

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53

WHATCOM COUNTY COUNCIL
Planning and Development Committee

February 10, 2009

Committee Chair Laurie Caskey-Schreiber called the meeting to order at 3:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

Carl Weimer

Absent:

Bob Kelly

Also Present:

Sam Crawford

Barbara Brenner

Seth Fleetwood

COMMITTEE DISCUSSION

2. DISCUSSION REGARDING PROPOSED ORDINANCE TO ADOPT THE LUMMI ISLAND SUBAREA PLAN (AB2009-088)

Roland Middleton, Public Works Department, submitted a handout (*on file*). Two issues came up recently. One was a concern about page 52 of the subarea plan. His handout addresses that concern with a recommended change. Another concern was with two tables on page 88 of the subarea plan. His handout also addresses that concern with a recommended change.

He is only bringing forward the changes to Title 20 that have to do with aquifer protection and density. The other changes will be in the work plan for the Planning Department to address as their work plan allows.

Weimer referenced Table 10 on page 88. He asked if that would change the build-out scenarios on Table 7. Middleton stated it won't for many. It won't have enough of a change to go through the effort of recalculating and redoing the table.

Crawford asked if the change says that this will not force consolidation on any old parcels. Middleton stated that's correct. His suggestion is to administer the way it has been administered for the past 30 years.

Weimer moved to approve the amendment to subarea plan page 88 according to Mr. Middleton's recommendation in his handout.

Motion carried unanimously.

Weimer moved to approve the amendment to subarea plan page 52 according to Mr. Middleton's recommendation in his handout.

Motion carried unanimously.

Caskey-Schreiber referenced page 18, figure 5. The top threshold descriptions are crossed off. She asked if there would be a definition. Middleton stated they would modify the figure. The paragraph on page 19 was struck by the Planning Commission, because it

1 has no bearing on science or information found in the aquifer study. Figures 5 and 5A
2 corresponded to that paragraph.

3
4 Caskey-Schreiber stated remove those figures if there isn't a legend about what they
5 are. She referenced the last line in the remaining paragraph on page 19. She asked if that
6 is true. Middleton stated it isn't. He missed it, and will amend it.

7
8 **Caskey-Schreiber** stated insert language instead that addresses the level of
9 service. She **moved** to delete last part of that sentence.

10
11 **Caskey-Schreiber amended her motion** and moved to delete the entire last line
12 in the remaining paragraph on page 19.

13
14 Middleton stated other sections of the plan talk about the ferry in detail. Remove the
15 entire ferry discussion in that section, the entire paragraph.

16
17 Crawford stated eliminate "nevertheless" on page 20.

18
19 **Weimer suggested a friendly amendment** to eliminate "nevertheless" on page
20 20.

21
22 **Caskey-Schreiber accepted** the friendly amendment and added it to her motion.

23
24 **Motion carried unanimously.**

25
26 Caskey-Schreiber asked about existing conditions and the rural residential island
27 (RRI) zone. She asked if that description is still accurate, in light of the limited areas of
28 more intense rural development (LAMIRD) designations. She asked if they should refer to it
29 as a LAMIRD. Middleton stated they could. He didn't change that section of the plan. As
30 written five years ago, it was accurate. He will look into it.

31
32 Caskey-Schreiber stated it is in the land use section on page 20 regarding existing
33 conditions and the RRI zone. Middleton stated the Growth Management Act (GMA)
34 recognizes the RRI zone. They will lower the density from one unit per three acres to one
35 unit per five acres. It is correct.

36
37 Caskey-Schreiber asked if they need to include the LAMIRD description into the plan.
38 Middleton stated they don't need to until they have the overall discussion of LAMIRDs in the
39 county. This is one area they would want to look at, at a later time.

40
41 Weimer referenced the ferry discussion on page 57. He asked the accuracy of the
42 paragraph regarding ridership. The Council has increased fares, and he's heard that
43 ridership is down. He asked if they can confirm whether that paragraph is still accurate.
44 Middleton stated they were not able to reproduce many of these figures. Ridership changes,
45 depending on many factors. Mr. Abart suggested including just the last sentence on page
46 58 and removing the verbiage about the Charette and 20-year plan. He doesn't know if
47 they can get more accurate than that.

48
49 Weimer stated he would like to hear suggested changes from the Lummi Island
50 residents.

51
52 Middleton stated that as they go through the Capital Facilities Plan Regarding the
53 ferry, that will be the time to get detailed, updated information.

1
2 Brenner asked if they can add a disclaimer about it being a changing issue, to give
3 residents the understanding that the ferry information won't be absolutely accurate.
4 Middleton stated they can, with the will of the Council.
5

6 Caskey-Schreiber stated there were inconsistencies about the most recent
7 groundwater study. The most recent study doesn't seem to be mentioned. Middleton
8 stated the groundwater information has been updated. He may have missed other areas.
9

10 Caskey-Schreiber referenced the section on page 34 about the need to do more.
11 She asked if the most recent report is the 2003 report or the report in Appendix D.
12 Middleton stated the report in Appendix D is the most recent report.
13

14 Caskey-Schreiber stated schedule this on the Planning and Development Committee
15 meeting agenda in two weeks for public comment and a work session.
16

17 Crawford referenced the first sentence in the third paragraph on page 57. It's
18 important to add the second line from that paragraph.
19

20 Weimer stated he's heard from people that the information in the second line isn't
21 true anymore, either.
22

23 Crawford stated the commuters are still waiting.
24

25 **1. DISCUSSION REGARDING URBAN GROWTH AREAS REVIEW PROCESS**
26 **(AB2009-052)**
27

28 Rebecca Craven, Council Policy Analyst, referenced her memo in the Council packet,
29 beginning on page 129. She described the activities planned for the next few weeks. She
30 described the attachments to her memo in the Council packet.
31

32 Caskey-Schreiber referenced the chart on Council packet page 134. Ferndale and
33 Lynden, with different populations, have similar growth numbers. Craven stated the historic
34 growth allocation is a reflection of what has happened the last 18 years and what will
35 happen up to 2031, based on that historic growth in those areas. Over the last 18 years,
36 those two cities have grown at the same number. Under the policy-based allocation
37 scenario is a reflection of allocation choices in the existing Comprehensive Plan, which
38 anticipates that growth in those cities.
39

40 Craven stated they will start to bring forward some of the second phase allocation
41 discussions and larger policy discussions regarding consensus on rural growth versus
42 allocation to the urban growth areas as a whole. They will discuss what land use policies
43 techniques they may be willing to undertake to make a change to the amount of rural
44 growth that is happening. Bring forward more policy-based issues to the Growth
45 Management Coordinating Council (GMCC) to start those conversations with the cities and
46 the County. If the County Council approves, she will bring forward more specific issues for
47 the GMCC agenda.
48

49 Fleetwood asked when they will be done refining the methodology.
50

51 David Stalheim, Planning and Development Services Director, stated the planning
52 directors will meet to refine the assumptions used in the methodology. He asked the cities
53 to take care of those technical fixes for the next iteration of the land capacity analysis in

1 March. Methodology issues that are policy issues will go back to the GMCC and County
2 Council.

3
4 Fleetwood asked if that would happen before phase two discussions on allocations.
5 It would reform their allocation and policies. Stalheim stated that is correct.

6
7 Craven stated some of those policy discussions may flow into those phase two
8 discussion. Individual cities may come forward with proposals describing why their
9 capacities should be slightly different from the land capacity analysis, if they change some
10 of those policy-based assumptions about infill. The proposals may come forward in the form
11 of an allocation request, which would also reflect their capacity.

12
13 Brenner stated the Council requested information on vacancy rates of existing
14 residences in the cities. The consultants said they don't do that. Another GMCC member
15 brought up the issue of accessory dwelling units. The consultants said they don't do that,
16 either. Those together are significant. If they are going to tweak things with the cities, she
17 needs those answers. Craven stated the information on the occupancy and vacancy rates is
18 in the summaries about the individual city urban growth areas (UGAs). She referenced
19 packet page 150 and 151.

20
21 Stalheim stated that goes with household size for single-family and multi-family
22 residences. That data is specific to each urban growth area.

23
24 *(Clerk's Note: End of tape one, side A.)*

25
26 Caskey-Schreiber asked if they are working from the 2000 Census. Stalheim stated
27 they are using the most current, statistically valid data sources available. He described
28 some of the data sources. The County is asking the cities to make sure that data is
29 accurate.

30
31 Caskey-Schreiber stated the different areas charge different school impact fees,
32 which is calculated according to household size.

33
34 Brenner stated it's important to include a percentage regarding accessory dwelling
35 units, but the consultants said they wouldn't do that. Information is missing. Stalheim
36 stated the consultant's didn't say they wouldn't do that. All the city planning directors
37 agreed that there was no way to accurately count potential future accessory dwelling units.

38
39 Regarding the partially used single-family property and the potential re-division of
40 the property, they may be overestimating. However, it may account for some accessory
41 dwelling units. They are blurring the technical and policy for that discussion. Bring that
42 through a policy discussion.

43
44 Craven referenced the alternatives memo on Council packet page 186. They are still
45 discussion how they will present the two action alternatives. She referenced the table
46 beginning on packet page 188. The options are in that table, but they will be updated to
47 get sufficient range within the alternatives and sufficient differences between the
48 alternatives to make the comparisons useful.

49
50 Fleetwood asked if the alternatives and scope will be modified a bit, pursuant to the
51 technical advisory group (TAG) meeting later this week. Stalheim stated they will be similar
52 to what is presented here. They are shifting the alternatives to capture enough of a range

1 to allow the cities to have a variation. The Planning Commission recommends no UGA in
2 Columbia Valley, which isn't reflected as an alternative right now.

3
4 Caskey-Schreiber stated the County Council should weigh in on that Planning
5 Commission recommendation. Stalheim state it will, beginning at the meeting on February
6 24. The Council may hold a public hearing on the issue. The County is limited to annual
7 amendments, so they don't plan to take action on the Foothills Subarea Plan. They've
8 missed the 2009 cycle. The only things they can extract out of the Foothills Subarea Plan
9 this year are GMA compliance issues, which are the UGA versus LAMIRD decision.

10
11 There was discussion about whether when and how there would be a Council public
12 hearing on the Columbia Valley UGA and the agenda for the next Planning Committee
13 meeting.

14
15 Craven stated the alternatives are in the table beginning on Council packet page
16 188.

17
18 Brenner stated both alternatives X and Y have things they want and things they don't
19 want. That seems odd. Craven stated alternative X is generally structured to test more
20 geographically compact growth. There is more emphasis on infill and preventing growth in
21 the rural areas. Alternative Y is structured to test the higher level of population spread out
22 geographically in the UGAs.

23
24 Stalheim stated that in the end, the Council will pick and choose different aspects
25 from all the alternatives. They want a wide range of alternatives to ensure everything is
26 studied.

27
28 Crawford asked if this is developed for a range of study, not to make a decision on
29 picking. Stalheim stated that's correct.

30
31 Crawford asked when the Council gets to pick the alternative. Stalheim stated the
32 draft environmental impact statement (EIS) will be available in April. The Draft EIS goes to
33 the Planning Commission for a recommendation to the County Council in June. The final
34 EIS would be published as they get public comment on the draft EIS.

35
36 Craven stated the consultants have said they would make the suitability analysis
37 results available earlier than the draft EIS, so the cities would have that information.

38
39 Crawford stated that in March 2006, there were 212 short-plat applications in one
40 week. That is the difference between alternatives X and Y. Be aware of the volatility of this
41 issue, defined by the differences in X and Y. Stalheim stated the review process due June
42 30, 2009 is the urban growth area review and revision, not the rural component. There are
43 policy choices about how they size the urban areas they are testing in the EIS. They are
44 starting to talk about shifting growth out of the rural areas and into the urban areas. The
45 choice to not allocate growth to rural areas has technical challenges. Everything they do for
46 traffic modeling, fire facilities, and other infrastructure uses the data from the
47 Comprehensive Plan as if it were real. All the traffic studies are based on things that aren't
48 happening, for example. A policy discussion is whether they artificially shift those numbers
49 without regulations to follow them up with.

50
51 Crawford stated Y is a compromise solution. However, these alternatives will go to
52 the heart of fundamental, philosophical differences about the future allocations in the
53 county.

1
2 Caskey-Schreiber stated this is a classic conflict that plays out nationwide. It's not
3 new.

4
5 Craven stated that is exactly the point of scoping the EIS this way.

6
7 Caskey-Schreiber stated they have to consider it.

8
9 Craven stated the rural lot data will be in the binder for the public hearing on March
10 17. That data will be interesting to look at. The areas included in the map on Council
11 packet page 196 will go through the suitability analysis criteria on Council packet page 189
12 to determine the purposes for which they may be suitable or not suitable for future urban
13 growth.

14
15 Brenner stated they haven't had a discussion about major downzoning in the
16 unincorporated area. She is not interested in supporting a blanket downzone in other areas.
17 Stalheim stated they are making decisions on the urban growth area, not the rural areas. It
18 will help inform the rural decision.

19
20 Weimer stated the planning paradigm in King County is different than in Whatcom
21 County. In King County, the cities and county agreed to draw UGA boundaries that would
22 never change. In Whatcom County, it seems to be understood that they will review the
23 capacity every ten years, and change the boundaries to fit the numbers. He asked if
24 Whatcom County can move to a paradigm like that in King County. Stalheim stated the
25 policy discussion within the land capacity analysis is to use planned densities instead of
26 achieved densities. That's a difference from the way it's been done in the past. That's a
27 policy discussion that needs to happen.

28
29 Craven stated that before the King County developed its paradigm, it received
30 hundreds of short-plat applications per week and thousands of one- and two-acre lots in the
31 county that it didn't try to do anything about. They weren't going to provide services. They
32 drew a huge UGA boundary, said they were never going to move it. For the first 20-year
33 period, they've had an artificial vent with all those one-acre, undeveloped lots without
34 services. They drew a hard line, but haven't yet had to make hard decisions to double the
35 population of Seattle every several years. It will be interesting to see what happens when
36 they don't have that escape valve anymore.

37
38 Caskey-Schreiber stated the traffic patterns indicate there has been a lot of
39 movement out of the county while continuing to work in the county.

40
41
42 **COMMITTEE DISCUSSION AND RECOMMENDATIONS TO COUNCIL**

43
44 **1. ORDINANCE AMENDING TITLE 21, LAND DIVISION REGULATIONS,**
45 **REGARDING GENERAL PROVISIONS, EXEMPT LAND DIVISIONS AND**
46 **BOUNDARY LINE ADJUSTMENTS, SHORT SUBDIVISIONS, PRELIMINARY**
47 **LONG SUBDIVISIONS, FINAL LONG SUBDIVISIONS, SURVEYS AND**
48 **DEDICATIONS, AND DEFINITIONS (AB2008-404A)**

49
50 *Caskey-Schreiber moved* to recommend approval to the full Council.

51
52 David Stalheim, Planning and Development Services Department Director, stated he
53 and Mr. Buckingham reviewed the concerns from the Building Industry Association. He

1 referenced their staff memo on Council packet pages 70 through 72. Mr. Buckingham
2 agrees with the recommendations in the memo.
3

4 **Weimer moved** to amend the ordinance according to the memo in the packet
5 beginning on Council packet page 70.
6

7 Stalheim stated the BIA told him that the language in the memo is a good
8 compromise.
9

10 Crawford stated the amendments make sense to him.
11

12 **Motion to amend carried unanimously.**
13

14 Weimer stated they should hold in committee for any more questions to hear
15 Councilmember Crawford's concerns.
16

17
18 **OTHER BUSINESS**
19

20 There was no other business.
21
22

23 **ADJOURN**
24

25 The meeting adjourned at 4:30 p.m.
26


27 
28 _____
29 Jill Nixon, Minutes Transcription
30

31
32 ATTEST:



33
34
35
36
37
38 Dana Brown-Davis, Council Clerk
39

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Laurie Caskey-Schreiber, Committee Chair

