



Whatcom County

April 19, 2005 Point Roberts Community Meeting – Departmental Responses

Background

On April 19, 2005, Whatcom County hosted a community meeting in Point Roberts to obtain input from community members on County services, economic development projects and capital facilities. Point Roberts community members shared their perspectives regarding key issues impacting the community and helped to identify priority areas of focus for County services in the next three to five years. The community comments and questions received were then summarized and subsequently distributed to the applicable County departments/divisions and other agencies for their review and official response.

Following are the summarized community comments and questions, as well as the applicable County/Agency responses to each issue. The sequence of comments does not reflect any prioritization by community members or staff.

Infrastructure

Roads

- Address road safety requirements – place a four-way stop at Mill and Johnson, maintain all-weather standards, note many roads do not have sidewalks, horses and pedestrians on roads

Response: *A traffic count and analysis has been performed at this intersection. Although the traffic volumes are not great enough to warrant a four-way stop per the Federally Mandated Manual of Uniform Traffic Control Devices (MUTCD), the volumes are close enough. Placement of stop signs is accomplished by a County Council Ordinance. The Public Works Department has prepared and recommended an ordinance to the County Council that stop signs be placed at all four legs of this intersection. An ordinance was introduced to the County Council on July 12th and a public hearing and potential adoption is anticipated on July 26th, 2005.*

Over the past 20 years the County has developed an extensive network of all-weather arterial roads. Currently, Tye, Gulf, and APA (between Tye and Simundson) are constructed to all-weather standards (a minimum of two-feet of engineered roadway sub-grade). Construction of new all-weather roads are analyzed on a County-wide basis and performed in a “most needed” priority. Currently no Point Roberts roadways are listed for future all-weather construction. This is based on the low volume of heavy trucks on all roads other than Tye and Gulf. [PW-E]

- When roads are improved put in bike lanes and trails

Response: *Bicycle and pedestrian improvements are an integral part of project identification, analysis, development and construction. These actions are taken in conjunction with the County Bicycle and Pedestrian Advisory Committee, Parks Department, area residents, and community groups. Recommendations are then made to the County Council for funding through the Six-Year Transportation Improvement Program (STIP). Currently Tye Drive is listed as project #20 on the*

County's proposed STIP. This project will include bike lanes as well as sidewalk on one side. [PW-E]

- Caution on use of chip seal; asphalt is preferred

Response: It is understood that asphalt is preferred to Chip Seal. Asphalt is generally used for new construction while chip sealing or asphalt overlays are used as a surface maintenance technique. However, Asphalt is 7 to 8 times more expensive than Chip Sealing. With the current budget, County Roads can expect to be chip sealed every 7 to 10 years depending on their condition. In the summer of 2004 the County used asphalt in more densely developed areas of Point Roberts. This was the first time asphalt had been used anywhere in the county for maintenance of non-arterial roads. Note that continued use of asphalt overlays will eventually create problems with the grades between driveways, curbs, drainage structures and other roadside features requiring additional expense to remedy. [PW-E]

- Maintain reasonable road allowances, keep them clear

Response: The responsibility for maintaining the unimproved portion of the R/W is the adjacent land owner. That being said, if persons have concerns related to clear passage, sight distance at intersections, etc. please contact the PW Maintenance and Operations Division at (36) 676-6759. [PW-E]

- More street improvements at main intersections (sidewalks, lights, etc.) – caution that Point Roberts is not an urban setting

Response: Sidewalks are considered an urban feature and are only required in areas appropriately zoned. This aside, sidewalks are sometimes constructed in areas of heavy pedestrian traffic. Street lighting is installed and operated by the County at signalized intersections only. There are areas of the County that have formed street lighting districts. This allows these areas to collect funds from the residents in order to pay for the installation and operation of street lighting. There are currently seven such lighting districts within the County, non of which are in Point Roberts. [PW-E]

- Put a left turn lane on Tyee and Johnson and add a street light for nighttime visibility

Response: County Engineering staff is currently analyzing the ability to install a left turn lane on Tyee at Johnson by re-striping the channelization. The hope is that this can be achieved without the need for additional paved area to be constructed, drainage system reconstruction, environmental permitting and the associated time and expense to complete. (See above for response to request for street light.) [PW-E]

- South Beach - need all season roads and clearance for emergency vehicles

Response: South Beach area, with it's low volume of heavy truck traffic it is not a good candidate for roadway reconstruction to all-weather standards. Clearance for emergency vehicles, although not ideal, is adequate per existing roadway standards. Additional roadway width would require drainage and storm water treatment facilities, purchase of Right-of-Way, environmental permitting and approval. This could be an expensive proposition. [PW-E]

- Ensure equitable road maintenance and improvements

Response: Roadway maintenance is performed at Point Roberts per the same standard applied throughout the County. Improvements are based upon needs as compared to the entire County and recommended to the County Council on a worst first basis. [PW-E]

- Who is responsible for private road standards?

Response: Private roads are currently approved by the Public Works Department and Fire Marshall when development occurs. The responsibility for the maintenance of private roads is the land owner over which the road travels and/or the persons using the road as defined in any easements or trail permits. [PW-E]

- Public transportation improvements – the WTA van service is not sufficient (no access to Canada)

Response: In late 2002, residents from Pt. Roberts attended a WTA Board meeting and asked for scheduled fixed route service between Pt. Roberts and Blaine (primarily for school, medical and commute needs). The need expressed was for residents of the Point to be able to get to the rest of Whatcom County more easily, especially after the border difficulties that came with 9/11. Through further discussion with WTA, a 'Community Use' van was made available to the Point. In the 2/14/03 agreement between WTA and the Point Roberts Chamber of Commerce, it is stated that the van is to be used to pick up and drop off passengers within Whatcom County only. It is the terms of this original agreement that WTA is operating under. Unless the Board directs WTA staff otherwise, it is not anticipated that the conditions of the agreement will be changed. [WTA]

Drainage

- Drainage on Meadow Lane, between Cedar Street and Birch Street, near Maple Beach was not addressed when re-paved (road drains wrong way)

Response: Drainage inventory and mapping currently underway in Point Roberts will identify potential problems at this location. Based upon findings remedies can be analyzed and implemented. [PW-E]

- Create Drainage Plan for Point Roberts and communicate to property owners prior to activity

Response: Existing public drainage features are currently being inventoried and mapped throughout all of Point Roberts. Note: this is the public system only (roadside ditches, culverts, drainage easements). Creation of a storm drainage "Plan" and a mechanism to pay for it outside of the road right-of-way or drainage easements (ie: private property) is a private or community issue that the residents and the County will have to address over time. [PW-E]

- South Beach – address drainage on five ways, north side, cul-de-sacs, and ditches

Response: Maintenance of the public drainage system (roadside ditches, culverts, drainage easements) in this area is scheduled for October of this year. If upon completion of this maintenance work problems or issues are still perceived, please contact the Department of Public Works Maintenance and Operations Superintendent, Mary Green, at 360-676-6759. [PW-E]

- Drainage maintenance on Rex Street was poorly done and resulted in standing water – concern about mosquitoes

Response: Maintenance of the public drainage system (roadside ditches, culverts, drainage easements) in this area is scheduled for October of this year. If upon completion of this maintenance work problems or issues are still perceived, please contact the Department of Public Works Maintenance and Operations Superintendent, Mary Green, at 360-676-6759. Questions or concerns related to West Nile Virus should be directed to the County Health Department at 676-6720. [PW-E]

Water and Sewer

- Improve water availability
- Improve water quality

Response to the above two comments: *If you have any questions regarding your water utility, please contact the Point Roberts Water District office at (360) 945-4696 or e-mail prwd@whidbey.com. The Greater Vancouver Water District writes a comprehensive Quality Control Annual Report. A copy of this report may be obtained at any lower mainland library. Additionally, further information may be acquired by contacting the EPA's Safe Drinking Water Hotline (800-426-4791) or by visiting their website at www.epa.gov/safewater. [Source: http://www.pointrobertswater.com/page_news.htm Point Roberts Water District website]*

- Public sewer - is there truth to rumor? Look at the potential impacts and fees on residents
- Look at implications of sewers on community character and nature of development – concern about the type of development that sewer might facilitate
- Small Town Commercial (STC) zoned land is limited by critical areas – sewer would help
- Need to have good drainage and sewer to support economic development

Response to the above four comments: *On November 23, 2004, the Whatcom County Council approved Resolution No. 2004-060 conditionally approving an updated Comprehensive Sewer Plan (CSP) for Point Roberts Water District No. 4. The purpose of the general sewer plan is to “evaluate the available options for sewer service to Point Roberts and to provide both short-term and long-term recommendations to ensure that the District meets regulatory requirements.” The plan does not provide a definitive strategy for providing public sewer, but identifies alternatives to be considered if sewer service were to be pursued. [PDS-P]*

Government

Communications

- If there is not going to be a Point Roberts Advisory Committee, consider a Whatcom County Ombudsman or a satellite office in Point Roberts to maintain ongoing communications

Response: *Whatcom County is currently re-organizing the PDS office to address the dramatic increase in the volume of permit application submittals and is considering a new staff position that would, in part, fulfill the role of Ombudsman. It is anticipated that a final decision on this issue will be made later this year. [PDS]*

- Changes unique to Point Roberts should be heard in public meetings/hearings held in Point Roberts (i.e., Planning Commission)

Response: *In previous years, the Whatcom County Planning Commission has held public hearings on issues that are specifically relevant to the Point Roberts community, such as the 2001 Point Roberts Subarea Plan, proposed amendments to WCC 20.72 - Point Roberts Special District (tree retention and archaeological resources), etc. in Point Roberts. Efforts will be made to continue to do so in the future. [PDS-P]*

- Value uniqueness and isolation of Point Roberts

Response: *Comment noted.*

- Use the Character Plan Committee, support and empower them appropriately - expand the existing Point Roberts Character Plan Committee to function as a communication aid in Whatcom County activities

Response: The Point Roberts Character Plan clearly defines the role of the Character Plan Committee as an advisory body that has been formed solely for the purpose of permit application review. It is not anticipated that the scope of the Character Plan Committee's role will be expanded at this time. Whatcom County PDS will continue to support the Point Roberts Character Plan Committee in their existing capacity as a design review committee for commercial and institutional permit applications. The new PDS Land Use Division Manager has been directed to meet with the Character Plan Committee in the coming months and to maintain on-going communication. [PDS]

- Use the "All Point Bulletin" to alert the community regarding Point Roberts related issues and/or actions, consider a Whatcom County page

Response: The All Point Bulletin has been used periodically for meeting notices and updates. County Planning recently distributed an insert related to the April 19th community meeting in the July 2005 edition. Due to the positive response received, Whatcom County will continue to utilize the All Point Bulletin as a means for public notice of future events and actions as funding is available. [PDS-P]

- Be responsive to all groups that exist in Point Roberts
- Increase full-time resident communication with Whatcom County
- Concern that special interest groups drive Whatcom County actions
- The community requests quarterly meetings with Whatcom County staff in Point Roberts

Response to the above four comments: Your common interests in the future of Point Roberts are represented by the community's investment in the Point Roberts Subarea Plan as well as your continued participation in other planning efforts. This is not just a formality. The Plan will be actively implemented by the various county departments when capital facility, economic development, parks and recreation, and budget decisions are made. Whatcom County will continue to be open to hearing all concerns and comments related to Point Roberts. [PDS-LU]

- Improve communication regarding land use:
 - Put the Point Roberts Sub-Area Plan on the Whatcom County Planning Department website

Response: The 2001 Point Roberts Subarea Plan and the Point Roberts Character Plan are now posted and available for download on the Whatcom County Planning Division webpage: <http://www.co.whatcom.wa.us/pds/planning/index.jsp>. [PDS-P]

- Increase home/business owner conditional use permit notification from 300' to 1000'

Response: The notification distance for Conditional Use applications and similar administrative review processes is 1,000'. This is provided in the Zoning Code at Section 20.84.235 (1)(c)(ii). This was changed from 300' approximately 1 year ago. [PDS-LU]

Zoning, Regulations, Permits and Enforcement

- Enforce Whatcom County zoning and regulations, if you have them, enforce them
- Enforce laws consistently, equitably across community
- Need to be persistent with Whatcom County enforcement staff to achieve success
- Concern that Whatcom County does not have capacity to enforce new and additional regulations given the number of new regulations

Response to the above four comments: Enforcement capacity is made up of several components:

- A) *The authority to regulate an activity must be in state statute or county ordinance,*
- B) *Staff and facilities available through the budget process to pursue complaints and attempt to achieve compliance,*
- C) *Engagement from county legal staff if action must move beyond cooperative work with compliance staff, and*
- D) *Recognition by the local court system that the land use laws are important and need to be enforced if the case is made.*

The County Council has just authorized the addition of two additional Code Compliance positions for general compliance work to add to the three already on staff. With the three that we have, we still have a backlog of approximately 1,000 complaints that we are prioritizing. Due to this huge workload, we respond to life/safety complaints first. Lower priority complaints are addressed as we can get to them. Even though we will have additional compliance staff, we will still need to prioritize complaints but we will be able to get to Point Roberts and other areas of the county more quickly than before.

Our Watershed, Animal Waste Management, Wetlands, and Forestry programs also have compliance components in addition to the general code staff. We are often required to adopt local laws in response to State mandates whether we have staff or budget to fully enforce those laws. In such cases, we don't have a choice but to add to the list and make something else a lower priority.

We will continue to do our best to enforce codes fairly and responsively subject to the prioritization required to protect life and safety first. [PDS-LU]

- Improve the timing, responsiveness and ease of accessing and processing permits

Response: *Planning & Development Services opened the expanded One-Stop Customer Service Center during the first week of July 2005. This has been a priority of the County Council and the County Executive for over three years, and we are now realizing that vision. It is one step along the way in our efforts to respond to the service needs of Whatcom County. We hope that all county residents will see the benefit of this investment in facilities and people. [PDS-LU]*

- Consider adding a soil stability analysis for permits and list this under "Trees and Wetlands"
- Include a soil stability analysis as part of permit process

Response to the above two comments: *In most cases, the marine bluffs at Point Roberts are recognized and regulated as feeder bluffs under the provisions of the Shoreline Management Program (SMP), but they are also landslide hazard areas that are regulated under the Critical Areas Ordinance (CAO).*

Soil erosion is regulated through the clearing ordinance which is applied to development projects and Forest Practices Class IV conversion permits. Erosion hazard areas are also proposed to be added under the provisions of the updated CAO that is currently before the County Council for consideration and possible adoption. [PDS-LU/P]

- Encourage Whatcom County to explore the use of an "outside" expert for permit review and processing issues; authorize them to approve permits

Response: *The Whatcom County Building Services Division already uses an outside plans examiner upon request of the applicant. This has proved to be an acceptable method to speed up permit processing for residential permits. There is not one person designated for all of the other parts of the permit process and do not anticipate that it is warranted at this time. With the support*

of the County Executive's office, the recent approval for additional help will get the permit process back on track. Currently the volume of permit activity exceeds the ability to keep pace. [PDS -BS]

General comments

- Keep rural feel and current character in Point Roberts

Response: Comment noted.

- Maintain fiscal responsibility for public spending

Response: Whatcom County will continue to respond to the infrastructure and service needs of the Point Roberts community, as well as the remainder of Whatcom County, in accordance with the policies of the County Executive and County Council that have been established for prioritizing and implementing public improvements and spending. Including the following financial management policy:

“Budgetary emphasis will focus on providing those basic county services which provide the maximum level of services, to the most citizens, in the most cost effective manner, with due consideration being given to all costs – economic, fiscal and social.”

It should also be noted that Whatcom County has an excellent bond rating, with a balanced budget and solid reserves, nor has Whatcom County raised property taxes as allowed by law in the last 9 years.

- Need Whatcom County's continued support for Hospital District, including funding, for Health Clinic services

Response: The County Executive and the Administration expressed support for the development of the Point Roberts Health Clinic through asking the County Council to approve grant funding for the clinic and Whatcom County again expressed support of the formation of the Point Roberts Hospital District through the approval of County Resolution No. 2004-061 on November 23, 2004 ordering an election on the Point Roberts Hospital District.

- Use Whatcom County leverage to help the Point Roberts community access state money

Response: The Washington Community Economic Revitalization Team (WA-CERT) coordinates delivery of state and federal programs to rural counties, tribes, municipal corporations, special purpose districts, public ports, economic development councils, and not-for-profit organizations. The WA-CERT pre-application requirements mandate that the County legislative authority (County Council) pass a resolution of support and establish numerical priorities for proposals submitted to WA-CERT for annual funding consideration. The 2005 WA-CERT list was approved by County Council Resolution on July 12, 2005.

For more information on WA-CERT, visit: <http://www.oted.wa.gov/ed/wacert/home.asp>

To contact the County WA-CERT list coordinator, contact the Whatcom County Executive's Office: (360) 676-6717/384-1403.

- Plan for the impacts and opportunities of the upcoming Olympics

Response: Whatcom County has not had a direct role in planning for the upcoming Olympics and the projected impacts/opportunities associated with them. However, the Bellingham/Whatcom County EDC, Bellingham Chamber of Commerce, Bellingham/Whatcom County Convention and Visitor's Bureau, Council of Governments, etc. are all examining various opportunities in Whatcom County related to the 2010 Winter Olympics.

- Put a maintenance person on site in Point Roberts

Response: A County Parks & Recreation staff member is located in Point Roberts and a roadway maintenance person (the only off-site maintenance person in Whatcom County) is stationed at Pt. Roberts for up to six months of the year during the late fall, winter and early spring [PW-E].

- Support getting gas/tobacco taxes back to Point Roberts

Environment

Recreation/Parks

- Increase child/teen activities both cultural and after school activities

Response: Additional youth programming targeted at Point Roberts would be feasible if adequately supported by participation and funding. The department presently contracts with the Blaine school district to provide limited after school programming as part of a 21st Century educational grant. Additional programming could be offered under a similar contract with the local Park District. [P&R]

- Increase senior activities

Response: Senior activities were increased to a second day of operation in the summer of 2004 as the result of passage of a local Park District levy. Senior programs could be increased in the future if the District was willing and able to pass an operating levy earmarked for this purpose. [P&R]

- Build a Community Center with capacity to grow into

Response: An excellent community center already exists at Point Roberts and is owned and operated by the local Park District. At present the center appears to adequately meet the needs of the community. The County would not be in a financial position to build and operate a competing center. If a new center is warranted, the initiative and operating responsibility would best rest with the local Park District. [P&R]

- Develop a trail network to connect areas of community

Response: Trail elements for Point Roberts are contained in several planning documents including the County's Bicycle Pedestrian Plan. Proposed upgrades to Tyee Drive scheduled for 2009 will also include non-motorized elements. County Parks staff helped coordinate a community trail link between the Marina and Lighthouse Marine Park in 2004. A successful community trails system will require local efforts to develop a plan, funding mechanism, and procurement of easements. The Whatcom County Parks & Recreation Department will be glad to help facilitate the process. [P&R]

- Evaluate acquisition of Lily Point east of Claire Lane for park and trails – concern about current trails through private property

Response: This area has been identified in County plans for public acquisition because of its significant natural and cultural resources. Lack of funding remains the primary constraint.

Concerns regarding trespass should be referred to the Sheriffs Department. The County Parks & Recreation Department does not promote public use of this area due to private ownership. [P&R]

- Explore pier project's pros and cons – suggestion to drop the pier project
***Response:** It is our understanding that the pier project is no longer viable or active due to environmental constraints. [P&R]*

- Install memorial bench on Bayview Drive (need assistance in obtaining "revocable encroachment permit")
***Response:** The County Parks & Recreation Department has no on-shore ownership in this area. [P&R]*

- Install a public phone at Lighthouse Park
***Response:** Several years ago the Park Department requested the phone company reinstall the public pay phone near the boat landing. The phone was not installed due to a number of circumstances including the public's increasing use of cell phones, a resident Park Manager, and monthly cost. This issue is being referred to the Park Manager for reassessment. [P&R]*

- Maple Beach - open space and public park improvements
 - Needs public amenities (parking and restrooms)
 - Improve public access and parking
 - Bring the Maple Beach parking up to current parking regulations
 - Provide clear direction and information to property owners regarding Maple Beach access and enforcement
 - Improve enforcement at Maple Beach – consider how residents can be involved
 - Maple Beach and Lighthouse Park are decreasing in beach size - examine impacts from Roberts Bank? Scientific information and support is needed to present issues to other parties.
***Response:** The County Parks & Recreation Department owns the tidelands at this popular beach area, but has no upland ownership or interests. Most of the issues regarding this property are centered on acquisition of upland areas for public use. This area is identified as a concern and will be addressed in the update of the County's Comprehensive Parks and Recreation Open Space Plan. The local Park District is also eligible to take a lead role on this issue. [P&R]*

Trees and Wetlands

- Small Town Commercial (STC) zoned land is limited by critical areas
- Wetlands are part of the landscape and what Point Roberts is naturally
- Conduct a wetlands inventory for Point Roberts
***Response to the above three comments:** Wetlands and other critical areas are regulated under the Whatcom County Critical Areas Ordinance (CAO). It is not anticipated that a County-sponsored wetlands inventory of Point Roberts will be conducted in the near future, nor is such an inventory anticipated in any other area of Whatcom County. Wetland identification will continue to occur on a site-by-site basis through the permit review process. [PDS-P]*

- Tree retention is important to Point Roberts – ensure retention of trees. Clear cuts' impacts include erosion and storm water. Stop clearing now and plan.
- Conduct a forestry analysis to identify critical areas to focus on tree retention
- Develop a Reforestation Plan to compensate for clearing and development in Point Roberts
- Use Whatcom County relations to keep pressure on the Department of Natural Resources to enforce replants

Response to the above four comments: A Forester has been hired by the Planning & Development Services - Land Use Division to coordinate with DNR and local residents on forestry-related issues. Whatcom County PDS will continue to seek opportunities to improve coordination with the DNR through the permit review process.

Though there is no funding to do this at this time, it is anticipated that PDS will consider looking at forestry issues, planning, and management throughout greater Whatcom County, including the DNR Forest Legacy Program, in the coming year. [PDS]

- Be cautious with blanket Whatcom County code regulations in Point Roberts, especially regarding tree retention

Response: Comment noted.

- Logged area by the Fire District and School was a loss of creative options with County due to regulations and the processing approach used

Response: Comment noted.

- Coal dust is an environmental concern on West Point Roberts

Response: Comment noted.

Whatcom County Department/Division and Agencies responding:

P&R: Whatcom County Parks and Recreation Department
PDS-BS: Whatcom County Planning & Development Services – Building Services Division
PDS-LU: Whatcom County Planning & Development Services – Land Use Division
PDS-P: Whatcom County Planning & Development Services – Planning Division
PW-E: Whatcom County Public Works – Engineering Division
WTA: Whatcom Transportation Authority