

Minutes
Point Roberts Community Advisory Committee
Special Meeting, July 27, 2019

Attendees: Stephen Falk (SF) — At Large
Linda Hughes (LH) — At Large
Steve Wolff (SW) — PRТА

1. Call to Order.

The meeting was called to order at 3:01 pm.

2. Public Comment

LH opened the meeting to public comment:

- * Brian Calder — Speaking on behalf of the Point Roberts Independent Business Council (PRIBC), Mr. Calder commented that people addressing WCC 20.72 issues should pick on issue and not people. He stated changes to WCC 20.72 should not be made in the absence of an economic study which would inform decision-makers on the impact of the current provisions and of proposed changes. Mr. Calder said he generally agreed with the goals of the Small Town Commercial (STC) district provisions. But, as examples of how the STC requirements had unintended consequences, he noted Jeff Peltier's and Guy Garbo's plans to construct commercial buildings on Gulf Road (years ago and recently, respectively) which ran into so many restrictions (sidewalks, fire hydrant, setbacks, etc.) that the projects became impractical and both were converted to residential projects — in the commercial district. Mr. Calder said that 20.72 is not achieving the goals it was established to accomplish
- * Tom O'Brian — Mr. O'Brien provided each member of the PRCAC with a copy of the e-mail that Lorne Nielson received from Suzanne Bosman of Planning and Development Services (PDS) on July 22, 2019 about the enforcement action regarding 1480 Gulf Road. Also speaking on behalf of the PRIBC, Mr. O'Brien asked rhetorically what that e-mail tells us. SF interrupted at that point to comment that he had spoken to Ms Bosman on Friday afternoon (July 26, 2019) about the letter and its negative characterization of the efforts by the PRCAC to get proposed changes reviewed and approved in time for the end of the 1-year enforcement moratorium regarding 1480 Gulf Road. Ms Bosman had told SF that her comments were based solely on the fact that there is nothing yet on PDS' docket regarding changes to 20.72. She was not aware that PRCAC was working on a time-line to get a set of changes to PDS in August 2019.
- * Speaking again, Mr. O'Brien commented that PDS issues a new violation regarding 1480 Gulf Road recently, during the 1-year moratorium on enforcement, after property owner Lorne Nielson had submitted an application regarding that property. PDS may have acknowledged that the violation notice was sent in error. Mr. O'Brien said that the PRIBC will be releasing its economic analysis next week through its website, seemingly in stages. LH noted that DG tried for 2 years to get the County or the Port Authority to conduct an economic study on Point Roberts without success. LH noted that the PRCAC will continue its work on possible 20.72 revisions and that, the code being a "living document", further changes could be proposed after the PRIBC's economic study is available. Mr. O'Brien stated that the PRIBC opposes all of WCC 20.72 and that, when the Council is addressing PRCAC's proposed changes, the PRIBC will be providing information to County Council explaining their position that the entire provision should be eliminated.
- * Allison Calder — Ms Calder had received a copy of compilation prepared by SW of all the current proposed changes to 20.72, PRCAC questions about various provisions and changes, and the responses by Cliff Strong of PDS. She claimed to be confused because some of the proposed changes appeared to be more restrictive than current provisions.

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- * Ken Calder — Mr. Calder suggested that 20.72 be eliminated and that Point Roberts just be governed by the same zoning rules that apply throughout Whatcom County.
- * Allison Calder — Ms Calder, noting the question posed in PRCAC notes about the restriction on hotels, etc. in the Maple Beach neighborhood, stated that only one property in that area could have a hotel on it, and that it is currently fully developed with condominium units.
- * Heidi Baxter — Ms Baxter expressed concern about development of more storage facilities. She said that 20.72 was important in view of its requirements for setbacks and for putting parking behind businesses. She is concerned about asphalt parking lots that are unfriendly to pedestrians.
- * Bev Canfield — Ms Canfield noted that this was the first meeting on the 20.72 topic that she had been able to attend and that was just there to observe.
- * Heidi Baxter — Ms Baxter said that we are all trying to work together. She said that the PRIBC focuses on businesses, and she expressed the hope that PRIBC would also include quality of life for all the people of Point Roberts in its considerations of 20.72. Ms Baxter inquired whether Mr. Nielson could request an extension of the 1-year enforcement moratorium regarding 1480 Gulf Road. She also suggested that the PRCAC should be changed to have 5 at-large members, not 2 at-large members and 3 from the PRRVA, PRTA and the Chamber of Commerce.
- * Judson Meraw — He also suggested that an extension be sought (and received) on the enforcement moratorium, so that there could be time for the PRCAC to conduct a better process that could start with a “vision process.”
- * Kelly Ryan — Ms Ryan noted she is an 18-year resident of Point Roberts. She was concerned by information she had read from the PRIBC about WCC 20.72. She had the impression that 20.72 only applied to businesses and commercial uses. She was told it applied to all land uses in Point Roberts.
- * Bennett Blaustein — Mr. Blaustein noted that there is no guarantee that a requested extension of the enforcement moratorium will be granted by PDS, and so the PRCAC should continue with the process that is underway to get proposed changes to 20.72 to PDS as originally scheduled. In that regard, SW noted that the current draft changes developed by the PRCAC already shows the County that a real effort has been undertaken to deal with changes to 20.72. LH noted that the County does not want a piecemeal approach taken to revising 20.72.
- * Pam Sheppard — Ms Sheppard, owner of Auntie Pam’s Country Store in the building at 1480 Gulf Road, commented that extending the enforcement moratorium will not help. The uncertainty created by the enforcement action has already jeopardized her business, a business she created and has run in Point Roberts for many years. She noted that Auntie Pam’s, TSB, Rawganique and BestTime RV are among businesses on Gulf Road that have been damaged by 20.72.

3. Working Session on WCC 20.72

For the working session, the members present took up the compilation prepared by SW showing proposed changes, questions, and comments from PDS (Cliff Strong). The compilation included a new section .052 proposed in an e-mail from DG earlier that day.

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New 0.52 in Permitted Uses:

In the STC zone, licensed business related storage of containers, wheeled trailers and other movable units provided such storage units are screened from view. The number of such units shall not exceed two (2) per business unless approved through an application for conditional use.

SW proposed some changes to the new provision:

In the STC zone, licensed business related storage of containers, wheeled trailers and other movable units provided such storage units are screened from view per standard Whatcom County screening rules and setback from the street by 50 feet. The number of such units shall not exceed two (2) per business unless approved through an application for conditional use.

The members present discussed the pros and cons of this provision. There was discussion about whether “licensed business related” should be removed from the draft section. There was further discussion about whether this change would effectively address the enforcement action regarding 1480 Gulf Road since, currently, the Potty Wagon business is not known to have an office at that location, and the storage containers are not believed to be connected to a business at that location. With respect to 1480 Gulf Road, these considerations were complicated by the point raised earlier by Pam Sheppard that 1480 Gulf Road is only permitted to have one business in the building on the property and it seems that the owner has not applied for a license to have multiple businesses operating from that building.

Due to the length of the public comment portion of the meeting, it was the consensus of the members present to terminate the working session after discussion of proposed new .052.

4. Adjourn.

The meeting was adjourned at 4:35 pm. (Motion by SF; seconded by LH)