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WHATCOM COUNTY COUNCIL
Planning and Development Committee

December 5, 2006

Committee Chair Seth Fleetwood called the meeting to order at 2:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

Barbara Brenner
Dan McShane

Absent:

None

Also Present:

Sam Crawford
Laurie Caskey-Schreiber

COMMITTEE DISCUSSION AND RECOMMENDATIONS TO COUNCIL

1. ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING CODE, TITLE 20, TO CLARIFY EXISTING CODE LANGUAGE (AB2006-441)

Elizabeth Olsen, Planning and Development Services Department, gave a staff report. There are seven code scrub amendments.

Fleetwood asked what prompted this code scrub. Olsen stated code scrubs are ongoing. Otherwise, they pile up. In many cases, they find out about revisions in the Revised Code of Washington (RCW's) and Washington Administrative Code (WAC's).

Fleetwood asked about the regulatory reform strategy.

Brenner stated there are a lot of overlapping rules and things that aren't clear. This is to simplify and clarify the code. It doesn't change what the County does. Olsen stated one purpose is to put the new RCW's and WAC's into effect, in addition to providing clarity.

She read the first amendment in the ordinance in the Council packet.

Brenner asked why "political subdivision of the state" was removed. She asked if a water and sewer district is a political subdivision. Olsen stated that in this situation, it is interpreted by the Health Department. It is the implication of a system as a whole, and how the system is integrated into a town. This change came from the WAC.

Brenner referenced the second amendment in the ordinance. It should say, "...are intended to provide an all season visual screen between commercial and or industrial uses on one side, and rural or residential uses on the other side..." As it's written now, people have to have commercial and industrial uses or rural and residential uses on that site for it to qualify for buffers. That isn't accurate. Rural properties don't have residents on them.

Brenner referenced the third amendment in the ordinance. It should say, "...provided for in this Chapter shall expire one (1) year after filing of the application if the applicant does not pursue completion initiation of the appropriate process..."

1 Crawford asked if the applicants are stopping the process. The expiration is normally
2 five years, plus two one-year extensions. He asked the reason for the change. Olsen
3 stated the Land Use Division finds that people sit on applications of any type. Staff want
4 these people to work on their applications and get it finished. They are squeezing the
5 timeline to make this happen. In some cases, there are changes in the rules since the
6 application was started, which allows the applicants to expand what they're doing. Staff
7 wants to make a tight timeframe to keep the ball rolling and finish projects in a better
8 timeframe.

9
10 Crawford asked the burden that creates for the County. There are many financing
11 issues that go along with these projects. Therefore, applicants may spend more than a year
12 trying to put together the financing. Sometimes lenders won't talk to applicants until
13 they've initiated the applications. Historically, Whatcom County has allowed a time
14 limitation of five years, with two one-year extensions. After that time, applicants have to
15 reapply. If applicants submit applications, and then don't do anything, the County staff
16 doesn't have to do anything except schedule a discussion with the Technical Review
17 Committee. The next action has to be initiated by the applicant anyway. He asked the
18 County's burden to justify that applicants have to do something in a year. Olsen stated she
19 doesn't know the burden. Bob Martin brought this up because applicants were stalling.

20
21 Hal Hart, Planning and Development Services Director, stated one issue is a workflow
22 process. People get into the process with the County, then put the applications on hold.
23 There is only so much capacity from staff to work on projects. As projects are vested on
24 the front end, they're in the office, but are on hold. Unless conditions change, there are
25 many projects on hold.

26
27 Crawford asked if there are RCW's that talk about vesting and how long a vested
28 permit is for. Whatcom County didn't make up the five year timeframe locally. Hart stated
29 this change will obligate the County to send out a notice. It's an administrative provision to
30 keep staff and applicants going. Sometimes, people don't know that the applications ride
31 with the land. Owners change. It puts an onus on the County staff to keep that process
32 going.

33
34 Brenner stated this wording sounds like applicants must complete things within six
35 months. Six months is too short a timeframe for permitting buildings. Hart stated they are
36 giving applicants notice that in six months, the applications are expired. This change puts
37 in an administrative policy that gives applicants warnings.

38
39 Brenner stated six months isn't long enough to complete an action. Hart stated
40 applicants need to tell staff that their still pursuing this application if staff hasn't heard from
41 the applicant in a long time.

42
43 Olsen stated applicants can appeal to the Hearing Examiner.

44
45 Brenner stated that costs more money and takes more time.

46
47 Crawford asked if this came from the Hearing Examiner. Olsen stated it did not. It
48 came from the Land Use Division.

49
50 Crawford asked if the applicants only have to tell the County in a letter that they are
51 pursuing completion to fulfill this requirement. Olsen stated she thinks that's correct.
52

1 Crawford stated that the language in the ordinance doesn't indicate what actions will
2 be listed in the notice. Insert language that says applicants have a certain amount of time
3 to respond to the County. Provide an opportunity for those who might be under conditional
4 uses to inform the County of their status. It's reasonable to close an application if
5 applicants don't respond to notices from the County. However, don't get into what it takes
6 to pursue completion. Each situation will be different. The County shouldn't get into how
7 people are pursuing completion of their applications.
8

9 Fleetwood asked if failing to pursue completion equals failing to take any action. If it
10 is, define it as such. Olsen stated many people will take a long time to achieve completion.
11 There has to be some time limit.
12

13 Brenner stated people should show good faith in what their doing. That concept is
14 different from what the language says. Some people can only do projects little-by-little.
15

16 Crawford suggested a language change, to amend the third item in the ordinance,
17 "...notice to pursue completion of their application. The applicant will respond in writing
18 within 60 days of notification that they intend to pursue completion of the application within
19 the vested application timeframe. If the applicant does not respond in writing within 60
20 days of the notice to pursue completion, or if they do not complete the actions as indicated
21 on the notice within the specified 6-month period, the application will expire."
22

23 Brenner stated it's about showing work process. She likes the idea of defining what
24 they need. The suggestion just makes it more wordy, but it's better than it is now. She
25 asked staff to come up with better language. They're talking about applicants starting work
26 and showing progress, not about completing something. Hart stated the focus of this is
27 when there are variances that live forever in the department. A variance that is five years
28 old or more, and is still hanging out in the department, the staff has to keep track of all the
29 regulations that existed five or more years ago. The purpose of this is about trying to keep
30 that variance process going. It is not an issue of the work happening on a project. It's
31 about getting the application done.
32

33 Crawford stated the problem is probably with really big projects, where a lot hangs in
34 the balance. Hart stated there is a large number of variance applications that haven't been
35 completed. They're trying to push through those applications. As they do, they look at old
36 codes. Staff has to keep a complete set of the old codes, even though the County has
37 moved on to new codes. Staff wants the applicants to reapply under the current code.
38

39 Crawford asked for assurance that this change won't be used against applicants who
40 are trying to raise money for their projects. He understands situations like a heavy
41 industrial facility in the middle of a neighborhood. However, he's worried about situations
42 such as a church trying to get a conditional use, for example. It may take years to find the
43 money to do that. Hart stated that ultimately, it's an administrative decision. He's the
44 responsible official. The last thing he wants to do is create a situation like that.
45

46 **Fleetwood moved** to amend the first paragraph of the third item in the ordinance,
47 "...shall expire one (1) year after filing of the application if the applicant does not pursue
48 completion of the appropriate process within that time by failing to take any action on the
49 application."
50

51 Brenner stated some of these things aren't variances. This is broad language that
52 will affect many types of permits.
53

1 Crawford stated this is in the chapter regarding variances.
2

3 ***Motion carried 2-0 with McShane absent.***
4

5 Crawford suggested an amendment to item seven of the ordinance, "Detached
6 accessory dwelling units shall be located so as to minimize visual impact to the public right-
7 of-way and to adjacent properties. Location in immediate proximity to the primary
8 residence...and adjacent properties, and still follows the setback requirements as stated in
9 (insert code setback requirements)." It's not constitutional for the County to require a
10 letter from the neighbor to do something. Because this is focused on that, he's worried that
11 people will think they can get the administrator to approve something that gets around
12 setback requirements. That's not the intention of this item. The current language isn't a
13 way to get around setback requirements.
14

15 Brenner referenced the fifth amendment. She asked if an office is not considered a
16 habitable space. Olsen stated some of the so-called habitable spaces created in remote
17 areas of the county cannot be really considered habitable. Compliance staff is having a
18 hard time. They don't have any definition of a habitable space or room now. This is taken
19 from the 2003 International Building Code (IBC).
20

21 Fleetwood asked if it is meant to exclude bathrooms.
22

23 Brenner asked if office rooms are considered a habitable room. Olsen stated it
24 depends on whether it has permanent, complete, and independent living facilities for one or
25 more persons, including facilities for eating, living, sleeping, and sanitation.
26

27 *(Clerk's Note: End of tape one, side A.)*
28

29 Olsen continued to state that one couldn't live in a computer room. The problem is
30 with units that they call accessory dwelling units. One can't live in a garage either, which
31 isn't supposed to have things like sinks.
32

33 Brenner stated an individual room isn't an accessory dwelling unit because it doesn't
34 offer all those things.
35

36 ***Fleetwood moved*** to amend item seven of the ordinance, "Detached accessory
37 dwelling units shall be located so as to minimize visual impact to the public right-of-way and
38 to adjacent properties. Location in immediate proximity to the primary residence...and
39 adjacent properties, and such location still meets the setback requirements as stated in
40 Whatcom County Code 20.80."
41

42 ***Motion to amend carried 2-0 with McShane abstaining.***
43
44

45 **COMMITTEE DISCUSSION**
46

47 **1. DISCUSSION REGARDING URBAN GROWTH AREAS (AB2006-309)**
48

49 Hal Hart, Planning and Development Services Director, stated the goal today is to
50 review methodologies used under the Growth Management Act (GMA) as they look at the
51 urban growth area (UGA) for the city of Bellingham and Whatcom County. The Planning
52 Commission hasn't yet put forward a final vote on the maps. The Planning Commission will

1 complete its work on the map section on December 14. He submitted a notebook of
2 information (*on file*).
3

4 Brenner asked who wrote the background information that is in the Council packet,
5 beginning on page 389. It looks like the City staff wrote it.
6

7 Troy Holbrook, Consultant, stated there have been 41 Planning Commission
8 meetings on this plan so far. There have also been joint meetings with the City staff, City
9 Council, and City Planning Commission. There have also been numerous neighborhood
10 meetings.
11

12 The City of Bellingham supplies urban services. The County is not supposed to do
13 that, according to the GMA. An issue is the utility infrastructure in the un-annexed UGA's.
14 Many policies are crafted to adjust the issues of utilities, annexation, master planning, open
15 space, parks and trails, and impacts on the County infrastructure.
16

17 The first step of this plan is the land supply analysis. Then, look at the zoning and
18 development regulations. The third step is to review the population projections that have
19 been adopted to see if there is enough capacity in the existing UGA. That's where they're at
20 now. The City has done this. It has adopted its Comprehensive Plan and a land supply
21 analysis. The City proposes zoning and to expand the UGA to include all the five-year
22 review areas. He indicated the locations of the subareas on maps.
23

24 Brenner stated there are areas right by the city limits that look like they're left out of
25 the UGA and five-year review area. She asked why they are left out. She indicated the
26 location on the map. Holbrook stated (*inaudible*). The County Planning Commission
27 determined that there is no need for a UGA expansion. There is no reason to address that
28 area. However, that area seems natural for UGA expansion.
29

30 Brenner stated people in that area contacted her. They are right next to the city and
31 are interested in being in the city. She asked if the City has considered this area, which is
32 right next to the city limits. Holbrook stated (*inaudible*).
33

34 Pat Carmen, City of Bellingham Planning Department, stated the City initially looked
35 at the County Council recommendation to review the priority areas, which were the five-
36 year review areas at Queen Mountain. They did not get a request to even look at those
37 other areas. She indicated on the map the areas where there were requests. She
38 explained the history of the Hitz property request.
39

40 Holbrook continued to describe the areas on the map.
41

42 McShane stated this map is the current UGA. He asked if there is a proposal to
43 expand the UGA to the east. Holbrook indicated the locations the City of Bellingham
44 proposes, which are the five-year review areas, except Toad Lake.
45

46 McShane asked if the only change proposed is to the density within the UGA of the
47 Yew Street Hill area. Holbrook stated that is correct.
48

49 Holbrook continued his review (*inaudible, away from the microphone*).
50

51 Brenner asked if the County Planning Commission wants lower density. Holbrook
52 indicated the UGA locations on the map.
53

1 McShane asked if the five-year review areas are the areas where the City
2 concentrated on potentially changing and expanding, not areas outside of the five-year
3 review areas. The Toad Lake area was rejected, based on the probable expense of
4 infrastructure. He'd like some clarification of that at some point. He asked some areas
5 were not strongly taken into account. He also heard talk about an area to the west, north
6 of Marietta. He asked why that area was also not considered. Holbrook stated he can't talk
7 too much about the City's motivations. He doesn't think Toad Lake was ever presented to
8 the City Planning Commission or City Council.
9

10 McShane stated there is a thorough record. However, the record lacks regarding the
11 areas that weren't discussed as potential UGA's. At some point, he'd like information from
12 the City about its rationale for those areas. Holbrook described the issues of the Toad Lake
13 area. Water District 7 out there is purchased from the City of Bellingham. He will work with
14 the City to get those answers. The City is not as obligated as the County to consider the
15 entire area in its UGA review.
16

17 Holbrook stated he will next discuss the land supply methodology, with the
18 assistance of City Planning staff Chris Behee. There are several steps to the methodology.
19 He will describe each step. A narrative of those steps are included in the Urban Fringe
20 Subarea Plan update binder. The City of Bellingham has adopted the methodology. The
21 County Planning Commission made a recommendation. There is a big difference between
22 the two. The City shows an additional need for 5,215 people. There wasn't enough land to
23 accommodate their population projection. That takes into account the current UGA's. The
24 County Planning Commission believes there is a supply surplus of 509 people, so they do
25 not need to expand the UGA's. He will bring forward a set of maps that shows what the City
26 adopted and what the Planning Commission adopted.
27

28 McShane asked if the maps in the County section of the binder are recommended by
29 the Planning Commission, and deviate from the City maps. They can compare the maps.
30 Holbrook stated the votes from the Planning Commission are straw votes. The Planning
31 Commission will vote one more time. Some of the votes have already changed.
32

33 Brenner asked if they have any maps that show how the City voted. Holbrook stated
34 they do not. He can get that information.
35

36 Brenner stated she would like to know how each City map is different from each
37 County map. Holbrook stated most differences are in the King Mountain area.
38

39 Fleetwood asked why the maps are different. Holbrook stated the City Planning
40 Commission and the County Planning Commission had different thoughts on the appropriate
41 zoning for these areas, for a variety of reasons. The map boundaries are the same, but the
42 proposed zoning in the maps are slightly different.
43

44 He would describe each of the eight steps in the land supply methodology. The City
45 made numerous revisions to accommodate comments and concerns from citizens and
46 County staff. The County staff mostly agrees with the working model. The record has been
47 developed to show the staff's and Planning Commission's positions. Staff looked at and
48 commented on the data sets. Mostly, staff agrees with the data, but it can always be
49 refined further to get better information. However, staff isn't in the position to do that now.
50 A key recommendation in the policies is to work with the City of Bellingham and other cities
51 to develop a consistent methodology for land supply analysis, and do the analysis on a more
52 frequent timeframe.
53

1 Fleetwood asked about the geographic information system (GIS) parcel base layer.
2 Holbrook stated it is the City's base map from which it worked.

3
4 Crawford asked if the City has all the UGA in the database. Holbrook stated he
5 believes it does.

6
7 Crawford asked if the City knows of virtually every structure and every square foot.

8
9 McShane stated the land supply analysis includes the UGA and also the City.

10
11 Holbrook stated the City used certain thresholds to establish what can be
12 redeveloped and is partially vacant. These thresholds are consistent with what other
13 counties are doing. The State Department of Community, Trade, and Economic
14 Development recommends the eight step process. He described a buildable land county.

15
16 *(Clerk's Note: End of tape one, side B.)*

17
18 Holbrook continued to state that the City has done a sophisticated job, but the
19 County is not required to do that level of work. The other counties are required to do a new
20 buildable lands report every five years. They keep track of their development patterns.
21 Before extending the UGA's, they look at reasonable measures for infill. That's the
22 difference.

23
24 McShane asked if that is the result of those counties having more redevelopment.
25 Some of the cities are confined by other cities. Seattle, for example, will not expand its
26 UGA. Holbrook stated it was mostly due to growth pressures. The citations are in section
27 Revised Code of Washington 36.70A.215.

28
29 The first step is to see what can be redeveloped and what is vacant. The second
30 step is to deduct all the properties that can not be or are not likely to be developed, such as
31 critical areas.

32
33 Brenner asked if they dealt with all critical areas the same or differently depending
34 on the degree of sensitivity.

35
36 Chris Behee, City of Bellingham Planning Department, stated they used the buffers
37 and protection areas specified in the City of Bellingham critical areas ordinance. At that
38 point, it was in its development stage for the City of Bellingham and its UGA's. They used
39 the National Wetland Inventory, on which they used a blanket buffer. A survey was
40 conducted in some areas.

41
42 Holbrook stated the third step was to subtract lands needed for other public
43 purposes. That includes churches, schools, landfills, and other public facilities. The fourth
44 step was to subtract parcels that are not suitable for development for social or economic
45 reasons. This step was combined with the first step. These steps were recommended by
46 the State Department of Community, Trade, and Economic Development (CTED). Step five
47 is to subtract all parcels they assume won't be available for development within the 20-year
48 framework. That is called a market factor. That includes land that will be under-built.
49 Historically, the City of Bellingham's build out is under-built by an average of 15 percent.
50 That is the market factor. That is a standard methodology and average market factor.

1 The next step is the safety factor. The Planning Commission recommends a zero
2 percent safety factor. The City of Bellingham recommends a variable safety factor for
3 different areas. He read the CTED definition of the safety factor.
4

5 Fleetwood asked the legal authority that describes a safety factor. Holbrook stated a
6 safety factor is not required. These steps are recommendations from CTED. They are
7 guidelines.
8

9 Hart stated the guidelines are the best professional recommendation from the State.
10

11 Fleetwood asked if the guideline is to have a safety factor or continuous annual
12 monitoring. Hart stated he doesn't have that information.
13

14 Fleetwood asked when the guidelines were developed. Holbrook stated they were
15 developed in 1992.
16

17 Brenner asked if the guideline says they will have a safety factor of 15 percent.
18 Holbrook stated the guideline does not specify the safety factor percentage. He read the
19 guideline. A safety factor can be informed by market conditions and growth patterns, but
20 it's a policy decisions. Birch Bay has a 25 percent safety factor.
21

22 McShane asked if the Birch Bay safety factor was adjusted after the County Council
23 dropped two large areas out of the urban growth area. Holbrook stated he doesn't believe
24 that the safety factor changed. The safety factor is embedded in the formula for the
25 buildable lands analysis.
26

27 Weimer asked the Growth Management Act (GMA) requirement for monitoring land
28 supply. Holbrook stated Whatcom County is only required to do that with the
29 Comprehensive Plan ten-year update. It was last done two years ago. Other counties are
30 required to do that every five years.
31

32 Behee stated the City has developed a policy for the frequency of its monitoring. It
33 is a matter of dedicating staff time to the task. Next time the City does a Comprehensive
34 Plan update, it will do another land supply analysis.
35

36 Holbrook stated one policy recommendation is to work with the City to refine a more
37 frequent, standardized buildable lands analysis. The safety factor is a policy decision. The
38 Hearings Boards have said that a safety factor above 25 percent is given more scrutiny. An
39 alternative to that safety factor is a more frequent land supply analysis.
40

41 Brenner asked if the Hearings Boards specified a minimum safety factor. Holbrook
42 stated they have not.
43

44 The cities and counties must work together to establish the UGA, after the land
45 supply analysis is done. The City has done its land supply analysis and reviewed its zoning.
46 It has a proposal. If the County does not agree with its proposal, and cannot reconcile the
47 differences with the City, the County must show the reason for a different recommendation.
48 The County must do its own buildable land analysis. The Planning Commission has gone
49 through that process. It is in the record, and will come to the Council. The City of
50 Bellingham didn't apply a blanket 25 percent safety factor. Some areas had a reduced
51 safety factor because there is more certainty that those areas will develop.
52

1 The last two steps are doing the math. Determine the total land capacity, and then
2 draw the UGA boundaries.
3

4 Behee stated the shortage for commercial and industrial land was not included. It is
5 a large portion of the land supply shortage. It is embedded in step seven.
6

7 McShane stated there is a memo to the City of Bellingham Planning Commission
8 dated October 2005. He hoped that all these questions have been answered. Holbrook
9 stated they have been. The City refined the methodology at that time. It was adopted in
10 April 2006.
11

12 McShane asked if there were adjustments from the January 2006 land supply
13 methodology to the April 2006 City land supply methodology. Behee stated some changes
14 were made to the safety factors, market factors, and the density calculations. It
15 incorporated more detail in the city neighborhoods. In the residential single and residential
16 multi zones, they maximized the capacity using all the minimum lot specifications and using
17 clustering the maximum allowable. The previous version did not use the absolute
18 maximums. They are going to go down to the 3,000 and 4,000 square foot lot sizes
19 wherever available. The market factor in step five was zeroed out for the current UGA. It
20 was left intact for the city neighborhoods, because they don't have adopted minimum
21 densities at this point. The safety factor is still intact.
22

23 McShane asked if mine hazard areas were considered as a geologic hazard, for step
24 two. He's had concerns of mine hazards within the city limits. Behee stated the two big
25 areas are the Sehome mine downtown. It's boundaries are not well defined. They don't
26 know a lot about it. The other mine is the Bellingham mine, underneath the Birchwood and
27 Columbia neighborhoods. It is mapped reasonably well, and hasn't really had any impact
28 on development. The shallow part by the Birchwood neighborhood center is the one area
29 where there may be some issues. It has not prohibited development in that area. The
30 latest example is the market place building downtown. The City facilitated development of
31 that property by putting in raised slab foundation to account for the stability underneath the
32 building. It is part of the Sehome mine. Development wasn't prohibited there, either. It is
33 something that would affect the cost of construction, but would not necessarily limit
34 development. There are ways to engineer around it. At best, it could be accounted in the
35 safety factor as another uncertainty because no one has done a detailed map of that area.
36

37 Caskey-Schreiber asked how the existing housing supply inventory influence this
38 process. The City of Bellingham undertook it's process in 2005. She asked if the majority
39 of work was done. Behee stated it was.
40

41 Caskey-Schreiber stated the housing market has shifted. They have twice the
42 available inventory that they had back then. She asked if that influences things. Behee
43 stated real estate market, and its effect on prices, falls under the market factor or safety
44 factor. In the context of a 20-year plan, it's cyclic and long-term. They've included
45 language that recognizes restrictions on the real estate market that affect housing cost.
46 Affordable housing is an issue. There are numerous policies about providing affordable
47 housing in the Comprehensive Plan. They don't have the depth of economic analysis or
48 market study in hand to say what that number will be in the short- or long-term. They
49 recognize it's a contributing factor.
50

51 McShane stated the first step is identifying lands for redevelopment. He asked if
52 they used Assessor data. Behee stated they did.
53

1 McShane stated that to deviate from that approach, they would have to do more
2 detailed analysis of zoning. Behee stated this is a good example of how they must do
3 ongoing monitoring with enhanced abilities. Things may change block-by-block. They don't
4 have in-house staff to do that review and level of detail.
5

6 McShane asked if that was reflected in the safety factor. Behee stated the ten
7 percent number they arrived at was the number they were comfortable with. In the case of
8 commercial and industrial land, they go up to 50 percent. That market is much different
9 from the residential development. There is more turnover. For residential, there are too
10 many exceptions with percentages above ten percent.
11

12 McShane asked if there are more properties falling outside of that factor in the urban
13 core. Behee stated the methodology for the urban center, especially downtown, is different
14 from the methodology used here. In the urban centers, the number is based on the rate of
15 construction over the past several years. The question is whether that trend will continue.
16 They assume the trend to build 120 units per year downtown will continue.
17

18 Fleetwood asked for a staff report on the policy overview.
19

20 McShane stated he went through the methodology. It's easy to both criticize and
21 embrace. These things are hard to do. There is no perfect way. The approach was
22 reasonable. He's comfortable with the market factor. The safety factor is tricky. That is
23 where the fundamental disagreement lies at the Planning Commission. He asked if the
24 Planning Commission recommends some other market approach. Holbrook stated the
25 Planning Commission has gone through it in detail. They are comfortable with the market
26 approach. It's the safety factor at issue.
27

28 McShane stated some folks have a variety of desired outcomes. City staff did a good
29 job coming up with the market factor. Now, the key issue is the policies. Holbrook stated
30 the most public input was received about the land supply analysis. Many issues have
31 arisen. Staff and the Planning Commission have addressed them all at one point or
32 another.
33

34 Holbrook stated the polices are listed in the Council's Urban Fringe Subarea Plan
35 update notebook, after the last tabbed divider.
36

37 *(Clerk's Note: End of tape two, side A.)*
38

39 Holbrook continued to state that the Planning Commission put forward these policy
40 recommendations just two weeks ago. He discussed the background of the work done on
41 the policies. He read the table of contents of Chapter IV, the land use goals and policies,
42 items A through G.
43

44 Fleetwood asked the connection between the policies and interlocal agreement.
45 Holbrook stated these policies address many overlapping issues, including annexations,
46 infrastructure, and utilities. The interlocal agreement will be influenced by these policies.
47 The policies came from the existing plan, Bellingham's Comprehensive Plan, and
48 suggestions from the County staff.
49

50 The policies relate to the coordination among the City and special districts. The
51 interlocal agreement is addressed in policy IG-5. It is a significant policy.
52

53 He read the highlights of Land Use Policies sections C through E.

1
2 Brenner stated that once land is annexed, the County loses control. The City can do
3 whatever it wants. Holbrook stated that is the purpose of the interlocal agreement. The
4 County works with the City on similar zoning.
5

6 Brenner stated that in the past, there were areas in the city that were zoned
7 industrial and commercial, but were ultimately developed as residential. Holbrook stated
8 it's a matter of how far the County wants to enforce the agreement. Also, the countywide
9 planning policies are valuable.
10

11 He continued to read the highlights of Land Use Policies sections F and G. He has
12 not yet drawn the long-term planning area and short-term planning area tier areas. They
13 must first look at each parcel's critical areas, infrastructure, and development patterns.
14 That will be a difficult task.
15

16 The policies were developed to promote infill within the City and the exiting UGA.
17 The policies are also to encourage the City to look at reasonable measures for infill.
18

19 Crawford asked if they discussed whether or not Geneva should continue to be
20 included in the UGA. Holbrook stated it was discussed. The City and the County Planning
21 Commission agreed to keep Geneva within the UGA. They agreed to reduce the UGA in
22 certain areas. The urban residential, three units per acre (UR-3) zoning was upheld by the
23 Hearings Board.
24

25 Brenner asked about the division of the King Mountain area. Holbrook indicated the
26 locations on the map. Individual or groups of property owners made requests regarding the
27 UGA. The map reflects those requests. The map doesn't reflect the City's
28 recommendations.
29

30 Crawford stated the City had a recommendation. The County kind of agreed with
31 that recommendation, however the County Planning Commission disagreed with the
32 recommendation. He asked if that is the critical issue. He asked if the County has other
33 issues going on. He asked if the County staff discussed whether the City's
34 recommendations weren't enough, and the County needs to expand the urban growth
35 areas. Holbrook stated he will provide background material to answer that question. The
36 City and County staff worked together on the land supply methodology. The City revised it
37 based on questions from the County. The main concern from the County was with the
38 safety factor. With more resources and capacity, they could have better data for the other
39 steps. The County staff recommendation was to lower the safety factor to 15 percent, and
40 include methodology for more frequent land supply monitoring and UGA updates into the
41 policies and interlocal agreement.
42

43 Crawford asked if the City and the County staff agree with the City's
44 recommendation. Holbrook stated he will provide more information on the evolution of the
45 recommendations.
46

47 McShane stated he's not sure it's worth arguing over the safety factor methodology.
48 It is a policy decision based on understanding the methodology's weaknesses. Holbrook
49 stated that a zero percent safety factor means they have total confidence in that
50 methodology.
51

52 McShane stated it also means that the methodology doesn't correctly estimate the
53 potential number of homes. In the description of the existing UGA's and the five-year


1 review areas, they talked a lot about infrastructure and existing plats. He's interested in
2 knowing also what development the land will support. Watershed boundaries will be an
3 issue for him. Holbrook stated they've carefully gone through the zoning recommendations.
4 There are narratives on everything they can imagine. He has all that information available.
5
6

7 **OTHER BUSINESS**

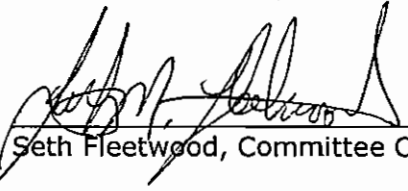
8
9 There was no other business.
10

11
12 **ADJOURN**

13
14 The meeting adjourned at 5:00 p.m.
15

16 
17
18 Jill Nixon, Minutes Transcription
19

20
21 ATTORNEY
22 
23
24
25
26
27 Dana Brown-Davis, Council Clerk
28

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Seth Fleetwood, Committee Chair