



April 4, 2013

Whatcom County Planning Commission
5280 Northwest Drive
Bellingham, Washington
98226

RE: Rural Element Update

This letter is intended to provide comment to the proposed changes to the Rural Element of the Whatcom County Comprehensive Plan. Our comments are directly related to issues 1 and 2 as presented to the Planning Commission on March 28, 2013.

ISSUE NO 1. – VARIETY OF RURAL DENSITIES.

Given the two options presented, I would support Option 2 which would permit rezones to allow higher densities based on appropriate criteria.

ISSUE NO 2. – LOT CLUSTERING

REVISIONS TO LOT CLUSTERING PROVISIONS:

- *Clustering remains optional in RR, RR-I, and R, and remains mandatory in TZ, WRPO, and APO. Also mandatory in UGA reserve.*

Making clustering mandatory in the UGA Reserve could actually have the effect of frustrating flexible design options. I believe that this proposal should be reevaluated once the specific issues associated with Clustering / Reserve tracts are more defined, as discussed below.

CURRENT CLUSTER SIZE, SPACING ARE UNCHANGED:

- *R zone: Maximum 16 lots, 500' spacing between clusters.*

We have an opportunity to improve on these standards while achieving compliance with the Hearings Board's order. The strict numeric criteria in the clustering provisions have the effect of frustrating flexible design and can actually defeat the intent of clustering. In certain circumstances, the current standards result in longer extensions of roadway and infrastructure than desired, with less large contiguous tracts of open space than otherwise possible.

No two properties are the same in terms of width, length, topographic relief, forestation, streams and wetlands resources. The intent of the clustering criteria would be better served if we replaced the numeric standards with criteria relative to the actual size, shape and natural features of the parent parcel.



The number of lots allowed within each cluster and the distance between clusters should be determined based on the size and shape of the parent parcel, the proposed clustered lot sizes and the physical features between them. This could be accomplished in terms of ratios, averages and site analysis which would achieve a better effect than strict numeric criteria.

For example, currently in the R5 zone clustering is allowed down to a minimum of 12,500 sf per lot with a maximum of 16 lots per cluster, and the clusters must be spaced 500 feet apart. I assert that the number of lots within a cluster should be controlled more by the size, location and availability of development areas within the parent site. If a good buildable area within a parent parcel is 10 acres in size and you propose 16 lots @ 12,500 sf then the developed footprint would be about 65% of that buildable area. However, if there happened to be a good building area on a site that was, say 15 acres in size, a 65% footprint should yield 22 lots in that cluster. A smaller development area would yield fewer lots. The overall number of lots would not be increased but the efficiency of land use would be enhanced. Also, the distance between larger and smaller clusters should be related to the relative size of the clusters.

In a different scenario where a property owner proposes clusters on each side of a significant physical feature such as a wetland area, a stream or a dense forested area the effect of separation between clusters would be enhanced by the conservation area even though the distance may be reduced. Another example would be a scenario where two clusters are separated by a significant topographic difference. Snohomish County takes a similar approach in their clustering provisions.

- *TZ, WRPO: Maximum 10 lots, 80' spacing*

The proposed numeric criteria seems arbitrary. See my comments above.

- *Minimum lot sizes for clusters option are unchanged.*

In the context of the discussion above related to the number of lots allowed within a cluster, perhaps a 10 - 20% reduction in lot size may be appropriate. The intent would be to maximize density within a cluster while maximizing open spaces and maintaining the desired rural character. A density bonus program, combined with reduced lot sizes should be incorporated into the clustering provisions so that property owners have an incentive to cluster projects. Previous clustering provisions in Whatcom County encouraged clustering through density bonuses, with the idea that clustering is viewed as a positive development approach.

- *Minimum percentages for reserve area are unchanged.*

Currently, the percentage of the area of the parent parcel that is required to be placed in a reserve tract anticipates the potential for future development areas to be retained within that reserve tract, as well as containing conservation easements. As I understand it, in response to the Hearings Board, we are proposing to limit the uses within the reserve tract to conservation/passive uses only. If this is the case, then the required area of reserve tract



should be reduced by at least 50%. Typical conservation open space standards related to clustering in other similar Counties require only 30-40% reserve.

The types of uses allowed within a reserve tract should be clearly defined. Those allowed uses may have an effect on the prescribed percentage of land to be placed within a particular reserve tract. For example, roadways connecting the development clusters would need to be allowed within a reserve tract. Additionally, uses such as septic fields, stormwater facilities, emergency access routes and utilities would enhance the development potential for a site while maintaining the desired functions of an open space/conservation area.

Thank you for your consideration of these comments. Please do not hesitate to contact me if you have questions or comments.

Best Regards,



Darcy Jones, PLS, AICP, LEEP-ND
Jones Engineers, Inc.

