening, as is the pollution as those vehicles idle for long periods at stoplights (or slowly creep ahead to reach the future roundabout). **As a result, the proposed common outdoor space is virtually unusable for a large portion of each day.**

Second, although Cornwall Park is within short walking distance of this site, when a roundabout is eventually built, **pedestrians trying to reach Cornwall Park will have to walk across often busy, flowing roundabout traffic which includes large commercial vehicles. This creates a very unsafe condition and effectively cuts off Cornwall Park to the project residents.**

5. Green Factor minimum requirement is not actually met.

As currently designed, the proposed project does not meet the minimum Green Factor requirement of .4 for duplex/triplex/fourplex infill development as stated in **BMC 20.28.110.D**. Although the submitted plans/documents in error claim a Green Factor of .4402, there are **various errors and inconsistencies** in the submitted application which we detail below.

We know COB staff reviewed on-site each proposed retained tree with the applicant's arborist and engineer. That was a good step, however, the submitted landscape plans present many problems which we could spend many pages dissecting. With the tight 10-day public comment timeline requested we will simply summarize the main problems for now, organized by plan sheet although they all interrelate:

-- Sheet L-0.TC; Tree Calculations -- Removed/Remain/Proposed

The sheet's chart claims 73 trees (55 evergreen + 18 deciduous) will be retained. The plan's **drawing** shows **21** of these trees are likely in the future Birchwood Ave./Squalicum Parkway/Meridian Street confluence roundabout construction area.

Our comments:

These 21 trees cannot be realistically counted on for successful retention. The future roundabout will be huge engineering challenge in scope and size, due to the need to accommodate semi's and other large commercial vehicles that frequently travel along this route as well as the flooding issues historically experienced there.

COB Public Works staff has outlined a preliminary conceptual layout of such a roundabout. Already it shows the roundabout will impinge significantly on the southern portion of the project site. Most if not all of proposed 'retained' trees there will have to be removed.

-- Sheets L-0.B and L-0.C; Existing Trees (Retained/Removed)

The plans show approximately 24 trees 'retained' are within 5' feet of building footprints, sidewalks/hardscapes, or utility lines.

Our comments:

These elements are **too close to the Critical Root Zone of the large, major conifers** to realistic count on these trees for successful retention.

Even the submitted arborist's report states, "ISA Best Management Practices define the Critical Root Zone (CRZ) as a footprint of ground 1' in radius from the trunk for every inch of diameter at breast height (dbh) of the tree. Thus, a 20" dbh tree would have a CRZ with a radius of 20'... Aside from the above ground portions of a tree (trunk and crown) the most important area to be protected is the CRZ.... Clearing and filling for site development should avoid activities within the CRZ of trees to be retained to the maximum extent possible."

-- Sheet L-0.TRR; Potential Retention Trees Likelihood of Survival Rate

The plan and accompanying charts indicate 25 "*potential* retention trees" [*italics ours*] were rated by the arborist as in "poor" or "very poor" condition. Two of those trees are over 30" DBH and twenty-three are under 30" DBH.

Our comments:

Such poor or very poor rated trees are unlikely to survive long, especially with new construction occurring all around them in close proximity, even in the best of construction conditions. Therefore, **these trees SHOULD NOT COUNT as retained and receiving a .8 Green Factor multiplier, which artificially inflates the project's total Green Factor score.**

-- Sheet L.II; Green Factor Landscape Elements

As stated by the charts on this plan, the Green Factor is in part calculated at **15 SF per inch of DBH per tree retained**, which is then reduced by a **.8 green factor multiplier** when applied to the preservation of "exceptional trees or other large existing trees 6" or greater." Newly planted trees and other landscape elements are correctly shown to have a much smaller green factor multiplier.

Our comments:

First, there are numerical discrepancies. The chart on *this* sheet states **91** trees will be retained, thus $30,115 \text{ SF} \times .8 \text{ factor} = \mathbf{24,092 \text{ SF}}$ (**30% of the project's claimed total Green Factor score of .4402**). The plan however, shows **73** trees are retained. We believe the lower figure is more accurate and should be used in the calculations.

As pointed out by us in our comments earlier about the other sheets...

- 24 of the 'retained' trees are within 5' of building footprints, sidewalks/hardscapes, or utility lines.
- 25 of the 'retained' trees are listed as "poor" or "very poor" condition.
- 21 of the 'retained' trees are in the roundabout area at the far south of the project site.

Few if any of trees within these three sets of 'retained' trees are very likely to be actually be successfully retained. Therefore, they SHOULD NOT qualify for the .8 green factor multiplier. Although the grand total of 'retained' trees affected is unclear due to variances and discrepancies in the submittal, **collectively it is substantial and dramatically affects the project's Green Factor score, dropping it well below the required .4 threshold.**

Even if a new tree is substituted elsewhere on-site for every problematic 'retained' tree, the green factor multiplier of those new trees is only **.3-.5** (depending on size), which would cut the project's total Green Factor score by approximately 37-52%. **This approach would still drop their claimed 24,092 SF Green Factor calculation by 8,914-12,527 SF -- thus dropping the total score significantly below the required .4 threshold for this infill project!**

6. Proposed replacement tree approach is problematic and not a true offset.

Last but not least, the proposed offsite 3-for-1 replacement tree planting is problematic. Planting three tree seedlings in Bellingham Golf & Country Club land per mature tree removed on-site is not a true offset. Below we explain why...

First, planting three tree seedlings per large mature tree removed will not provide equivalent carbon capture or other eco-system benefits for dozens of years. Many studies have extensively documented that one mature conifer, for example, captures more carbon per year than several younger trees. In fact, Douglas firs, hemlocks, and western red cedars -- which are the majority of trees currently on-site -- can live for several hundred years. *The carbon capture abilities of those trees (if retained) would continue to increase.*

Second, we appreciate that replacement planting in the BGCC is nearby and in the neighborhood/watershed. However, BGCC is not public land. It's a private parcel that's zoned for multi-family development. No portion of their parcel is perpetually protected via a conservation easement or other similar means, nor has the applicant's representatives indicated any BGCC interest in that idea.

Third, BGCC has had financial challenges in recent years. Declining dues/income was a main reason BGCC allowed any development proposal to proceed. Therefore, there is no guarantee that these replacement trees will remain for the decades needed *to begin to catch up* to the lost carbon capture and other eco-system services one sizable mature tree on-site provides NOW to the community. Redevelopment of more or all of the BGCC site could lead to removal of most of the newly planted trees.

Replacement tree planting only makes sense as a potential offset when the trees are planted in perpetually protected lands and with necessary all-important aftercare. Unfortunately, COB currently does not have any sort of "tree bank" location for off-site plantings required of a development project.

Extensive off-site replacement tree planting in tree banks or other protected sites to mitigate a development's tree-removal impact is relatively new idea to the City of Bellingham. The City's upcoming Urban Forestry Management Plan (due end of 2023) will likely provide policy direction to develop ordinances for such plantings.

In lieu of those rules being available now, we strongly recommend that the Hearing Examiner require:

- (1) planting such replacement trees in a perpetually protected site; and**

(2) the following additional provisions to ensure the planted replacement trees will *truly* offset the extensive mature tree loss created by this proposed plan. Seedling mortality rates will likely be higher in our new climate era due to extreme weather conditions such as flooding and excessive heat spells. As we know from WMTP's recent tree planting projects, to ensure long-term tree planting success we recommend that for *five* years the following planting and aftercare actions are provided by the applicant and/or COB:

(a) All off-site replacement trees be planted by experienced professionals no later than 9 months after the removal of the existing mature trees;

(b) A mix of medium-large species of *native* conifers selected by a certified independent arborist be planted to maximize eco-system benefits and to build a healthy urban habitat similar to a naturally regenerated forest;

(c) The trees specified properly match the soil and sun exposure conditions of their specific planting location;

(d) Deer protection of tree seedlings is provided by secured tree cages or high perimeter deer fencing;

(e) blue tubes are provided for the first 2-3 years of all tree species that tend to be nibbled by rodents/rabbits;

(f) regularly scheduled watering of at least 2 gallons per seedling per month is provided from May through September;

(g) aftercare monitoring by a tree professional during other months occurs to ensure there is no unexpected tree loss from storms, high winds, vandalism, or other reasons;

(h) replacement of any tree mortality is provided during the first 5 years by planting equivalent fresh native tree seedlings;

(i) a substantial maintenance bond is required from the landowner to ensure compliance with all of the above;

(j) Instead of implementing all of the above replacement tree provisions, the property owner can pay COB a fee per tree 6" DBH or larger removed to plant the replacement trees on one or more public off-site parcels. The fee to cover all costs over the 5 years that the City will incur should be at least \$16/DBH inch per tree removed (which is less than Seattle's recently passed tree ordinance that requires \$17.87/DBH inch).

Summary of Requests to the Hearing Examiner

For all of the above reasons detailed in this letter, we call on the Hearing Examiner to DENY and/or REQUIRE MODIFICATIONS to this development application, which if resubmitted should include:

- Elimination of eight double-size "patio" townhomes which do not meet the spirit or intent of Bellingham's urban infill ordinance, OR a complete redesign of the project into mid-size tower(s) or other solution that provides higher-density housing that preserves substantial areas of the site.
- Revised placement of remaining proposed buildings to preserve at least some clusters of existing mature conifers within the interior of the site.
- Redesign of an inner lane, if the lane is still needed, to convert the "garage ghetto" into a lane that is not dominated by long lines of garage doors and instead creates a sense of place that fosters social interaction.
- Necessary adjustments to the proposed project to become more consistent with COB's Urban Forestry Management Plan intent to improve tree canopy in neighborhoods with low Tree Equity scores (i.e. Birchwood) and COB's approved Climate Action Plan goals to improve the climate resilience of our community.

- Mitigation of all SEPA issues we've identified and that are still not quantified -- via a Determination of Significance (DS) for the proposed project which would require a full EIS study to better document and potentially resolve such issues.
- Adjustments to the landscape plans and Green Factor analysis to realistically meet minimum code requirements. The new Green Factor analysis portion that qualifies for the .8 (highest) multiplier should NOT include any 'retained' trees within 5' of buildings, roads, other hardscape, or utility lines, nor "poor" or "very poor" condition trees rated by the arborist, nor any trees within the anticipated roundabout area.
- Tree boxes and other related protections as specified in the arborist's report should be required to protect all retained trees on-site throughout the construction period.
- Replacement trees planted off-site should be in perpetually protected land to ensure they will eventually truly offset the many mature trees that are removed -- and that bonded, regular aftercare is required for those tree seedlings for 5 years, including any replacement for tree mortality during that period.

Infill housing is needed and should occur in Bellingham -- but not in a way that compromises the livability of our city and doesn't mutually meet key infill housing and climate/resiliency goals. Insisting on a more *nature-integrated* development plan is the City's most appropriate response in our increasingly extreme climate era. That approach can still ensure sufficient profit to the developer yet not virtually eliminate an (increasingly rare) major stand of mature native forest within our city which supports our community's climate resilience and health.

The applicant states, "As a part of the subdivision and purchase of the Property from the Country Club, the boundaries of the purchase parcel were limited to only the area necessary for development, to preserve as much Golf Course property as possible in its natural condition; this results in the need for greater tree removal on the development Property..."

We believe their above statement reveals the fundamental flaw of this proposed project's design -- which forced the various limitations and faults that we have pointed out in our comments. The fundamental problem is the owner's desire to preserve as much Golf Course property as possible -- in tension with the developer's desire to maximize units, especially the eight more profitable larger units along the golf course that do not match urban infill design goals in size and price.

Thank you for your consideration of these comments.

Sincerely,

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