

In 2006, Whatcom County Fire District #13 (currently Fire District #21) applied for a series of amendments to the Whatcom County Comprehensive Plan and the Birch Bay Community Plan for fire protection and emergency medical services. The request was docketed by the County Council in 2007 and docketed again in 2008 as file CMP2008-00006.

The Planning Commission first reviewed proposed amendments to address the requests made by the Fire District in March 2009. Upon conclusion of the Planning Commission hearing, the commission recommended that “the County Council direct Fire District #21 to further develop and refine its capital facilities plan, especially the concurrency mitigation fee program, and do this in consultation with the Birch Bay Steering Committee and the development community and major land owners in the area.”

The Fire District transmitted their revised and adopted capital facilities plan in September 2009. This capital facilities plan was included among the capital facilities plans proposed for adoption-by-reference in Goal 4N of the Whatcom County Comprehensive Plan. The Planning Commission reviewed this and other amendments proposed by County Executive Pete Kremen throughout October 2009. The Planning Commission issued a recommendation on October 22, 2009. The County Council approved Ordinance 2009-071 — the Urban Growth Area Review and Update ordinance which included policy 4N-4, adopting-by-reference the Fire District #21 capital facilities plan — on November 24, 2009.

The Planning Commission held a public hearing on proposed amendments to the Birch Bay Community Plan regarding fire and emergency medical response provisions on January 28, 2010, and subsequently met on February 11, 2010 for a work session on draft amendments. At the conclusion of that work session, a majority of the Planning Commission did not recommend approval of any amendments to the Birch Bay Community Plan.

Reasons for not forwarding a positive recommendation to the County Council were discussed during the work session and include the following:

1. The Planning Commission does not believe the request made by the commission in March 2009 for additional public process on the Fire District #21 Capital Facilities Plan was adequately addressed. Specifically, Fire District #21 did not adequately involve the Birch Bay Steering Committee in amendments to the Capital Facilities Plan.
2. Adoption of changes to the Birch Bay Community Plan at this time is not appropriate without first adopting a county-wide Level of Service (LOS) for fire suppression, a task which is on the Planning and Development Services Work Program for 2010-2011.
3. The Fire District #21 Capital Facilities Plan, as adopted-by-reference into the Whatcom County Comprehensive Plan, could require additional amendments depending on county LOS standards for fire protection and other community priorities for public improvements.

For these reasons, the Planning Commission does not forward an affirmative recommendation for any amendments to the Birch Bay Community Plan for provision of fire suppression and emergency medical response, as requested in file CMP2008-00006.

Motion approved this _____ day of February, 2010.

Chair

Secretary