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WHATCOM COUNTY COUNCIL
Planning and Development Committee

May 11, 2010

CALL TO ORDER

Committee Chair Bill Knutzen called the meeting to order at 3:07 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL (3:07:50 PM)

Present: Ken Mann, Bill Knutzen and Barbara Brenner

Absent: None

Also Present: Carl Weimer, Sam Crawford and Kathy Kershner

COMMITTEE DISCUSSION

1. RURAL ELEMENT UPDATE - DISCUSSION OF GROWTH MANAGEMENT ACT REQUIREMENTS AND THE PLANNING COMMISSION RECOMMENDATIONS (AB2010-072)

Gary Davis, Planning and Development Services Department, submitted and read from a presentation (*on file*) and gave a staff report. (3:09:56 PM)

Discussion included considering things other than water lines, such as sewer lines; what the Growth Management Act (GMA) allows in terms of regular abnormal boundaries; whether water lines have anything to do with rural overlays; what the GMA says about urban growth areas (UGAs) adjacent to other UGAs; what would be a defensible expansion of a proposed limited area of more intense rural development (LAMIRD) boundary to allow businesses that have been proposed for downzoning; not punishing existing successful businesses by limiting expansion on their own lot; allowing the 1990 zoning; whether the Hearings Board considers how much water can be legally run through a waterline in addition to the waterline pipe size; the possibility of having future discussions before the Council Committee of the Whole, so they don't have to have these conversations twice, and; the upcoming meeting schedule.

The following person spoke:

- Gary Honcoop, resident, answered questions about the location of water lines on the Guide Meridian.

Mann moved to refer to Committee of the Whole.

The Committee concurred.

Knutzen stated schedule a special Committee of the Whole meeting in the place of Planning Committee to continue discussing this issue.

Brenner stated postpone discussions about the code provisions and other things to finish this.

1 Davis stated staff can bring forward a few maps for the next discussion.
2

3 Mann stated he would like to see information on places where they can use the new
4 rural overlay tool and change to the Laurel area. (3:47:57 PM)
5

6 Knutzen stated he would like to discuss the Guide Meridian and Smith Road LAMIRD
7 and general commercial zones being rezoned to rural, one unit per ten acres (R10A).
8

9 Mann asked that Mr. Davis bring forward information on the Guide Meridian as a
10 whole. Davis stated he would ideally like to put them before the public in advance.
11

12 Mann asked if the rural density overlay tool would apply to the Guide Meridian
13 corridor. Davis stated it wouldn't. He described the Planning Commission recommendation
14 for the Guide Meridian corridor.
15

16 **2. DISCUSSION REGARDING THE DRAFT PUBLIC PARTICIPATION PLAN FOR**
17 **THE PERIODIC REVIEW REQUIRED BY THE GROWTH MANAGEMENT ACT**
18 **(RCW 36.70A) (AB2010-210) (3:51:33 PM)**
19

20 Kate Blystone, Planning and Development Services Department, gave a staff report,
21 summarized changes, and described key items for public participation. This plan is a
22 general guideline. She would like a motion to accept this plan and move forward.
23

24 The following person answered questions:

- 25 • David Stalheim, Planning and Development Services Department Director
26

27 Discussion included item D-2 in the plan about implementing impact fees; item S-5
28 in the plan about accessory uses not interfering with agricultural uses; making section 3.2.1
29 clearer that the Planning Commission will be the depository for public comment, work
30 through issues, work through the Planning staff, and make recommendations to the County
31 Council, and; allowing the public to contact Planning Commissioners directly.
32

33 Knutzen stated this is a good document that just needs some clarification.
34

35 ***Mann moved*** to recommend approval to the full Council.
36

37 The motion carried by the following vote:

38 **Ayes:** Mann, Knutzen and Brenner (3)

39 **Nays:** None (0)
40
41

42 **OTHER BUSINESS**
43

44 Mann asked if the County is out of compliance with GMA because Futurewise sued
45 the County over the LAMIRDs, and therefore the Building Industry Association can persuade
46 the County to not apply impact fees. (4:15:53 PM)
47

48 David Stalheim, Planning and Development Services Department Director, stated the
49 County received a letter more than a year ago from the Building Industry Association (BIA)
50 that said the County can't adopt impact fees because it wasn't compliant with the Growth
51 Management Act. Legal counsel has advised to get into compliance before imposing impact
52 fees.
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ADJOURN

The meeting adjourned at 4:19 p.m.

Please contact the Council Office to obtain an
official, signed copy:
360-676-6690 or council@co.whatcom.wa.us

Dana Brown-Davis, Council Clerk

Bill Knutzen, Committee Chair