

1 WHATCOM COUNTY COUNCIL
2 **Special County Council and County Planning Commission**

3
4 June 16, 2009

5
6 Council Chair Seth Fleetwood called the meeting to order at 4:05 p.m. in the Council
7 Chambers, 311 Grand Avenue, Bellingham, Washington.

8
9 Councilmembers Present:

10 Barbara Brenner
11 Bob Kelly
12 Carl Weimer
13 Laurie Caskey-Schreiber

Absent:

L. Ward Nelson
Sam Crawford

14
15 Planning Commissioners Present:

16 John Lesow
17 Geoff Menzies
18 John Steensma
19 Sean Wilson
20 Kenneth Mann
21 John Belisle
22 David Hunter
23 Rabel Burdge
24 Jean Melious

Absent:

None

25
26
27 **1. URBAN GROWTH AREA PRESENTATIONS BY CITIES (AB2009-052D)**

28
29 City of Everson

30
31 Rollin Harper, City of Everson Planner, submitted and read from a presentation (*on*
32 *file*). The proposal is online. The City chose Alternative Y because it tracked with historic
33 growth and added the shift from rural Bellingham areas to small cities. The City supports
34 an additional jobs allocation. The current ratio doesn't cover the existing jobs-to-population
35 ratio. Everson is surrounded by flood plains, mineral resource areas, and the City of
36 Nooksack. They use achieved densities driven by market forces rather than minimum
37 densities. Certain existing neighborhoods don't allow for the density of the land capacity
38 analysis. The current urban growth area (UGA) has sufficient land to accommodate
39 anticipated growth.

40
41 Everson proposes to add some property to the UGA and remove other property from
42 the UGA, for a net reduction of the UGA. They also tried to increase the development
43 capacity that the UGA will provide and direct future urban growth into appropriate
44 development areas and out of critical areas. He described the properties proposed for the
45 swap.

46
47 Brenner asked about a better way to address lot capacity. She asked the definition
48 of a conservation village. Harper stated they didn't want to belabor the methodology
49 issues. There are ways to add an inefficiency factor into the methodology. They tried to
50 add factors for wetland buffers. The County tended to overestimate capacity for certain
51 things. A conservation village conserves large amounts of agricultural land. It's like a
52 transfer of development rights (TDR) program. It is like a cluster, with urban densities.

1 Burdge stated he's bothered by making population comparisons to the 1990's, which
2 was a period of massive growth. He prefers to compare with what has happened since
3 2000. He asked if the zoning within the present area is sufficient to take these large
4 numbers proposed. Harper stated the Mission Road example is in the County UGA, not the
5 City. If they eliminated that area from the capacity or UGA, they could see if they had
6 enough capacity without it. They would still have enough capacity, even if they eliminated
7 that one particular neighborhood.

8
9 Weimer asked if the area proposed for UGA addition has one property owner. Harper
10 stated there are four parcels and two property owners who have approached the City
11 Council and asked to be included.

12
13 Weimer asked if there is a basis for adding 628 jobs. Harper stated the County
14 consultant provided an initial allocation. The County staff identified additional jobs that
15 hadn't been allocated. The City developed a formula that allocated additional jobs to each
16 of the jurisdictions that didn't meet the average jobs-to-population ratio.

17
18 Steensma stated it looks like some of the areas proposed for the swap are not
19 farmable. He asked how much the agricultural community would get back. Harper
20 described the farming activities on the swappable lands. The agriculture base would be
21 maintained or enhanced.

22
23 Mann asked why the City chose Alternative Y. Most of the cities chose Alternative Y
24 as their general guiding principle. Harper stated he did an independent calculation of
25 population. The most optimistic projection is the level for Alternative Y, with a little
26 increase for the envisioned shift. They want to keep their options open as much as
27 possible. It insures against having the urban growth area reduced. It's also tied to reality.

28
29 Mann asked if there was a philosophical leaning toward the distribution of population
30 to the small cities, or if the number required is less impact to the UGA. Harper stated the
31 idea of shifting population to the cities was part of their consideration.

32
33 Andy Rowson, Everson City Council Member, stated that is the case. The more
34 people who live in the city equals fewer people who live in the rural areas. They didn't want
35 to restrict the number of people who could live in the cities. The swap is to accommodate
36 parcels that are better-suited for people to live on.

37
38 Lesow asked what the citizens wanted as expressed through the 2031 meetings.
39 Harper stated there has been little opportunity for visioning input through the 2031 process.
40 This is the Council's direction.

41
42 City of Nooksack

43
44 Rollin Harper, City of Nooksack City Planner, submitted and read from a presentation
45 (*on file*). The City is not asking for any changes. Nooksack doesn't have the commercial
46 and industrial land base for all the jobs allocated, so they shifted some jobs to Sumas,
47 which is a more industrial area. The City will be able to have denser development than
48 what they've seen in the recent past, to make up for the jobs deficit. No additional acreage
49 will be necessary. It's not appropriate to build homes in flooding areas. Deal with this issue
50 by removing this area from the land base. About 18 additional gross acreage would be
51 removed from the residential capacity.

1 Melious asked the amount of the UGA in the Swift Creek flood plain. Harper stated
2 they are already taken out of the land capacity analysis. He didn't get the exact number.
3 The Sumas River is the eastern boundary of the city right now. There is deposition in the
4 flood way. Outside the city limits, much land is on the same parcels that would be
5 appropriate for residential development. Perhaps the corridor would be better for open
6 space with clustered development. That's the plan on the Nooksack Comprehensive Plan.

7
8 4:40 p.m. City of Sumas
9

10 Rollin Harper, City of Sumas Planner, submitted and read from a presentation (*on*
11 *file*). The population numbers may be a little bit low for Sumas. The employment numbers
12 from the consultant are much too low, for some reason. Job allocation was based on the
13 starting point, which is lower than it should be.

14
15 *(Clerk's Note: End of tape one, side A.)*
16

17 Brenner asked why they equated government jobs with commercial jobs. Harper
18 stated that the consultant put the government jobs in the commercial category. There
19 wasn't a separate allocation.
20

21 Burdge asked if the consultant went to the community for its jobs information. He
22 asked if it includes Canadian residents who come across the border to work. Harper stated
23 the consultant got its information from employment security. He doesn't know if the
24 consultant didn't count multi-jurisdictional and multi-national companies. He doesn't know
25 how those jobs were counted.
26

27 Lesow stated he agrees that Mr. Harper summarized the jobs allocation well. He
28 asked if the truck stop is still proposed. Land is vacant in downtown that is ripe for infill.
29 He asked why they would increase the UGA to the south, which is good agricultural land,
30 when there is land to be developed downtown. Harper stated a truck stop is different than
31 something they would develop in the downtown commercial core. The citizens have
32 expressed concern over rail car operations and trucks idling in town. They won't want more
33 truck activity downtown, adjacent to residential areas.
34

35 Lesow stated an amount of vacant land is downtown. He asked why there is not
36 more intense residential development, and why they choose to expand the UGA. Harper
37 stated the UGA has been established since the mid-1990's. They aren't expanding it. They
38 are trying to justify keeping the existing UGA. There is no proposed expansion. The City
39 wants downtown to be developed as a commercial area. The City has done a lot with high
40 density residential zoning. The minimum lot size is 6,000 square feet, and 3,000 square
41 feet with no lot line. Sumas is doing its part. They would be willing to think about putting
42 residential development along the commercial corridor.
43

44 Robert Bromley, Sumas Mayor, stated there will be rerouting of trucks through
45 Sumas for the truck stop. A commercial retail corridor shouldn't have 18-wheelers coming
46 down the street. He described a planned alternate route. An issue on Main Street is with
47 absentee owners who aren't willing to sell to people who want to have businesses. Some of
48 those properties are Canadians who use the land for tax purposes.
49

50 Menzies asked the population of Sumas 20 years ago. Bromley stated the population
51 20 years ago was around 800. Some of the Canadian-owned companies are managed
52 under special visas, and would not be counted in the employment figures.
53

1 Weimer asked the County Planning staff's perspective on the densities for Everson,
2 Nooksack, and Sumas.
3

4 David Stalheim, Planning and Development Services Department Director, explained
5 the methodologies. Mr. Harper is proposing they look at achieved densities, which the
6 methodology allows. Staff will take a look at it and respond.
7

8 Regarding the issue of aggregating parcels, it is an issue with the cities. It does
9 overestimate the capacity of certain areas. They also have not counted a lot of
10 development, such as accessory dwelling units and second-floor units above commercial
11 property. There is a balance. Don't use it as a full audit. It is just a litmus test to see if
12 they are in the range of capacities. It allows latitude to develop a properly-sized area.
13

14 Caskey-Schreiber stated the capital facilities plans of some small cities aren't
15 complete. She asked if that is acceptable or a concern. Stalheim stated it's an issue of
16 concern. However, jurisdictions need to know their population, employment allocation, and
17 geography before they can do their capital facilities plan. They talked about a reconciliation
18 process over the next two years.
19

20 Caskey-Schreiber stated the City of Bellingham is denying applications because it
21 can't afford to service the areas. She asked how the small jurisdictions can really annex
22 these areas. Stalheim stated this is a 20-year plan that should show those services can be
23 provided over that 20-year period. If providing services isn't feasible by 2017, it will be an
24 issue.
25

26 Kelly asked if there is criteria they can look at. Stalheim stated he can provide that
27 information. The Growth Management Act (GMA) says UGA's have to be served by existing
28 public facilities and services at urban levels or by public services that can be extended in an
29 efficient manner in the 20-year period. The question is how the ability to provide those
30 services can be demonstrated. A plan that shows the actual service distribution is the next
31 phase, not this phase. The next step of the 2011 planning process will show how that
32 distribution will be done. Now, show there are adequate facilities and services, and that
33 extension is likely.
34

35 Lesow asked about the public input on the population projections and visioning
36 workshops. He's not sure that Alternative Y is the preferred alternative the public
37 expressed in the workshops. Stalheim stated there wasn't great attendance when they
38 began the public process. The Cities asked the County to back away from the public
39 process for those urban areas, and let the cities go through their own processes. The
40 County stepped back from all the jurisdictions. The Cities were to draw out more interest
41 from the community than the County could draw out. The County didn't get good public
42 participation. Now that there are proposals, he hopes for more participation.
43

44 Wilson stated an issue put to the public at the workshop was regarding the public
45 vision. He recalled that the majority of the people envisioned shifting growth into the
46 smaller urban areas. Stalheim stated there was strong public support for that vision.
47

48 Wilson asked what happens if a jurisdiction doesn't meet the timeline for having a
49 capital facilities plan and how they reconcile the need to have something done by 2011.
50 Stalheim stated the County will analyze the capital facilities plans now that they have the
51 proposals.
52

1 Menzies asked about alternative Y. The County did not ask the cities to look at one
2 alternative or another. He asked if the Growth Management Coordinating Council (GMCC)
3 provided direction to the small cities on a preferred alternative. Stalheim stated the GMCC
4 recommendations aren't finished yet. The preliminary indication is support for Alternative Y.
5 Some members of the GMCC questioned whether it is a reasonable alternative.
6

7 Burdge asked if the GMCC discussed a mechanism to get more population in the
8 smaller cities. He asked if it's the job of the Planning Commission to make a
9 recommendation to the Council about whether this is realistic. Stalheim stated the next
10 step in the process is for the County to develop a response proposal during July. They plan
11 to present a package of amendments in September.
12

13 Caskey-Schreiber asked when they will see the results of the environmental impact
14 statement (EIS). Stalheim stated the draft EIS is out now. Comments are due June 22,
15 2009. The final EIS will be prepared when they are done preparing the County's final
16 proposal.
17

18 Columbia Valley

19
20 Stalheim submitted and read from a presentation (*on file*).
21

22 Mann asked how they are going to create 455 jobs in the Columbia Valley in the next
23 20 years. Sumas, with much more infrastructure and zoning, is predicting fewer jobs. He
24 asked how they came up with adding 455 jobs. Stalheim stated the existing population in
25 the Columbia Valley is more than the City of Sumas, but the jobs aren't there. A policy
26 issue is having jobs for the residents, so people don't commute to other areas. A goal is to
27 find employment opportunities for those residents. They are identifying land to be used for
28 jobs. Now, the jobs-to-population ratio is proposed for ten percent. In other areas, it is 26
29 to 29 percent. They're trying to provide a chance for jobs. Without land supply, they won't
30 get those jobs.
31

32 Caskey-Schreiber stated this area has not been zoned for commercial or industrial
33 development. Once they create the zoning, people will want to locate there. The area has
34 a ready workforce.
35

36 Lesow stated don't make that area a city of 7,000 people.
37

38 Wilson stated the subarea committee talked about additional zoning in the existing
39 infrastructure area, which is a priority. Encapsulate that area within the sewer district area,
40 which can provide services efficiently. Although 455 looks high, it is somewhat unrealistic.
41 They are still two to three jobs fewer per person than the rural areas in Whatcom County.
42 It is a starting point. The options provided in the environmental impact statement (EIS)
43 were constrained. It only allows for creating jobs for the additional population, not the
44 population that already exists.
45

46 Cherry Point

47
48 Stalheim submitted and read from a presentation (*on file*).
49

50 (*Clerk's Note: End of tape one, side B.*)
51

52 Stalheim continued to read his presentation.
53

1 Caskey-Schreiber asked if there is an issue with the Cherry Point UGA bumping up
2 against the Birch Bay UGA. Stalheim stated that is in issue in one corner. That issue occurs
3 in a few different areas.
4

5 (Clerk's Note: The Council and Planning Commission recessed from 5:40 p.m. to
6 7:03 p.m.)
7

8 Birch Bay

9

10 Stalheim submitted and read from a presentation (*on file*).
11

12 Weimer asked when they will revisit the issue of removing acres from the UGA.
13 Stalheim stated they took that issue to the community. They presented four areas for the
14 community to prioritize. The staff is ready to have that conversation with the Council. For
15 now, this is adopted County policy. It wasn't appropriate to address something other than
16 the adopted community plan.
17

18 Menzies referenced page five of the Birch Bay UGA proposal in the packet. He asked
19 why a certain area on the map is included for consideration. Stalheim stated there was a
20 docket item to switch the urban growth area of a different area. That area was a potential
21 addition to the UGA. The community was not in favor of adding any areas, since they may
22 potentially reduce the UGA.
23

24 City of Blaine

25

26 Terry Galvin, City of Blaine Community Development Director, stated he commends
27 Mr. Stalheim for getting them to this point so quickly. They are going in the right direction.
28 He is satisfied with the result. However, the Blaine UGA is too large. Reduce the UGA by
29 about 2,600 acres of land from the designated UGA. He submitted and read from a
30 presentation (*on file*). Blaine is the only municipality that will experience dramatic
31 reductions. The methodology works for other jurisdictions, but is distorted for the City of
32 Blaine. Their recommendations are related to the Birch Bay UGA. The City is developing its
33 infrastructure plan to the east. An interurban conservancy area will serve as a buffer
34 between the two UGA's and preserve sensitive environmental areas. It won't necessarily
35 restrict development, but will allow creative ways to allow that development.
36

37 Brenner asked what is residential medium density zoning. Galvin stated the density
38 can be as high as 12 units per acre. The lowest density now is four units per acre.
39

40 Brenner asked why there hasn't been coordination between Blaine and Birch Bay.
41 She asked what efforts Blaine has made to coordinate. She's interested in hearing how they
42 can do things differently. Galvin stated Blaine has tried to participate in the Birch Bay
43 planning process and UGA, without much response. There has been an amazing amount of
44 work to do on both sides.
45

46 Weimer stated the County has to maintain roads between Blaine and the area known
47 as West Blaine at an extreme cost. He asked if they can share the costs. Galvin stated that
48 the City of Blaine may be happy to share costs, but instead put an emphasis on the
49 connectivity between Blaine's downtown area and Semiahmoo. They are trying to focus on
50 and enhance that transportation route. They are addressing that element in the master
51 plan. It's an ongoing issue. They must work together. They are applying transportation
52 impact fees to improvements in the county with some success.
53

1 Weimer stated this proposal spends more time on Birch Bay than Blaine. He asked
2 the reason for the concern with Birch Bay. Galvin stated the expanded suburban nature of
3 Birch Bay and the commercial islands around the perimeter will have a significant impact on
4 the commercial and industrial areas of Blaine. There will be other impacts to Blaine as a
5 result of the quick development of Birch Bay. Development will naturally go to an
6 unincorporated UGA without a central government, services, infrastructure, and costs. That
7 has an impact on Blaine.

8
9 Fleetwood stated it's a good thing for Birch Bay to expand, from Birch Bay's point of
10 view. It will make it easier to incorporate. He asked if Blaine doesn't want the competition,
11 or is applying good planning principles. Galvin stated the plan for Birch Bay now doesn't
12 represent good solid planning principles under the Growth Management Act (GMA).
13 Instead, help Birch Bay to incorporate and densify the central core. Then, expand to the
14 remainder of the UGA, just like any other city would do. Compacting that area and creating
15 a rural area between the two areas will create two unique urban centers. Otherwise, there
16 will be urban sprawl from the Canadian Border to Cherry Point.

17
18 Menzies stated he's glad they recognize that the Blaine UGA is oversized and that
19 they recognize the need to remove the Loomis Trail area. Blaine requires 200 acres of
20 UGAs to accommodate the higher projection of 4,700. The east Blaine area, which is the
21 most sensible area to grow, is over 400 acres. West Blaine is another 600 or 700 acres.
22 He's not sold on the rationale yet for including the West Blaine area in the UGA. He asked if
23 the existing Semiahmoo development is fully built. Galvin stated Semiahmoo is 60 to 75
24 percent built. It's hard to defend the inclusion of West Blaine, but consider it for the long-
25 term.

26
27 Menzies stated he understands that the interurban conservancy area is a buffer
28 between the two areas. He asked how that will be managed in the short-term. It's
29 something they will have to consider. Galvin stated don't include it in the City of Blaine
30 UGA. Give it a designation through the 2011 Comprehensive Plan update process.

31
32 There is a newly reformed Northwest Parks and Recreation District. They have
33 revenue to develop the area. It can connect Birch Bay and Blaine in wonderful ways. This
34 area could be targeted for conservation, recreation, and wildlife habitat preservation
35 through a lot of incentives.

36
37 Belisle stated the City has spent \$30 million on sewage treatment plants. He asked
38 the total cost of the facility, including subsidies and grants. Galvin stated he guesses
39 subsidies and grants have been a small fraction of the cost. They have loans also that they
40 will pay back with interest. He will provide that number.

41
42 *(Clerk's Note: End of tape two, side A .)*

43
44 Galvin stated the sewer rates will double as a result of the new plant. There are
45 costs with incorporating a new city that Birch Bay does not have funding for. Once Birch
46 Bay gets funding for those types of city costs, it can develop its incorporation.

47
48 Wilson asked the capacity that the new sewer will serve. Galvin stated the new
49 sewer will be done in a year or year and a half. They need a minimum of 2.8 percent
50 population growth on an annual basis to provide revenue for the new facility. That doesn't
51 include any annexation. It can accommodate up to 3.5 percent annual growth.

1 Lesow stated the city has to grow 2.6 percent per year to finance this infrastructure.
2 Galvin stated the alternative would be to continue to raise rates if growth can't provide the
3 projected revenue.
4

5 Lesow asked about applications for manufacturing plants in the industrial area.
6 Galvin stated three pending applications are manufacturing plants, and one application is a
7 warehousing complex.
8

9 Lesow asked if Trillium Corporation agrees with the City's vision of shrinking the
10 Blaine UGA. Galvin stated Trillium objects to removing from the UGA a finger of area at
11 West Blaine.
12

13 Lesow stated the City of Blaine and Birch Bay are housing repositories for the second
14 homes of Canadians. That concerns him. The County land supply is for people who live
15 here. Many foreigners plan to live in these places. He asked if there is a master plan for
16 building on the eroding bluffs in West Blaine. Galvin stated Trillium owns 600 acres of the
17 800-acre UGA. All of that, with a few exceptions, is east of the road in the upland area.
18

19 Lesow asked if there are failing septic systems in the West Blaine UGA. Galvin
20 stated it is a question of the eroding bluff, not failing systems.
21

22 Kelly stated he commends the Blaine City Council and Mayor for its effort to develop
23 a new sewage treatment facility.
24

25 Burdge stated he realizes that the obvious solution is that Blaine needs to annex
26 Birch Bay. More realistically, removing acres from the UGA creates more population. He
27 would like to see evidence of real zoning of the UGA areas.
28

29 City of Ferndale

30

31 Dennis Rhodes, City of Ferndale Community Development Director, submitted and
32 read from a presentation (*on file*).
33

34 Jori Burnett, City of Ferndale Senior Planner, thanked the County staff for all its hard
35 work. He read the presentation on issues with the GMCC process. Planning must include
36 taking input from citizens and decision-makers about their vision for the future.
37

38 Rhodes continued the presentation on more issues with the GMCC process. The
39 process doesn't take into account the City's adopted Comprehensive Plan goals and
40 objectives. Forcing the reduction of UGA's will have a huge impact on citizens. Their
41 buildable land inventory took two years and was recently approved. It is being ignored.
42

43 Burnett and Rhodes continued to read the rest of the presentation.
44

45 Caskey-Schreiber asked for a prioritization of the areas they prefer to remove from
46 the UGA. They have to have this adopted by December. Receiving the City's proposal at
47 the end of October won't give them enough time. She hopes they can provide a map of
48 priority areas. Rhodes stated the City isn't willing to provide a map of areas it is willing to
49 remove from the UGA, because the City has received feedback from its citizens who want to
50 remain in the UGA. They need to vet this through the public and talk to the individual
51 property owners. It won't be an easy process.
52

1 Mann asked who wrote the proposal and if it went through the elected officials.
2 Rhodes stated it went through the Ferndale Planning Commission and City Council.
3

4 Mann asked if the freeway interchange development is smart growth. Rhodes stated
5 it is. The average daily traffic counts show that developers want to be around the
6 interchanges rather than deeper into other areas. The traveling public are drawn to the
7 interchanges.
8

9 Lesow asked if a medium size shopping center would draw 1,000 jobs out of
10 downtown. Burnett stated that is what they project.
11

12 *(Clerk's Note: End of tape two, side B.)*
13

14 8:25 p.m. City of Lynden
15

16 Jack Louws, City of Lynden Mayor, stated the proposal was approved by the City
17 Council. He submitted a presentation but did not read from it. The City of Lynden has
18 always tried to balance the need to protect agricultural lands while developing economic
19 diversity in the community. It's important to have a variety of things going on. They need
20 retail and industrial areas in addition to agricultural lands to provide a diversity. Therefore,
21 increase the residential land allotment and retain all their industrial land in the current UGA
22 boundaries. He thanked the County staff for their work.
23

24 Amy Harksell, City of Lynden Planner, read from the presentation beginning with
25 expected growth. The land capacity analysis is very conservative, but they get to revisit it
26 in a few years. They looked at the historic growth rates and capital facilities plans to come
27 up with their proposed population. They need a bigger residential land supply. They have
28 discussed the proposed growth area with the property owners of those areas. Many of the
29 questions that those property owners asked would be answered through the 2011 update.
30 The City will annex areas other than agricultural land first. They won't annex land for
31 residential development until they have only a five year land supply. She described City
32 plans to restore Double Ditch, previously known as Pepin Creek.
33

34 Louws concluded the presentation.
35

36 Mann asked about reduced water use. Louws stated they have gone from 2,500 acre
37 feet to about 2,000 acre feet since 2003. It has been a significant improvement by the
38 community. They were able to reduce consumption with higher water rates, a tiered rate
39 system, and education. The industrial users have done as much as they can, too. The City
40 of Lynden and Department of Ecology have agreed on a plan that they've been working on.
41

42 Weimer stated he agrees that the County's thousands of properties defeats their
43 attempt at infill. He asked if the City of Lynden is interested in the concept providing public
44 benefit to areas that are about to be up-zoned and annexed. Louws stated use the 300
45 acres as a drainage benefit area and charge high impact fees to pay for a creek they want
46 to put through there. It may end up making projects not feasible. He would have to put
47 more thought into a detailed plan. The City must receive a certain cost from developers for
48 infrastructure.
49

50 Lesow asked if the restoration of Pepin Creek is contingent upon the proposed UGA
51 west of Double Ditch. Louws stated it would put the entire project in the City's control. If
52 not, they will need to partner with Whatcom County.
53

1 Harksell stated the project needs an advocate. The City of Lynden is the appropriate
2 advocate. The County doesn't have the time and resources to work on this project. It may
3 or may not happen, depending on how the County Code is interpreted.
4

5 Burdge stated the growth rates should reflect the current history from 2000 to now.
6 Don't use rates from the 1990's. Also, look at public and private school enrollment in the
7 area. Those enrollment rates reflect fewer people. Harksell stated the community draws a
8 high amount of retirees.
9

10 Steensma stated there used to be open ditches down several roads that are now
11 gone. He asked if the problem could be that they've tried to confine all the flow from
12 Canada into a little pipe. Louws stated that could be a contributing factor. They are trying
13 to come up with the best solutions for habitat, farming, and the community. Creating wide
14 open ditches would help to get rid of water. That's what they propose to do by rebuilding
15 Pepin Creek. Its meander area will be 100 to 120 feet wide.
16

17 City of Bellingham
18

19 Tim Stewart, Bellingham Planning and Community Development Director, stated the
20 City can accommodate at least 113,000 people, but retain the existing growth area. The
21 Current population in the city is about 75,750 people and 13,500 people in the urban
22 growth area. That makes the City of Bellingham's UGA the second-largest "city" in
23 Whatcom County. Keep that in mind. He submitted and read from a presentation (*on file*).
24 If they are going to change the UGA areas, do that through the plan update process over
25 the next two years.
26

27 Bellingham has distinct neighborhood and zoning districts. The downtown area has
28 no height limit, so capacity is infinite. However, the economic reality creates great
29 constraints. Just because there is capacity, it doesn't mean they can achieve that capacity.
30

31 Bellingham's planning in the UGA didn't just happen in the last ten years or since the
32 GMA was adopted. Bellingham has been planning urban service areas since the mid-1980's.
33 The City's investments in water, sewer, parks, and playgrounds are related to that urban
34 service plan.
35

36 Adequate transportation services should comply with GMA. Land capacity and land
37 growth should develop concurrent with infrastructure. There are three or four very
38 important roads to highlight. The east-west connections in the north are very important.
39 The Governor Road connection is critical.
40

41 The Parks and Recreation Open Space Plan was recently adopted and is very
42 important. These factors go into deciding where UGA's should be and how much it will cost
43 to build infrastructure for those services.
44

45 The UGA also includes transfer of development rights (TDR) receiving zones. A
46 recent study shows that the TDR program doesn't work well. It costs about \$30,000 and
47 \$50,000 to buy a development right. The market doesn't support their use. A more
48 appropriate purchase price would be around \$3,000. The City Council recommends
49 modifying the program to allow a purchase of development rights (PDR) factor for most of
50 the northern areas.
51

52 There are many critical areas in the UGA, which is constrained by wetlands and
53 severe topography.

1
2 The City recently completed an annexation phasing plan. It considers all the UGA's
3 and associated services. Areas are appropriate for either immediate, intermediate, or long-
4 term expansion. Two of the areas proposed for annexation are the Yew Street area, which
5 the City Council didn't approve. The City doesn't have the money to build infrastructure for
6 that area. Also, the City didn't approve annexation for the Dewey Valley area. They must
7 do a detailed level of analysis over the next two years to determine the correct adjustments
8 to the UGA.
9

10 In 2004, the City policy changed radically by no longer extending water service
11 outside the corporate limits. That shut down all growth in the UGA. As a result, the
12 property owners have become organized about annexation. He described the Yew Street
13 area. They are moving forward with a study of this area over the next two years.
14

15 Bellingham's growth is compact and contiguous. It's about right for now. Over the
16 next two years, they will require more information and planning as they update the
17 Comprehensive Plan, before they are ready to reduce or expand the UGA.
18

19 Dan Pike, Mayor, stated they have put a lot of work into the existing UGA plan. More
20 work needs to be done. They want to work with the County through the 2011 update cycle
21 rather than pushing things forward now. Stick with the current UGA. The City will continue
22 to work with the County in getting the County compliant. Develop the information more
23 fully through the 2011 update cycle.
24

25 Fleetwood stated this is a good time to deal with Geneva and Hillsdale. He asked the
26 City opinion on those two areas. Pike stated consider those areas fully through the 2011
27 process. It may make sense to keep Geneva, but not Hillsdale, in the UGA.
28

29 Stewart stated that if Geneva were annexed, it will be a financial loser for the City.
30 However, adopting protections will provide aggressive controls on land use practices. The
31 City may be in a stronger position to protect the lake with Geneva in the city than if it were
32 not in the city. Don't remove it from the UGA. He's not sure what the County will do with
33 Hillsdale if it's removed from the UGA.
34

35 Pike stated there hasn't been any decision before the City Council on annexing
36 Hillsdale or Geneva. Given the economy, annexing Geneva may not happen for a few years.
37 Hillsdale is more challenging for annexation purposes. The City doesn't necessarily want to
38 annex it, but it may be a management question.
39

40 Caskey-Schreiber stated she is concerned about the County allowing those areas to
41 continue developing at higher densities if the City doesn't annex them.
42

43 *(Clerk's Note: End of tape three, side A.)*
44

45 Caskey-Schreiber asked how and when the City will be able to afford to annex those
46 areas. Stewart stated a challenge is that the County has already up-zoned in the UGA's.
47 The development rights are already vested and given away. The development expectation
48 is that level of development will occur. The interlocal agreement requires the City to annex
49 at zoning comparable to the County. He would love to work with the County on downzoning
50 the UGA to make them holding zones until the City is ready to annex. Don't allow for
51 incremental development.
52

1 Caskey-Schreiber stated the County historically doesn't upzone unless the City
2 approves an upzone request. Pike stated a more rational model to use is to not allow an
3 upzone until there is an annexation agreement. That allows a capture of increased value
4 that can reimburse the County and City for annexation costs and infrastructure costs. Now,
5 developers and private landowners win the lottery when they do that, at the expense of
6 County and City residents. They need to change that.

7
8 Weimer stated the City picked a low population number, but also wants the UGA
9 areas to remain. The County dilemma is that it can't do both. Population has to be
10 associated with UGA's. He asked the down side of the County removing all the UGA's,
11 downzoning those areas to rural densities, so the City can ask for those areas when it is
12 ready. Stewart stated the City would stop planning for the UGA's. If the County removes
13 the UGA's, the City won't know where the UGA areas will be. That would be a very bad
14 mistake. A more rational approach is to establish future growth areas, and work through
15 service providers to see how those areas would be adequately serviced. If they can't be
16 adequately serviced, then remove the area from the UGA. If other areas could be more
17 adequately serviced, add them to the UGA. A wholesale removal of all UGA's in the city
18 would be a giant step backwards.

19
20 Pike stated it would be inconsistent with GMA mandates, which requires a rational
21 planning approach. They can't have that approach without identifying areas they anticipate
22 in the future. Anticipating areas doesn't mean those areas have to be up-zoned before they
23 are annexed.

24
25 Fleetwood announced the public hearing on these UGA proposals in one week.

26
27
28 **ADJOURN**

29
30 The meeting adjourned at 9:15 p.m.

31
32 
33
34 Jill Nixon, Minutes Transcription

35
36 The Council approved these minutes on July 7, 2009.

37
38 ATTEST:

39
40 
41
42
43 Dana Brown-Davis, Council Clerk

44
WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Seth Fleetwood, Council Chair