

RECEIVED

Brownlie  Evans Wolf & Lee
ATTORNEYS AT LAW

MAY 13 2009

Whatcom County P&DS

heather@brownlieevans.com

VIA HAND DELIVERY AND U.S. MAIL

May 11, 2009

David Stalheim, Director
Matt Aamot, Senior Planner
Whatcom County Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226

Re: Columbia Valley UGA

Gentlemen:

On behalf of our clients, S. C. Goshen LLC and Holly Associates LLC, we urge that the Columbia Valley UGA be sized per the recommendation contained in the Draft Foothills Subarea Plan (the "Plan"). Pursuant to Whatcom County's land supply methodology, the size of the UGA recommended by the Plan is necessary to ensure an adequate land supply in the Columbia Valley for the twenty year planning period. The Foothills Subarea Plan Advisory Committee (the "Committee") has been separately presented with specific information regarding the County's Land Capacity Analysis and overall land supply in Columbia Valley. The purpose of this letter is to reiterate the policy reasons for adopting the UGA boundaries recommended in the Plan.

On March 17, 2009, the County Council voted to retain the Columbia Valley UGA. The Council did so after much public testimony both for and against retaining the UGA and after much deliberation. The Council's decision was based upon a recognition that additional jobs and services need to develop in the area to serve the existing population. It is widely acknowledged that Columbia Valley residents currently must travel outside the area, often to Bellingham, for jobs and services; and the Council understood that removing the UGA designation in Columbia Valley would result in the continued isolation of the area.

Reducing the UGA from that recommended in the Plan defeats the purpose of retaining the Columbia Valley UGA to ensure that services develop in the area. It is our understanding that Staff has recommended that the Committee recommend a UGA reduced to the extent that it only encompasses the area already developed. This is exactly what would have happened had the area been designated a LAMIRD. The County Council rejected the idea of creation of a LAMIRD precisely for the reason that additional land is needed for jobs and services. Reducing the UGA will result in virtually the same land use pattern as designation of the area as a LAMIRD, in other words, the status quo.

David Stalheim, Director
Matt Aamot, Senior Planner
May 11, 2009
Page 2

Notably, the DEIS that was released last week, does not include a LAMIRD option for Columbia Valley nor does it include an option for scaling back the boundaries of the UGA to surround the existing residential development in the area. The option of significantly scaling back the UGA boundaries, whether accomplished via a LAMIRD designation or a shrunken UGA is not a suitable alternative for Columbia Valley. The DEIS in fact recognizes the need for some undeveloped land to be included in the UGA to provide sufficient capacity for growth including employment needs, parks, and other necessary uses and facilities. A mix of land use designations, including an actual "mixed use" designation should be utilized in the UGA to ensure that appropriate uses develop to serve the community.

The reality is that the needed jobs, services, and shopping opportunities for Columbia Valley will not develop unless additional land capacity is provided in the UGA. The Plan's UGA recommendation results in a 150 acre decrease in the size of the existing UGA. The County's own land supply methodology requires that at a minimum, this recommended UGA be in place in to ensure an adequate land supply for twenty year planning period.

As we discussed before the County Council in March, isolated dense residential developments, which require their residents to travel distances for grocery shopping, employment, and other necessities creates the type of sprawl the GMA was designed to prevent. Urban facilities and services need to be provided in the UGA within the twenty year planning period and this can only be accomplished if sufficient land exists in the UGA upon which these services can develop. Given the policy direction of the County Council, it is a mistake to promote UGA boundaries that will fail to accomplish the goal of providing necessary services to the existing residents of Columbia Valley.

Sincerely,

Brownlie Evans Wolf & Lee, LLP



Heather Wolf

cc: Foothills Subarea Plan Advisory Committee
client