

Rural Element Comment Sheet

Comment Summary, March 4-5, 2009

Below is a compilation of responses from all four meetings, including mailed-in responses, with the results shown as percentages of those responding to each question.

Rural Centers – Designate existing small town and crossroad commercial areas as “Rural Centers,” where existing zoning may remain in place within a “LAMIRD” boundary. These would include Acme, Custer, Deming, Glacier, Hinotes Corner, Kendall, Maple Falls, Nugent’s Corner, Point Roberts (Gulf/Tyee area and Maple Beach), Laurel, and Sudden Valley. These Rural Centers would be located throughout the county and would not be adjacent to designated urban growth areas.

Strongly Agree	32%
Somewhat Agree	49%
Neutral	7%
Somewhat Disagree	6%
Strongly Disagree	6%

	Strongly Agree	Somewhat Agree	Neutral	Somewhat Disagree	Strongly Disagree
Rome Grange	36%	43%	7%	7%	7%
Meridian High School	25%	57%	4%	4%	11%
Birch Bay	33%	44%	22%	0%	0%
Courthouse	36%	50%	0%	14%	0%
Mail-Ins	50%	33%	17%	0%	0%

Uses in Rural Centers – Tailor allowed land uses and development standards to emphasize the unique qualities of each Rural Center. Recognize recent subarea planning efforts and work with residents to determine the most appropriate types of development for each, given its function and history.

Strongly Agree	37%
Somewhat Agree	40%
Neutral	3%
Somewhat Disagree	10%
Strongly Disagree	10%

	Strongly Agree	Somewhat Agree	Neutral	Somewhat Disagree	Strongly Disagree
Rome Grange	21%	57%	14%	0%	7%
Meridian High School	19%	50%	0%	12%	19%
Birch Bay	78%	0%	0%	22%	0%
Courthouse	46%	31%	0%	15%	8%
Mail-Ins	67%	33%	0%	0%	0%

Residential Rural Centers – Designate areas with existing public services – particularly sewer – as Rural Centers, where existing zoning may remain within a “LAMIRD” boundary. These would include Lake Samish and Columbia Valley.

Strongly Agree 27%
 Somewhat Agree 24%
 Neutral 30%
 Somewhat Disagree 9%
 Strongly Disagree 9%

	Strongly Agree	Somewhat Agree	Neutral	Somewhat Disagree	Strongly Disagree
Rome Grange	36%	14%	29%	14%	7%
Meridian High School	8%	38%	31%	4%	19%
Birch Bay	13%	38%	25%	25%	0%
Courthouse	67%	0%	25%	8%	0%
Mail-Ins	33%	17%	50%	0%	0%

Residential Lands Outside Rural Centers – Change rural residential zoning classifications to allow minimum lot sizes no less than five acres, but retain the same permitted uses. Legal lots created before the new zoning takes effect would still be developable even if they are smaller than five acres.

Strongly Agree 26%
 Somewhat Agree 23%
 Neutral 15%
 Somewhat Disagree 15%
 Strongly Disagree 22%

	Strongly Agree	Somewhat Agree	Neutral	Somewhat Disagree	Strongly Disagree
Rome Grange	20%	20%	27%	13%	20%
Meridian High School	24%	28%	3%	14%	31%
Birch Bay	11%	22%	33%	22%	11%
Courthouse	36%	29%	7%	21%	7%
Mail-Ins	43%	0%	29%	0%	29%

Commercial and Tourist LAMIRDS – Recognize existing commercial uses in rural areas, but not located within the Rural Centers that provide job opportunities for rural residents, but do not create pressure for urban development or sprawl. Initially designate only those areas with historic commercial use AND current commercial zoning. These could include isolated parcels in areas such as Van Zandt, Welcome, North Lake Samish, Van Wyck, and the Point Roberts Marina. Also allow future isolated businesses to locate in the rural areas subject to spacing requirements (for example, no closer than one or two miles from the nearest LAMIRD or urban growth area).

Strongly Agree 21%
 Somewhat Agree 40%
 Neutral 22%
 Somewhat Disagree 7%
 Strongly Disagree 10%

	Strongly Agree	Somewhat Agree	Neutral	Somewhat Disagree	Strongly Disagree
Rome Grange	13%	40%	20%	13%	13%
Meridian High School	12%	46%	23%	4%	15%
Birch Bay	75%	0%	13%	0%	13%
Courthouse	8%	54%	23%	15%	0%
Mail-Ins	33%	33%	33%	0%	0%

Other Existing Commercial Lands in Rural Areas – Change existing commercial zoning on lands outside of “LAMIRD” boundaries to rural zoning with five acre minimum lot sizes. Businesses that already exist in these areas would be allowed to continue as “nonconforming” per the Whatcom County zoning code, which allows reconstruction and limited expansion.

Strongly Agree 24%
 Somewhat Agree 19%
 Neutral 19%
 Somewhat Disagree 7%
 Strongly Disagree 31%

	Strongly Agree	Somewhat Agree	Neutral	Somewhat Disagree	Strongly Disagree
Rome Grange	20%	13%	20%	13%	33%
Meridian High School	29%	14%	11%	7%	39%
Birch Bay	0%	38%	38%	0%	25%
Courthouse	27%	27%	18%	9%	18%
Mail-Ins	33%	17%	33%	0%	17%

General Comments:

- Our county is not in compliance; therefore, our funding is disapproved. We have got to update our Comprehensive Plan. We need to have a good, much better, relationship between the county, city, and state governments. Until I see us working together, communicating better, solving funding issues, creating a professional planning department that has a staff of knowledgeable personnel who know the history of our community, we're just not going to succeed. We need to develop a community that has a clear understanding of where we're going. There are already some great ideas and successful examples of what works, such as our stream restoring efforts, our parks, some great and good-looking homes, neighborhoods, and commercial areas. We have some great farmers, builders, designers, and residents. Let's put ourselves to work and success.
- Re LAMIRD areas, I strongly concur with letters of public comment by L. Braklee and Mr. Libbyquist on file. While well researched and articulate, it appears that the letter by Mr. Tull "cherry-picks" phrases and definitions to meet specific needs of a client for personal gain of one private developer rather than addressing the actual criteria, letter, and spirit of the law.
- Planning should protect people's property rights, not take them away. LAMIRDs do both: they protect some land use rights but downgrade others in a LAMIRD. In question general commercial planning as ability to downgrade those uses because the property owner has not developed his property yet! The Growth Management Act is not working in favor of people's property rights. Zoning in traffic corridors should have more intense growth, less emphasis on the Rural Element.
- More clearly define criteria for UGA boundaries. Use more current density info for designation of rural centers. Incorporate "buffer" or "transition" zones to more accurately reflect "rural" and "urban" areas. Each has specific characteristics, as do the areas between the two. More clearly define the zoning criteria for agricultural rural vs. residential rural. Consider acreage limitations for buffer areas that are between the rural and urban areas; e.g., ≤ 1 acre = urban; $> 1 \leq 5$ acres = buffer; $> 5 \leq 40$ acres = residential rural; > 40 acres = agricultural rural.
- It was difficult to schedule time to attend one of the public workshops. It would be helpful to have this information and subsequent developments available through the Public Access television channel.
- For starters, I am glad that Whatcom County is considering complying with the Growth Management Act. We need to acknowledge that state law is superior, rather than spend countless years and money litigating issues. I also would hope that permitting and zoning practices will further the goals and policies of state environment programs. Critical areas and shoreline management approaches are key to preserving the natural environment. I support using "best available science" as part of the planning process. Global climate change, in particular, will affect our lands and waters. And the climate change rate is getting worse every month! We need to plan for a future with more severe weather events, such as sudden downpours, increasing flood dangers, and the likelihood of landslides. Steep slopes and shorelines are particularly vulnerable to environmental damages and changes. Future development needs to prepare for future environmental conditions as predicted by "best available science." We don't even know where the sea level will be in 50 to 100 years, so we need to look at science as part and parcel of the planning process. Recent data suggests a rise of 3 to 5 feet in sea level by 2100, which, combined with storm surge threats, will threaten vast areas of low-lying river valleys as well as marine shoreline erosion and the salinization of low-lying areas. We need to restrict development on shorelines and steep slopes in order to minimize damage in the future. River floodplains, as well, are at increasing risk of both fresh- and saltwater erosion.

- The Chuckanut suburban enclave should be subjected to more restrictive zoning and permitting practices. The Governor's Pointe RR3 and other R2 areas above Chuckanut Drive should be changed to rural densities—one house per five acres. The Governor's Pointe intensive development should be stopped in its tracks—not allowed to develop at higher densities regardless of what type of legal loopholes or rural tourist/recreation status it seeks. I don't think that we need marinas there, but rather an emphasis on environmental policies that protect the ecological functions of the area. Steep slopes are a fact of life along the Chuckanut hills, and planning should reflect the potential for landslide damage to Chuckanut Drive and lower elevation landowners. A recent landslide from Cleator Road down to the Interurban Trail demonstrates how quickly the landscape can change. Slopes below that landslide were also like molten lava consistency during recent rain storms. Severe restrictions are required or we will face even worse problems in the future. In my opinion, development needs to be restricted in the Chuckanut enclave because the shoreline is of statewide significance and siltation flow would severely affect fish and shellfish resources and degrade the quality of the marine waters for other uses as well. We also don't need two docks per family on the marine shoreline, nor do we need to continue intensive infilling in the Chuckanut region. The County has failed to protect the natural world in the suburban enclave of Chuckanut and needs to change its approach to the area.
- Very informative. Some prickly issues seem to have been glossed over but were exposed during question time. I believe it is VERY important that businesses and residences that will become nonconforming because of LAMIRD boundaries created by 1990 sizes should NOT be penalized by the nonconforming use process. It is not the legal landowners' fault that these codes are changing. They should be grandfathered, not penalized.
- (Marked everything "neutral") This is like nailing jelly to a tree I have very mixed feelings.
- Do not downzone. That's stealing!
- Recommend changing language from "non-conforming" land use to "exceptional" land use. Your use of the language of "non-conforming" is a negative and pejorative use of language to special properties with long historic boundaries.
- Lake Samish sewer is because of critical watershed so shouldn't be used as LAMIRD criteria. Point Roberts area was commercial, but isn't any more; shouldn't be designated LAMIRD. Non-conforming is a negative term; could impact value/resale.
- As a farmer, five-acre lots eat up far too much farmland. Houses should be clustered on smaller, one-acre or less lots. Please do not take away our property rights without compensation. If we purchased land and paid a lot for it because it was R2A, I don't feel it is fair to just change it on us!
- I appreciate the effort Planning has put into this. There is, however, a general "fuzziness" to the issues, perhaps because planning has its own professional vocabulary. I see our area as a hodge-podge of "exceptions," and it is progressively less rural. Agriculture and forestry mainly create what I call a "rural" environment. We can't continue to approve variances that turn farms into subdivisions, no matter how formal or democratic the processes. We stand an excellent chance of looking like Auburn and Kent in the next 20 to 30 years. Good luck to you! You will need it.
- I own a dental office in Deming but rent my space. We have outgrown that space and have purchased commercial land on Nugents Corner to build an office. The practice needs to be near the patients, so moving into Bellingham would be a major problem. My concern is that I need to begin construction ASAP, but before I put thousands of dollars into engineer and architect, etc., I want to know if it's okay to proceed. Will the property remain commercially zoned, and what about future development of the extra space on the property?

- I am concerned that more population would contribute to a lower level of service in our UGA. We do not have the benefit of a city, and our services are still for a rural area. Please consider trails, parks, and open space as part of our 2031 plan. Over the last few decades, this UGA has had incredible growth but has not had impact fees or other ways of making sure that trails, parks, and open spaces were created. This affects the quality of life for all current residents and our future generations.
- You state in your handout, "There is very limited ability to make changes to the overall character as stated by state law." Still, you have public hearings and request our help. How much "power" do we, as the general public, really have? It feels like none, unless you have monies to change the zoning. P.S. I hope you heard the frustration in the room.
- It is critical that existing lots that are out there are not consolidated to meet the new requirements. Five-acre lots pose problems. Sometimes it makes sense to make the lots smaller.
- Do not agree with keeping residential zoning on the Guide Meridian. The LAMIRD zoning does nothing to fix prior poor zoning issues. Slater Road, east/west of I-5, should not have a major arterial be a zoning line. The residential zoning on the north side of Slater has just as much traffic as the south side. Zoning changes should not use roads to designate boundaries.
- Ferndale's UGA should NOT be moved east at all. Ferndale has more land in its UGA already than is needed for its population. This area has lost its school and one of its two corner markets. There are three spawning streams (10 Mile, Deer, and Silver Creeks) with wide, flooding critical areas. This area east of I-5 outside the UGA is virtually all built out to its current zoning of RR1 and RR5 (some was built before there was any zoning), so density cannot be easily added. There is small-scale agriculture happening in this area, and a State Supreme Court decision recognized this area as a Suburban Enclave (the former title for a LAMIRD). We want to be rural, not a part of Ferndale. This is a historic area, with a Grange and former North Bellingham school. Ferndale must keep its UGA on the west side. People have been counting on it, and the school district built an elementary here and has land for the next high school.
- The cafeteria at Meridian High School was too crowded. Using the high school auditorium would have been more comfortable and a place for additional seating.
- It is unfortunate that the Comprehensive Plan was running amuck and now must come into compliance. There needs to be less urban sprawl. I am concerned that my area is going to be swallowed up by Ferndale. I bought in an area I thought would remain rural, with one-acre parcels. I like the idea of five-acre parcels limiting the density of population in outer lying areas. We need to maintain watersheds and reduce the paving over of lands and forests that help to absorb the runoff and keep our air quality. Need to slow down urban development and commercialism. Being able to speak personally with planners helped me understand what the plan means specifically to me and my property. I like being RURAL, and I hope my property will remain that way. Thank you.
- I agree with the plans so far. We must protect what we have or we will have a Guide Meridian that looks like I-5 north of Seattle. Natural resources MUST be protected. Those "useless" wetlands protect us from ourselves. Never does water come up for discussion, never does flooding, increased taxes as we develop in the rural area. If they are worried about taxes now, wait till we have to provide more infrastructure as they turn their lot into a "higher" use. Thank you for doing the best protection the law allows. Keep up the good work.
- We purchased these properties based on the broad Gateway Industrial zone, and the value it adds to our land is not insignificant. Is there a plan to maintain the "all uses" that are now

- We feel that all of Point Roberts should be one LAMIRD. We already have a clear-cut boundary (Canada and water) and also have development constraints due to water availability and septic requirements. We own property listed as TZ, and we would like to keep this designation. The Lily Point Park land is now out of TZ, eliminating the possibility of developing 100-plus acres, as opposed to our 10. Under the “Commercial and Tourist LAMIRDS” as proposed for the Point Roberts Marina, the one- to two-mile spacing requirement doesn’t work here as the Point only measures two miles by three miles.
- I strongly do not agree with your proposed boundaries in my properties. The area around the Guide and Pole Roads should all be in your (LAMIRD’s) zoning. You cannot downzone this area. It is a great growth area. It will provide business for all of the housing in the area. Also, look at the businesses and commercial property that are there you cannot downzone. The Guide needs to be commercial and industrial. Make the Guide and Pole a LAMIRD; it needs this area. Look at the companies; great employers. Make the Guide and Pole a LAMIRD a half-mile each way. Do look at my 8.5% excise tax dollars I pay monthly.
- It doesn’t appear that there is provision to maintain the Gateway zone with its broad outright uses. It appears that the plan does not take into account our uses at all. Why remove the Gateway zoning at all? We would want to maintain all uses that we purchased based on the County’s Comprehensive Plan. It appears that the only thing that is clear in the plan is that we will lose something. It is not clear at all what we will get. We don’t feel that a plan that includes people’s properties in an “affected” area should be proposed to be “affected” without knowing what the “effects” are. We request a meeting with Pete Kremen, Gary Davis, and David Stalheim before any further action is taken.
- My property is in the heart of the Kendall proposed rural center, zoned small town commercial. Currently it is not part of the proposed LAMIRD boundary. Ideally, I would like to have the County make this a part of the Columbia Valley UGA, but at the least have it included in the LAMIRD boundary so we can work with the County to develop a nice rural center with small businesses. The residents of the Kendall area have asked to have these types of services at this vantage point. It would save us hundreds of thousands of dollars if the Kendall School would extend us fireflow from their tank. We could move forward in working to bring jobs, businesses, and a diverse social center to the community. Re: Glacier: Please keep Glacier’s zoning as it is. There are resort commercial pieces that could potentially be tourist areas that bring income and tax benefits (income) to the area.
- We understand the need for GMA. We have 7.9 acres right in between property that is zoned RR1 and UR3 (? 3 homes per acre), so changing our zoning would have a devastating financial burden. We have been trying to short plat our property, but have been tied up with the railroad trying to get legal access for two years now. What can we do to prevent our property from being changed? Please give us a call. Thank you!
- When zoning changes a property from legal conforming to legal nonconforming, I feel this devalues the property. The word “nonconforming” has a negative connotation. It would be less harmful to a property if the term “grandfathered” is used.