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WHATCOM COUNTY COUNCIL
Planning and Development Committee

April 14, 2009

Committee Chair Laurie Caskey-Schreiber called the meeting to order at 3:10 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

Bob Kelly
Carl Weimer

Absent:

None

Also Present:

Seth Fleetwood
Sam Crawford
Barbara Brenner

COMMITTEE DISCUSSION AND RECOMMENDATIONS TO COUNCIL

1. **ORDINANCE AMENDING THE SETBACK REQUIREMENTS OF WHATCOM COUNTY CODE, TITLE 20, TO REORGANIZE AND RELOCATE SETBACK STANDARDS FOR CLARITY OF THE REQUIREMENTS OF EACH ZONE (AB2009-175)**

Alex Cleanthous, Planning and Development Services Department, gave a staff report.

Weimer moved to recommend approval to the full Council.

Discussion included whether the forestry setbacks from homes are safe enough.

Motion carried 3-0.

2. **ORDINANCE AMENDING WHATCOM COUNTY CODE, TITLE 20, TO ADOPT REGULATIONS WITHIN THE URMX ZONE, MODIFY DEVELOPMENT POTENTIAL WITHOUT PUBLIC WATER AND SEWER SERVICE, AND AMEND THE CLUSTER SUBDIVISION REQUIREMENTS IN THE UR, URM, AND URMX ZONES (AB2009-176)**

Alex Cleanthous, Planning and Development Services Department, gave a staff report.

The following person spoke:

- David Stalheim, Planning and Development Services Director, answered questions.

Discussion included the reason for setting a maximum density; urban residential (UR) zones without density designations; using a reserve tract as a building lot; defining the use of the reserve tract, and; whether this affects lot consolidation.

Weimer moved to recommend approval to the full Council.

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2 **Motion carried 3-0.**
3

4 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO AN**
5 **AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN WHATCOM**
6 **COUNTY AND THE CITY OF BELLINGHAM FOR THE PURPOSE OF**
7 **ANNEXATION OF APPROXIMATELY 20 ACRES - THE CORDATA PARK**
8 **ANNEXATION (AB2009-203)**
9

10 Kate Koch, Planning and Development Services Department, gave a staff report.
11 There is a substitute for Council packet page 239, which is Exhibit C. Some items are
12 missing from the substitute list, including the Cordata Park annexation and Van Wyck
13 annexation. Staff recommends holding in committee for two weeks.
14

15 **Weimer moved** to hold in committee for two weeks to correct Exhibit C.
16

17 **Motion carried 3-0.**
18
19

20 **COMMITTEE DISCUSSION**
21

22 **2. DISCUSSION REGARDING THE PROPOSED ANNEXATION OF THE VAN**
23 **WYCK/JAMES ST. AND QUEEN MOUNTAIN AREAS OF THE BELLINGHAM**
24 **URBAN GROWTH AREA (AB2009-202)**
25

26 David Stalheim, Planning and Development Services Department Director, gave a
27 staff report. The question today is whether or not the committee wants to invoke
28 jurisdiction on these two issues and have the Boundary Review Board review these issues.
29 If the Council does not, the staff will bring forward the interlocal agreements in two weeks.
30 He is concerned about whether these annexation requests are timely, given the amount of
31 density that is still available in the city. He recommends going slow.
32

33 Discussion included whether the interlocal agreement will address these concerns,
34 and whether the Boundary Review Board can address the concern.
35

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

38 Discussion continued regarding picking a low population projection; whether the City
39 recognizes it will lose its urban growth areas (UGA's) due to choosing a small number; how
40 annexation does not encourage infill; what happens if one party doesn't fulfill the interlocal
41 agreement; whether this is an opportunity to fix other UGA problem areas, such as Yew
42 Street, Hillsdale, and Geneva; communicating directly with the City to work things out, and;
43 Council input to staff about what needs to be in the interlocal agreement.
44

45 Weimer asked to include language that says the County wants the annexation to go
46 forward, but it also supports the City Council's message about protecting rural lands. The
47 County would like to work with the City to get at least these 54 development rights that
48 would have been retired if the County had made a different decision.
49

50 Rebecca Craven, Council Policy Analyst, stated that invoking jurisdiction is just to
51 allow more time to study the situation.
52

53 The following people spoke:

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- Ralph Black, 4071 Hannegan Road, stated continue to move forward with the annexations.
 - Dan McShane, 1451 Grant street, Bellingham, stated the City is talking about a small number, but is planning for a much larger number. The County will end up having to set the number for the City. They are going to have to develop a PDR or TDR program for expanding urban growth areas and annexations. If necessary, the County Council can use these annexations as a reason to remove other inappropriate urban growth areas. The County must unilaterally remove urban growth areas in the Lake Whatcom watershed now. It won't happen jointly with the City.
 - Heather Wolf, attorney, stated she represents the Queen Mountain annexation. The County Council approved this annexation last year. Don't mix comprehensive planning issues with annexation issues. Approve the annexation.
 - Cindy Anderson, 347 Van Wyck Road, stated move forward with the Van Wyck Road annexation.
 - Jack Weiss, Bellingham City Council, stated the City Council would consider a higher number. The City wants to engage in a discussion of alternatives with the County to resolve infill problems. The City is willing to accept more, but it needs the County's assistance.

23 Discussion included a number the City could live with comfortably.

24
25 Caskey-Schreiber stated she would like to have more time from the Boundary
26 Review Board. In the interlocal, bring forward the issue of TDR's and PDR's. Have a
27 discussion about their goal to have the County reduce development rights in the rural lands,
28 and how this process may be a part of that.

29
30 Brenner stated don't hold up this annexation. There are many issues to discuss, but
31 don't hold up the annexation. Don't invoke the Boundary Review Board.

32
33 Fleetwood stated try to get an extension of the Boundary Review Board deadline to
34 allow the City and County to communicate on the interlocal agreement issues. Koch stated
35 that working out these issues is exactly the reason there is a provision to invoke
36 jurisdiction.

37
38 Crawford asked what happens if there is no interlocal agreement. Stalheim stated
39 there is no more legal conversation between the City and County.

40
41 There was discussion about whether or not the County gives up formal discussions
42 with the City on planning issues; options for ensuring the City and Council have these
43 planning discussions; the County's leverage over the City.

44
45 *(Clerk's Note: End of tape one, side B.)*

46
47 There was continued discussion regarding what bad things would occur if the County
48 doesn't invoke jurisdiction; an oversized urban growth area; infill issues; trying to get
49 development out of the rural areas, and; the County Executive's ability to invoke
50 jurisdiction.

51
52 **Kelly moved** to invoke jurisdiction. Have formal, official discussions between the
53 two governments.

1
2 **Motion carried 2-1 with Weimer opposed.**

3
4 **1. DISCUSSION REGARDING THE URBAN GROWTH AREAS REVIEW PROCESS**
5 **(AB2009-052)**

6
7 David Stalheim, Planning and Development Services Department, gave a staff report
8 and an update since the last Growth Management Coordinating Council (GMCC) meeting.

9
10 The following person spoke:

- 11
12 • Rebecca Craven, Council Policy Analyst.

13
14 Discussion included when the Council would make decisions on accepting GMCC
15 recommendations; the Birch Bay community's reaction to the no action alternative, and; the
16 City choosing population numbers with the intent to protect the existing urban growth
17 areas.


18
19 Caskey-Schreiber stated the Committee will schedule a special meeting next week to
20 continue discussing this item.

21
22
23 **OTHER BUSINESS**

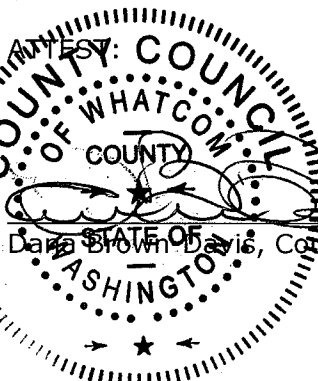
24
25 There was no other business.

26
27 **ADJOURN**

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29 The meeting adjourned at 5:00 p.m.

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32 _____
33 Jill Nixon, Minutes Transcription

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36 WHATCOM COUNTY COUNCIL
37 WHATCOM COUNTY, WASHINGTON

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41 _____
42 Dana Brown Davis, Council Clerk

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Laurie Caskey-Schreiber, Committee Chair