

**From:** Council  
**To:** Blystone, Kate; Boxx, Becky; Council Members; Rebecca Craven  
**Date:** 11/2/2009 8:55 AM  
**Subject:** Fwd: Fw: West Blaine UGA

>>> <[zajal@aol.com](mailto:zajal@aol.com)> 10/31/2009 11:12 AM >>>

To the Whatcom County Council:

Is it appropriate or fair or just for a Planned Unit Development (PUD) such as the one that apparently is pending for the "West Blaine UGA" to become vested at this particular time since Whatcom County was so late in getting into compliance with our GMA laws? If the "land speaks for itself" then should not Designated Forestland zoning define the character of this land as that which the WWGMHB was mandating of Whatcom County to remove from such statutorily overlarge UGA's as represented by the West Blaine UGA, so long ago? Does that WWGMHB mandate, chronologically earlier, not take precedent over such a PUD application?

Is there any legal basis to find such a PUD "incomplete?" If so, then I urge you as a Council to do so until the unfinished UGA Review has been completed by you on December 1, 2009; to do otherwise would represent a total miscarriage of justice, would it not? Thank you for your investigation of this PUD matter with the Planning and Development Service.

Sincerely,

Lincoln Rutter

Cc: PDS Director

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From: zajal  
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Sent: 10/31/2009 9:47:42 A.M. Pacific Daylight Time  
Subj: Fwd: Fw: West Blaine UGA

Tim Trohimovich

Director of Land Use Planning  
Futurewise, Seattle, WA

Tim:

Enclosed please find a Planned Unit Development (PUD) application for your review. I believe that certain employees of the County Planning and Development Service (PDS) under direction of the County Executive are apparently conspiring with certain developers to avoid the down-zone that the County Planning Commission and potentially the County Council both might favor. Do you have any advise or recommendations to those seeking to get Whatcom County into compliance with our state Growth Management Act (GMA)?

What specifically might a County Council do, in your opinion, to prohibit developers from evading the clear intent of the Western Washington Growth Management Hearings Board (WWGMHB) that previously mandated that Whatcom County reduce in size such a non-compliant Urban Growth Area (UGA) as the West Blaine UGA? Please note that over 90%, I believe, of the West Blaine UGA is comprised of land owned by the Applicant zoned "Designated Forestland" that currently receives a state property tax exemption for the purpose of growing trees, and nearly this entire natural resource land acreage (which is particularly to be protected from urbanization under the GMA) is involved in the PUD application in question, just now filed in advance of the December 1, 2009 deadline for the County Council UGA sizing review decision, which you are aware of.

Thank you in advance for your consideration of this extraordinary situation.

Sincerely,

Lincoln Rutter

Cc: Futurewise Whatcom and local concerned citizens

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Sent: 10/31/2009 8:50:57 A.M. Pacific Daylight Time

Subj: Fw: West Blaine UGA

Well, looks like Trillium is planning an end run on the UGA issue. See below, page 3 of the memo. Public comment on Tuesday, Nov. 4, beginning at 9. Come if you can. I still believe the stormwater and other impacts from this development, including the lack of impact fees for road, fire, EMS, schools, etc, are germane to the Council's decision. I am glad we have submitted our petition (81 names) but now it is time to add our voices. Keats  
----- Original Message -----

From: \_Wendy Harris\_ (<mailto:w.harris2007@comcast.net>)  
To: \_Penny Senov\_ (<mailto:pennysenov@sentiovus.com>) ; \_Lois A. Franco\_ (<mailto:loisafranco@comcast.net>) ; \_lincoln rutter\_ (<mailto:Zajal@aol.com>) ; \_keats garmin\_ (<mailto:keatsandgail@comcast.net>)  
Sent: Friday, October 30, 2009 7:56 PM  
Subject: West Blaine UGA

Not sure if you saw the new Planning Memo to the County Council regarding UGA's (Page 3 of 8). According to Staff, they anticipate that Trillium will be submitting a PUD and preliminary plat application, which be vested if the application is considered complete. Staff notes that Council may wish to consider this fact in making a final UGA determination.

On Tuesday, starting at 9am-10:30 am, County Council is accepting public comment on the UGAs during a work session that will extend throughout the day. A formal public hearing will be held on 11.24.09 at the evening County Council meeting. Written comments can be submitted until the formal public comment date.

Wendy

[\\_http://www.co.whatcom.wa.us/pds/2031/pdf/Memo\\_UGA\\_Recs\\_103009.pdf\\_](http://www.co.whatcom.wa.us/pds/2031/pdf/Memo_UGA_Recs_103009.pdf)  
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