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WHATCOM COUNTY COUNCIL  
**Special Committee Of The Whole**

May 25, 2010

**CALL TO ORDER**

Council Chair Sam Crawford called the meeting to order at 3:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

**ROLL CALL**

**Present:** L. Ward Nelson, Barbara Brenner, Sam Crawford, Kathy Kershner, Bill Knutzen and Ken Mann

**Absent:** Carl Weimer

**COMMITTEE DISCUSSION**

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

Gary Davis, Planning and Development Department, submitted and read from a presentation (*on file*) and presented alternatives to limited areas of more intense rural development (LAMIRD) designation in certain areas. (3:07:52 PM)

Discussion included the question of Hearings Board cases regarding adjacency to urban growth areas (UGAs); why they need residential LAMIRDS if there isn't a bright line and they have a density overlay; whether a Hearings Board can set a bright line; (3:24:17 PM) whether the 1990 threshold is in the law; lack of definition of certain key terms in the law; perimeters that hold up against legal challenge; whether a "built environment" has to include houses, or can include platted areas with roads and services installed; whether there is any case law on platted lots with roads and all utilities and services, but no houses; (3:42:09 PM) the reason for the five acre recommendation; the existing character of the natural neighborhood around Cain Lake; whether the development around Cain Lake should be upzoned, and why they wouldn't apply those things to both sides of Cain Lake Road; the availability of water and sewer in the Chuckanut area; getting more information about water and sewer availability in all these areas; (4:05:47 PM) actual lot sizes at the Glen at Maple Falls; how County zoning determinations line up with what the Lummi Tribe wants to do with its properties; the reason for the recommendation to downzone the one legal LAMIRD at Lake Samish, and; whether the Hearings Board would allow them to create a LAMIRD adjacent to an industrial-only UGA.

Nelson stated that since the pattern of development has been rural, one unit per five acres (R5A) on the east side of Cain Lake, it is reasonable to make that area R5A on the east side and maintain the current pattern of development on the west side. It has been based on the differing availability of water and septic systems on each side of the road. He needs more information on available water service and Water District 7 at Emerald Lake. The District can't expand without approval from the City.

1 Crawford stated he suggests hearing from folks about the three options: the Planning  
2 Commission recommendation, the overlays, or the residential-only LAMIRD, or any other  
3 options. Address the Guide Meridian in two weeks. Revisit these residential issues and  
4 make decisions in the future. The Council should make decisions at each meeting.  
5

6 Brenner stated bring this back in two weeks and make specific recommendations,  
7 rather than discuss the Guide Meridian.  
8

9 Crawford stated he prefers to do both. He will sit down with staff and the Council  
10 calendar to create a schedule. They can discuss that schedule at the next meeting.  
11

12 Knutzen stated start with Eliza Island.  
13

14 Davis stated he will post this information on the County website.  
15

16 The following people spoke:

- 17 • Lauralee Brakke, Pleasant Bay Road, stated there was a situation when  
18 people could not get out of the Chuckanut area either end of Chuckanut  
19 Drive. It's not great to put a bunch of people on Chuckanut Drive. In an  
20 emergency, there's no secondary access.
- 21 • Dominique Zervas, 1909 Broadway, Bellingham, asked that those  
22 communications be posted on the rural webpage.
- 23 • Dannon Traxlor, 709 Dupont, stated one option is to retain underlying rural  
24 zoning without a LAMIRD. Some areas can be justified as rural. Also,  
25 Whatcom County can do its own thing and be upheld. It doesn't have to  
26 follow Clallam County.
- 27 • Doug Campbell, 1401 Astor Street, stated define the built community. There  
28 doesn't need to be a structure to have a built community.
- 29 • Sid Were, Guide Meridian, stated there are always new laws on his property  
30 on the Guide Meridian. The laws are inconsistent and always changing.  
31

32 **2. DISCUSSION REGARDING THE DRAFT PUBLIC PARTICIPATION PLAN FOR**  
33 **THE PERIODIC REVIEW REQUIRED BY THE GROWTH MANAGEMENT ACT**  
34 **(RCW 36.70A) (AB2010-210) (4:31:58 PM)**  
35

36 Kate Blystone, Planning and Development Services Department, stated the Council  
37 Planning and Development Committee recommended approval two weeks ago. Changes  
38 were made in response to comments from Councilmembers Brenner and Kershner.  
39

40 ***Mann moved*** to accept the draft Public Participation Plan as the document guiding  
41 public participation activities in the 2011 Update process.  
42

43 Brenner stated communication with Planning Commissioners should not be limited to  
44 email. Allow hard copy communication with Planning Commissioners. Blystone stated it's  
45 addressed on Council packet page 137.  
46

47 The motion carried by the following vote:

48 **Ayes:** Brenner, Crawford, Kershner, Knutzen, Mann and Nelson (6)

49 **Nays:** None (0)

50 **Absent:** Weimer (1)  
51

52 **3. DISCUSSION REGARDING THE PROPOSED ORDINANCE AMENDING**  
53 **WHATCOM COUNTY CODE 2.02, COUNTY COUNCIL (AB2010-143A)**

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This item was not discussed.

**4. DISCUSSION REGARDING THE PROPOSED ORDINANCE AMENDING  
WHATCOM COUNTY CODE 2.03, BOARDS AND COMMISSIONS (AB2010-  
143B)**

This item was not discussed.

**OTHER BUSINESS**

There was no other business.

**ADJOURN**

The meeting adjourned at 4:36 p.m.

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

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Dana Brown-Davis, Council Clerk

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Sam Crawford, Council Chair