

RECORD OF PROCEEDINGS OF THE  
**WHATCOM COUNTY PLANNING COMMISSION**

1

July 9, 2009

Regular Meeting

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1 **Call To Order:** The meeting was called to order, by Whatcom County Planning  
2 Commission Chair, Jean Melious, in the County Council Chambers at 6:37 p.m.

3

4 **Roll Call:**

5 Present: Jean Melious, John Lesow, Ken Mann, Sean Wilson, Geoff Menzies, John  
6 Steensma, John Belisle

7 Absent: David Hunter, Rabel Burdge

8

9 **Staff Present:** David Stalheim, Gary Davis, Michelle Stiles, Samya Lutz, Wain Harrison,  
10 Becky Boxx

11

12 **Director's Dialog**

13

14 Director Stalheim reviewed the UGA hearing before the County Council on June 23<sup>rd</sup>. Staff  
15 is reviewing the city proposals. A tentative date of September 8<sup>th</sup> has been set for a joint  
16 public hearing with Council.

17

18 **Open Session for Public Comment**

19

20 Skip Moore, Fire District #14 Commissioner stated they have tried to educate the County  
21 what their limitations are for the fire district. They are a rural department served only by  
22 volunteers. They can't provide urban service in the Columbia Valley UGA. They have  
23 commissioned a capital facilities plan stating how they will serve the area. They feel the  
24 County is not listening to their concerns. Development needs to be moved closer to  
25 Bellingham, Ferndale, etc. not in the Columbia Valley.

26

27 Paul Isaacson, Whatcom County, stated it seems irrational to not have development close  
28 to Bellingham.

29

30 Bill Velacich, Whatcom County, thanked the Commission for their work.

31

32 **Commissioner Comments**

33

34 Lesow thanked Commissioners Melious, Menzies and Belisle for their help and support in  
35 the effort to relocate the western pond turtle to rural areas of Whatcom County. Seven  
36 offers of ponds have been made for reintroduction of the turtle.

37

38 Lesow went to the Bellingham City Council meeting in which a consultant spoke about the  
39 Whatcom County Values and Beliefs survey. He encouraged everyone to read it.

40

41 Lesow commented on a article, from the *Vancouver Province* newspaper, regarding  
42 demographics and noted that the birth rate in Canada is 1.54, which is below the  
43 replacement rate of 2.1. This is almost the same as the birth rate in King County.

44

45

46

47 **Approval of Minutes**

48

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1 May 14, 2009: Melious moved to approve as written. Belisle seconded. The motion  
2 carried.

3  
4 May 28, 2009: Menzies made a correction to page 1, line 41 to read: This is mandated by  
5 the State Department of ~~Ecology~~ Health.

6  
7 Wilson made a correction to page 2, line 20 to read: ...particular rezone application ~~of this~~  
8 property.

9  
10 Wilson moved to approve the minutes as amended. Menzies seconded. The motion  
11 carried.

12

13 **Public Hearing**

14

15 Mary Ann Filippini, Whatcom County: Owns property in the Portal Way north area which is  
16 zoned Gateway Industrial. Has a project that has been permitted they are trying to finish.  
17 Is opposed to being rezoned.

18

19 Jack Swanson, Whatcom County: Distributed letters from 20 people who disagreed with  
20 the proposal for the Birch Bay Lynden Road/I-5 interchange. Stated this process is not  
21 well thought out and not well understood by the public. This process does not need to be  
22 rushed through. The Washington State Supreme Court is looking at this issue in the fall  
23 and the whole process may not be necessary. Look at alternative proposals.

24

25 David Moody, Whatcom County: Represents property owners in the Gateway Industrial  
26 area. There is no common sense to this, it's all about a political agenda. Put this process  
27 aside and see what happens at the Supreme Court.

28

29 Adam Ware, Skagit County: One of the owners of Birch Bay Square. This is a bad and  
30 devastating proposal. He has talked to banks and they are concerned about this. They will  
31 not loan to a non-conforming use. If this proposal is accepted Birch Bay Square will fail.

32

33 Lesa Starckenburg, Whatcom County: An attorney who represents a number of clients  
34 impacted by the proposal. There is no specific time frame the County needs to act on this.  
35 Take more time to get peoples comments. There is no prescribed outcome the County is  
36 required to have. You have to allow businesses to continue.

37

38 Bill Grant, Whatcom County: President of Goldstar Resorts. There hasn't been time to  
39 access what the proposals are. His property will be highly devalued if this goes through.  
40 Wait until what the court has to say about this process. Leave the Gateway Industrial area  
41 the way it is.

42

43 Stuart Pennington, Whatcom County: Represents Harbor Olympic Land, LLC who operates  
44 over 20 gas stations. Plans to put in a travel plaza at the Birch Bay Lynden Road/I-5  
45 intersection. If the area is down zoned they won't be able to get the financing to do what  
46 they plan. This is a very narrow minded proposal.

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- 1 Chuck Schamel, Whatcom County: Owner of a trucking business in the Gateway Industrial  
2 area. Supports the proposed travel plaza. If this proposal passes he would not be able to  
3 expand his business.  
4
- 5 Patrick Timmins, Whatcom County: Has property at Hannegan and Pole Roads which is  
6 zoned General Commercial. This is a major intersection, not a rural area. Bought this  
7 property for a retirement investment which will be ruined if this passes.  
8
- 9 Richard Russell, Whatcom County: Owns property in Glacier affected by the proposal. This  
10 proposal is contrary to the outer boundary criteria in the Comprehensive Plan. The present  
11 needs are not even served by what is zoned commercial and now that is proposed to be  
12 taken away.  
13
- 14 Tim Volwiler, Whatcom County: Spoke regarding the Chuckanut area. Wants to see the  
15 County in compliance with the GMA. Wants to get rid of the RR2, RR3, Suburban Enclaves  
16 and minimize development, preserve open space. Opposes gated communities.  
17
- 18 Eric Hirst, Whatcom County: Urges the Commission to recommend approve of the  
19 proposal. It protects the rural areas of the County from sprawl.  
20
- 21 Gordon Nielson, Whatcom County: Has commercial property in Pt. Roberts which will  
22 become non-conforming with this proposal.  
23
- 24 Darryl Krause, Whatcom County: Owns a business on the Guide Meridian which has been  
25 there since the 1970's. This proposal would take away jobs and reduce the tax base.  
26 Currently zoned General Commercial which would be changed to rural with the proposal.  
27 Opposes the rezone.  
28
- 29 Paul Isaacson, Whatcom County: Owns property in the Toad Lake area. Opposed to the  
30 proposal.  
31
- 32 Doug Campbell, Whatcom County: This proposal will be extremely damaging to the  
33 financial structure of the water utilities in the County. The LAMIRD boundaries do not  
34 match the water district boundaries set up by Whatcom County. There will be significant  
35 financial impacts with the proposal. These downzones are illogical and irrational and have  
36 not been well analyzed. Put this off to allow more time to study the proposal.  
37
- 38 Adam Morrow, Whatcom County: Wants the County to fight for the rights of the public.  
39 Urged the Commission to read the RCW's pertaining to the issue.  
40
- 41 Truman Sterk, Whatcom County: Has property at Hannegan and Pole Roads. Has a  
42 storage facility that would be non-compliant with the zoning change. Seems the planners  
43 have shrunk the boundaries of the rural centers. This proposal eliminates any multi-family  
44 uses when it should add more.  
45
- 46 Dr. Joseph Garcia, Whatcom County: Owns property in Glacier along with several other  
47 families that is zoned Resort Commercial. They are building a parking lot to accommodate  
48 the park and ride for the Mt. Baker ski area. There are already permits for the project but

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1 this proposal would not allow this project to continue. Look at this issue on a case by case  
2 basis, not a blanket rezone.

3

4 Deanne Ramsey, Whatcom County: Lives in the south Lake Whatcom area which was  
5 zoned RR2 without their knowledge. The proposal is to rezone to R10. This would make  
6 their lots unbuildable.

7

8 Bill Quehrn, Executive Officer of the Building Industry Association of Whatcom County  
9 (BIAWC): This results in financial, personal and civic harm. Put the process on hold until  
10 more study is done, give the affected public more notice and determine what the financial  
11 costs will be.

12

13 Gary Reid, Whatcom County: This is not good planning. It seems like the County is  
14 promoting sprawl rather than containing it. Who is going to compensate people for their  
15 financial losses?

16

17 Perry Eskridge, Whatcom County: Governmental Affairs Director for the Whatcom County  
18 Association of Realtors. The GMA requires that the logical boundaries be drawn and  
19 justified. The boundaries have already been established. A lot of time and money has  
20 been spent in producing this junk. This process borders on dishonest.

21

22 Mary Dickinson, Whatcom County, Governmental Affairs Director for the BIAWC. Does not  
23 like the way the process has gone. County has not been able to answer a lot of the  
24 questions asked of them. The Commission has not been given all of the information they  
25 need to make a decision. Stop the process until the Supreme Court rules on it.

26

27 Mike Kent, Whatcom County: Wants this proposal sent back to the Planning Department  
28 for more work. Addressed the property at Birch Bay Lynden Road/I-5. It should not be  
29 residential zoning. A lot of jobs will be lost in that area if this happens.

30

31 Roger Ufkes, Whatcom County: Owns condos in Sudden Valley. He is the only one being  
32 down zoned in Sudden Valley. Will lose a lot of money with this proposal. Leave the  
33 zoning as it is.

34

35 Russell Pritchett, Whatcom County: Has commercial property in Glacier that would be  
36 adversely impacted along with the rest of Glacier. Addressed the issue of water service  
37 and the built environment, under ground, should be taken into consideration when  
38 determining the LAMIRD boundaries.

39

40 Simon Petree, Whatcom County: Owns commercial property on the Guide Meridian. Is  
41 concerned the property value will go down if this passes.

42

43 Ron Jepson, Whatcom County: Owns property in Sandy Point. Objects to what appears to  
44 be a spot down zoning. The maps make no sense. Does not support the proposal.

45

46 Steve Moore, Whatcom County: Addressed Axton and Guide Meridian intersection. The  
47 area is zoned General Commercial with plans to put in a drive thru espresso stand. Spoke  
48 of the rules and regulations of leasing property.

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- 1 Heather Wolf, Whatcom County: Representing the owners of the Midway property and  
2 VanderYacht Propane at Guide Meridian and Pole Roads. This proposal goes way beyond  
3 the Goldstar appeal and ignores the fact that there is a four lane highway going through  
4 the county. The Guide Meridian has historically served as a commercial hub for services  
5 for the rural area. The GMHB said the only thing that was missing was a logical boundary  
6 and did not invalidate any commercial zoning.  
7
- 8 Ron DeBoer, Whatcom County: This process needs to be slowed down.  
9
- 10 Bob Wiesen, Whatcom County: This proposal does harm to so many and in such a  
11 negative way. There is disregard for GMA goals pertaining to affordable housing, economic  
12 development, property rights, citizen participation, permit procedures and predictability.  
13 Non-conformity is a big problem.  
14
- 15 Jack Petree, Whatcom County: This is the most sprawl producing action the Commission  
16 has ever been asked to take. Agricultural and timber jobs will be affected by this.  
17
- 18 Cathy Lehman, Whatcom County: Chapter Director of Futurewise. Spoke of available lots  
19 and population potential in the rural areas. Supports the proposed amendments, with the  
20 exception of the Pt. Roberts and Columbia Valley LAMIRDs.  
21
- 22 Janice Schuck, Whatcom County: Addressed the North Bellingham area. Is currently  
23 zoned RR1 with the proposal to make it R10. Does not support this.  
24
- 25 Jay Irwin, Whatcom County: This proposal does not make sense because areas were  
26 zoned for a reason. There should be more flexibility, which is allowed under GMA. Slow  
27 the process down because there is no deadline.  
28
- 29 Dannon Traxler, Whatcom County: If this proposal is passed 20-30 years of  
30 comprehensive planning goes down the drain. The County is putting a zoning overlay on  
31 areas that can never be attained. Referred to the Goldstar case and what is required of  
32 the County. Allow more time for the process and leave the record open indefinitely.  
33
- 34 Brady Webb, Whatcom County: Addressed the survey regarding the rural areas. Supports  
35 the comments of Joseph Garcia and Russell Pritchett. The Kendall LAMIRD is a little  
36 oversized. Protect the agricultural and forest lands. The foothills area is not appropriate  
37 for development.  
38
- 39 Jim Evangelista, Whatcom County: Commissioner for the Glacier Water District and  
40 President of the Glacier Chamber of Commerce. Asked that consideration of the  
41 underground water lines be given. Does not support the proposed change to the Joseph  
42 Garcia property. This process needs more time.  
43
- 44 Greg Wielenga, Whatcom County: Owns property in the Wisser Lake area zoned General  
45 Commercial. Does not support the proposed changes.  
46

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1 Dave Pros, Whatcom County: Referred to the short time frame for this and lack of public  
2 process. Designate the areas in dispute as interim areas until there can be more public  
3 process.

4  
5 The hearing was closed.

6  
7 The Commission agreed to leave the written record open until 4:30 p.m. on July 23, 2009.

8  
9 The meeting was adjourned at 11:10 p.m.

10  
11 Minutes prepared by B. Boxx.

12  
13  
14 WHATCOM COUNTY PLANNING COMMISSION ATTEST:

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16  
17  
18  
19 \_\_\_\_\_  
Jean Melious, Chair

\_\_\_\_\_

David Stalheim, Secretary

20  
21  
22  
23  
24  
25