WHATCOM COUNTY COUNCIL
Planning and Development Committee

November 18, 2003

The meeting was called to order at 3:00 p.m. by Committee Chair Seth Fleetwood in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:
Dan McShane
Laurie Caskey-Schreiber

Absent:
None

Also Present:
Barbara Brenner
Sharon Roy

COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL – COMP. PLAN

1. ORDINANCE ADOPTING AMENDMENTS TO THE LAND USE CHAPTER OF THE WHATCOM COUNTY COMPREHENSIVE PLAN (CHAPTER 2), WHICH INCLUDES RURAL LANDS (AB2003-075E)

Caskey-Schreiber moved to amend finding 19 in the ordinance to include the recent farm gate values for Whatcom County.

Motion carried unanimously.

Brenner referenced the second and third paragraph in the Background Summary section and asked if they know they don’t have ample commercial land.

Matt Aamot, Senior Planner, stated an industrial land study came out in August. More than 14,000 acres are designated industrial. Almost 8,000 acres don’t have environmental constraints. Some of the acres that don’t have environmental constraints is built upon. When they subtract out that amount, it leaves about 4,000 acres. The projected demand is about 2,400 acres. An issue with developing that land is access to sewer and water. There isn’t a detailed study of commercial land like they did for industrial land. The ECONorthwest report references how much they need.

Brenner asked for better information in the future. There is a lot of commercially-zoned property, and there are questions about whether there is a need for more commercial land.
Fleetwood asked if the land referenced on page 2-5 refers to all the land in the county, including the urban areas. Aamot stated it does, outside the national park and national forest.

Caskey-Schreiber moved to amend the third paragraph on page 2-5, “Ample Adequately serviced industrial and commercial land....”

Motion carried unanimously.

Kraig Olason, Senior Planner, stated that changes the intent. The original intent was to say there is plenty of land, not that it’s adequately serviced.

McShane moved to rescind the previous vote and amend the third paragraph on page 2-5, “Ample Adequate supply of serviced industrial and commercial land....”

Motion carried unanimously.

Brenner asked for an explanation of language in the first sentence in the second paragraph on page 2-6. Don’t include “driving up prices.” Prices are driven up much more by other things. It’s mostly about people coming here from other places. They’re driving up the prices.

Caskey-Schreiber moved to amend the second paragraph on page 2-6, “It is important to provide an ample adequate supply of land planned and zoned for various types of uses to avoid driving up prices or precluding development.”

Motion carried unanimously.

Brenner asked for an explanation of the second sentence in the first paragraph of the Accommodating Growth section on page 206. Aamot stated they are trying to funnel growth into urban areas so there’s less development pressure in rural areas.

McShane stated rural areas don’t need to go through development regulations because it is rural and impacts are less. They end up with more regulations with more people because impacts are potentially harmful to neighbors. Development standards go up in areas with more people. That sentence does a reasonable job of leading to goal 2A.

Caskey-Schreiber stated it misses the larger point that it is cost-efficient to encourage growth in urban areas. Olason stated it gets at the fact that when they have to have extraordinary regulations, they’ve failed to meet the vision. The way it reads, it’s saying this shouldn’t be a situation where they have so much development intensity that they have to have extraordinary regulations. It characterizes something that has been encroached.
Caskey-Schreiber stated some would say that composting regulations for mushroom farming are extraordinary. They were necessary because there are areas in the county that have high density.

McShane stated that’s what this language says. Avoid putting people in conflict. Don’t have a lot of develop in the resource areas, so they don’t have to have extraordinary regulations.

Brenner stated there should be a better way to say that.

McShane stated there may be a better way, but it does the job.

Caskey-Schreiber referenced goal 2A. At some point, they aren’t going to be able to ensure the provision of sufficient land.

Fleetwood stated he agreed. It implies a never-ending supply.

McShane stated this particular goal about accommodating growth will make people uncomfortable. However, if they don’t plan to accommodate growth, they may undermine what makes this county a desirable place to live. He thinks about the amount of people who could be living in the unincorporated areas of the county that could be accommodated by current zoning. It puts some emphasis on the fact that the City should do some planning to accommodate for growth or else growth will all end up in the county. The County doesn’t have to accommodate every possible type of housing that people may or may not want. If a two-acre lot is not available, the County doesn’t have to create two-acre lots.

Fleetwood moved to amend goal 2A, “Ensure provision of sufficient land in all designations to accommodate the growth needs....”

Motion carried unanimously.

McShane moved to amend policy 2A-2 on page 2-7, “Where existing zoning or land does not already prohibit it....” They shouldn’t preclude themselves from changing zoning to draw a distinct boundary between urban and rural areas.

Brenner stated people depend on zoning. This is not set in stone, but they should respect existing zoning and not just take it out of there.

Fleetwood stated there is still a right to apply for a rezone.

McShane stated he understands the concern. The motion doesn’t say they are going to change zoning. They should not draw a distinct boundary just because the land is zoned a certain way.

Fleetwood agreed. Having that language ties the County’s hands.
Brenner stated this is a policy that says they should consider it seriously. It’s not a regulation. This language shows respect for existing zoning.

Caskey-Schreiber stated policy 2A-5 addresses Councilmember Brenner’s concern. Urban growth area (UGA) expansions don’t respect the zoning that’s there. This happens all the time. This is the reality.

McShane stated that one couldn’t draw the designation line that doesn’t agree with the zoning unless there is a Comprehensive Plan amendment because this language prohibits it.

Fleetwood asked if the motion would make the language vague. Aamot stated the Growth Management Act (GMA) defines UGA’s as high densities and tried to preserve rural areas with low densities. The only exception in rural areas is areas of more intense rural development. The criteria they use in the GMA is existing development.

McShane amended his motion to amend policy 2A-2 on page 2-7, “Where existing zoning or land development does not already prohibit it....”

Motion carried unanimously.

Caskey-Schreiber referenced policy 2A-8. Only two areas are considered crossroads commercial. They should allow those areas to infill only, and require them to adhere to the logical outer boundary. Aamot stated this a general section of chapter two, which relates to urban growth areas and rural land. These policies apply to all land uses, not just rural lands.

Caskey-Schreiber asked why, if these are general policies to the entire county, why they would specify one designation that has only two areas in the county.

Sylvia Goodwin, Planning Division Manager, stated there are areas on the Guide Meridian that qualify for crossroads commercial, but just aren’t designated.

McShane stated there is another place in the Comprehensive Plan to deal with the crossroads commercial designation.

Goodwin stated policy 2A-13 addresses the concern.

Caskey-Schreiber referenced policy 2A-9, and asked if it’s a mandate to do that. Aamot stated it’s a policy direction from the 1997 Comprehensive Plan.

Caskey-Schreiber asked why they are encouraging more access. In later areas of the chapter, it says they should not increase access to high traffic corridors.
Brenner stated the key phrase is at “key intersections” along the Guide Meridian. They can encourage interior roads that aren’t at intersections.

Goodwin stated past councilmembers wanted to encourage industrial and commercial areas in the eastern part of the county. However, since the rural legislation said they can’t expand or create these areas, only infilling would be appropriate.

**Caskey-Schreiber moved** to amend policy 2A-9, “Increase [allow infill in light industrial and commercial uses...].”

Brenner suggested that they include language about increasing economic development in the eastern part of the county.

**McShane suggested a friendly amendment** to amend policy 2A-9, “Increase light industrial and commercial uses along the Interstate-5 corridor, in the eastern part of the county, and at key intersections along the Guide Meridian corridor.”

**Caskey-Schreiber accepted the friendly amendment.**

Fleetwood stated he believed the intent was to allow light industrial and commercial uses in very specific places. The motion would include light industrial and commercial uses generally, in the vicinity of any population area.

Caskey-Schreiber stated they’re correct in making this correction. The Guide Meridian is everyone’s vision of a high traffic corridor. The more access roads there are onto that corridor, the slower it will be. Don’t identify and encourage more development that would go along with intense traffic.

Olason stated a population center could be any one of many places. This language was getting at the east county for sure. That’s good policy they don’t want to lose. Further in the chapter is language that tries to encourage things to locate close to those urban areas. What they already have for commercial uses in small-town commercial areas is plenty. If they don’t like this policy, there are other policies that cover the concern.

McShane stated they could strike the policy.

Fleetwood stated it makes good sense to give some direction as to where light industrial and commercial land should go.

McShane stated there are provisions for it in the economic chapter.

**Caskey-Schreiber amended her motion** to strike policy 2A-9.

**Motion carried unanimously.**
Caskey-Schreiber asked if policy 2A-10 is about Cherry Point. Aamot stated it is.

Caskey-Schreiber stated she would like Councilmember Roy to address this section.

Fleetwood asked if there is a realistic scenario where they would readdress the heavy industrial zones. During next year’s Comprehensive Plan amendments, they will look at all of the urban growth areas. They can look at the heavy industrial zones then. The policies that exist now talk about retaining that area as an industrial area.

Olason stated that if they want to discuss it, they could make it a work item rather than a policy change.

Brenner referenced the end of policy 2A-12. Roads are not a natural division, and should not necessarily be a natural boundary.

Caskey-Schreiber stated a good example is the Badger Road, north of Lynden. It is an area that would be very difficult to breach, and allow another homestead on Badger Road. Roads have become natural boundary lines.

Brenner stated she has a problem when there are expansions of urban growth areas. So many times, they use roads as a reason to expand. Roads shouldn’t be seen as natural bridges. Roads shouldn’t be used as a tool to make a determination of an urban growth boundary. Where they can, the urban growth boundary shouldn’t be on a road.

(Clerk’s Note: End of tape one, side A.)

Brenner continued to state that Badger Road just happened to be a natural division. However, it creates a lot of push for the people on the other side of the road to develop.

Fleetwood stated it’s a matter of fact that roads demark land uses.

Brenner stated they don’t, necessarily.

Goodwin stated this means that if one person owns two different pieces of land, they shouldn’t split the zoning or UGA down the middle, like the piece of property they’re dealing with at Hinote’s Corner. For instance, if one person has a piece of land with half on one side and half on the other side of Badger Road, it would be okay to use Badger Road as a UGA boundary because the person’s land is already split in half by the road. That’s what it means. It doesn’t say that all UGA boundaries have to follow roads or rivers. If one person’s contiguous land in
common ownership shouldn’t be split by a zoning line, unless there’s already
something splitting it, like a road.

Brenner asked if there is a definition of “limited areas of more intense rural
development.” Goodwin stated she’s not sure. The definition is in the Revised
Code of Washington (RCW). Staff will update the bibliography as the last thing to
do in this process.

**McShane moved** to strike the last sentence in the first paragraph of Resort
Communities and Master Planned Resorts section on page 2-8. Aamot stated the
Lily Point people did not appeal the Council decision to deny extension of the
deadline. The motion would be appropriate.

**Motion carried unanimously.**

McShane stated the Resort Communities and Master Planned Resorts section
worries him. Whatcom County has a history of having resort communities and
master planned resorts that have turned into non-resorts. Kendall is an example.
Sudden Valley has changed from its original intent. He’s nervous about these kinds
of things. He questioned whether they want to continue to encourage these things
at all. He’s more comfortable with them within an urban growth area. He asked if
the County is required to encourage them. Olason stated they are optional under
the GMA. All are meant for a temporary stay and a transient-type use. There are
strict limitations on the type of ownership and the length of stay allowed. The use
is non-residential. The use is recreational. They turn into low-income housing on
many occasions. There are ways to develop them where they have to be under the
ownership of a company. They have to have unique settings or something that is a
real draw. He doesn’t know where there is a piece of ground left in Whatcom
County that is big enough to create a resort.

Goodwin stated the Mt. Baker area is hoping to get additional tourism
development. There are probably some areas in the east part of the county that
are sort of suitable for destination resorts. This is talking about a new master plan
resort like Semiahmoo or the golf course at Point Roberts, which is much bigger
than what they currently allow. It might be good for the economy.

Olason stated the planned resorts are required to be separate from the
residential areas. It would have to be operated by a business, not a communal
homeowner’s association.

McShane stated it seems it would be better if someone just comes forward
with a Comprehensive Plan amendment to do a project, rather than trying to allow
for it generally in the Comprehensive Plan. Olason stated they don’t have zoning
that allows it right now. They’d have to encourage the completion of the text
amendment, which would be the standards under which it would be reviewed.
Brenner stated she’d like to see plans on a case-by-case basis. There’s no need to promote it. When they find specific sites that are appropriate, don’t preclude the development. Amend goal 2B to assess, not encourage, the continued viability of existing resort communities.

_Fleetwood moved_ to amend goal 2B, “Encourage Assess the continued viability....”

McShane stated he’s fine with encouraging the existing communities. His concern is more with future developments. Evaluate the goal of allowing master planned resorts in the future.

Roy stated tourism is clean. People come and then leave. For some of the areas around here that are untapped in terms of tourism, particularly the east county, she’d hate to eliminate it as a clean, sustainable source of economic development. The County can benefit from high quality areas such as the Nooksack Tribe’s notion of providing a resort area with a tram that goes up the mountain. The county could benefit a lot from having a high-quality resort.

Olason stated the master planned resorts are stand-alone things, separate from the community. This master plan concept is new and a destination-type of development.

_Fleetwood withdrew his motion._

_McShane moved_ to amend goal 2B, “Encourage the continued viability of existing resort communities and allow the development of new Master Planned Resorts in the near future.” It doesn’t preclude tourist development. His problem is with master planned resorts. They need to spend a lot of time on how to do those in the future.

Fleetwood asked if policy 2B-2 refers to the Comprehensive Plan policies or the countywide planning policies.

McShane stated he has a suggestion for changing that language.

Brenner stated she’s not comfortable with taking out the last part of the sentence in goal 2B. Many goal 2B policies are connected to the second part of the goal’s sentence. They need to say something about the problem of having resorts turned into slums, rather than taking out the language that is connected with the policies.

Fleetwood stated he is against the motion. Master planned resorts are allowed.

McShane stated his goal is to not allow master planned resorts.
Caskey-Schreiber asked if a master planned resort a housing resort. Olason stated it must have a destination feature. There is a reason to stay for a day or two. There would be a major investment in facilities for a short-term stay.

Caskey-Schreiber stated she is fine with that concept. That would be ideal for the ski area. Olason stated Paradise was developed for a semi-permanent development. The codes would allow language for a limited stay and addressed ownership and the mechanisms of operation.

Brenner stated she would like to see wording in the goal to let people know what the intent is, which is not for permanent housing. Olason suggested that would be a policy.

Goodwin suggested amending policy 2B-7, “Master Planning Resorts should only include other year-around residential uses within its boundaries….” The problem is what they do with an area like Semiahmoo, where retired folks live there year-around to golf.

Brenner stated that unless they make really discriminatory statements, they will end up with something they don’t want.

Olason stated the intent is not to allow residential use. It’s a recreational, short-term use. The only allowance for a permanent stay is for workers.

Roy stated having a destination resort in some of these areas might be good for the county, but they don’t want the permanent residential use. Olason stated the language says that in policy 2B-7.

Caskey-Schreiber stated that if the resorts are big successes, they attract residents who want to live near that atmosphere. Olason stated they can make a clear distinction that it not supposed to be for living there year-round. Other jurisdictions have required investments of over to $1 million before they build the actual rental buildings. If someone wants to do one, they’re not fly-by-night operations.

Brenner stated that’s why they need a statement of what they don’t want, so it makes the intent clear.

McShane stated the question is whether they really want destination resorts in Whatcom County. He’s not sure the community wants them, even at Mt. Baker. Most people in the community like Mt. Baker just the way it is.

Fleetwood stated he agreed, but the motion is too broad.

Roy stated tourism is one of the least obnoxious options for economic development.
Caskey-Schreiber stated the people in District 2 would like to see some kind of resort that caters to the ski area. It would be an asset for the county if done correctly.

**Motion failed 1-2 with McShane in favor.**

Brenner asked to have language in goal 2B that adds the caveat that they can’t convert master planned resorts into permanent housing.

Fleetwood asked what happens if the resort closes during hard times, and there’s an effort afoot to convert it into housing in some form.

Brenner stated there could be a Comprehensive Plan amendment in that instance. Make sure people go into a project with their eyes open. It’s implied that they can’t use it for permanent housing, but the policy should say it. Include wording, “precluding the conversion of master planned resorts into permanent housing.”

Olason stated he could work on appropriate language. He’ll bring language forward later.

Caskey-Schreiber asked Councilmember Roy to comment on policy 2A-10.

Roy stated she doesn’t have any problem with the policy. Her issue is related to buffers between the two areas. She asked about buffers between heavy industry and urban growth areas. Olason stated there is a 660 feet buffer in Cherry Point on the northern and western boundary. Tosco sits against the boundary of the Sandy Point area. There’s no buffer for the southern boundary. There are policies for the Cherry Point heavy industrial UGA section. That would be the place to add additional information on buffers. They’ll look at those policies next year.

Roy asked the difference between heavy and light industry. Aamot stated it’s not in the Comprehensive Plan text. It’s in the report that was done.

Roy asked if the requirement is to have a certain amount of industrial land, or if the requirement is further defined between heavy and light industrial land. Goodwin stated a recent report addressed industrial land supply, but she couldn’t remember if it differentiated between heavy and light industrial land. The ECONorthwest and supply study projections both just projected the demand for industrial land.

Roy stated she would like to ask for a breakdown of the differences. There hasn’t been any industrial development at Cherry Point for 30 years. In the meantime, there’s been residential growth. She would like to see how close they are to their requirement for heavy industry.
Roy asked if there’s a reason the DeLoit and Tusch study is not referenced. Goodwin stated it wasn’t a study on industrial land supply. It was more on how to market industrial land and what kind of businesses they could attract. It concluded that Cherry Point was not suitable for many uses because it is too far from Bellingham. It didn’t provide any information to incorporate into a policy.

Roy stated it is relevant in the discussion about land use and how much heavy industry they need.

McShane moved to amend policy 2B-2, “...should only not be permitted as Master Planned Resorts and only when substantially compliance with these policies.”

Fleetwood asked if is a definition for an established resort area. Aamot stated there is resort commercial zoning in areas. This would establish a new designation outside of urban growth areas.

Brenner asked what they define as established resort areas. Olason stated there are the Birch Bay area, Columbia Valley area, areas in Point Roberts, and several other areas on the way to Mt. Baker.

Goodwin stated there is a small resort commercial area by Glacier.

Brenner asked if staff foresees a problem with amending the language. Olason stated it would only hurt a future master planned resort community.

McShane stated it only applies to areas outside UGA’s or at an existing resort area. One could still do a master planned resort.

Olason stated a master planned resort is a stand-alone item. This isn’t about a planned unit development (PUD) or a resort-type development in a UGA.

Caskey-Schreiber asked if someone could go through the Comprehensive Plan process for an area not zoned for a resort. Goodwin stated the person would need to have a Comprehensive Plan amendment and be in an urban growth area.

Olason stated the person wouldn’t comply with what a master planned resort community is supposed to be, which has a transient recreational focus.

Fleetwood asked what an established resort area is. He asked if there is a formal definition. Olason stated there isn’t a term that is a definition. An established resort area encompasses a range of existing uses.

Fleetwood asked if it is sufficiently flexible to allow for something in an area that isn’t presently a resort area.

(Clerk’s Note: End of tape one, side B.)
Olason stated something has to be there at the site. There’s nothing there if there’s not a group of cabins and a club, and it’s just bare land that has nice features.

Brenner asked what Councilmember McShane concern is if they don’t take that language out.

McShane stated he’s worried about new resort areas being established. There are existing resort areas in the county. He doesn’t want any new ones.

Brenner stated she doesn’t agree. She thought the issue was conversion.

McShane stated the question is whether the community of Whatcom County wants new resorts. He doesn’t think it’s beneficial. He’s not sure people on Lummi Island, for example, would be happy about a new resort on the island.

Caskey-Schreiber stated she appreciates Councilmember McShane’s concern. She hopes this process will allow those people to have an opinion. Olason stated this would go through a public process during the zoning review process. There will be public hearings and an ability to appeal. As it is now, one couldn’t have a new resort unless they adopt the follow-up zoning code. If they never do that, they don’t have to discuss these policies. Currently, the zoning in the county doesn’t have a provision for them.

Fleetwood asked if the County would be obligated to create one if the Council voted for these provisions. Otherwise the zoning code would not comply with the Comprehensive Plan. Olason stated that’s correct.

Goodwin read a definition for a master planned resort.

Fleetwood asked if there is a size limitation. Goodwin stated there is not. There is also no limitation on the length of stay allowed.

Caskey-Schreiber stated she is a person who likes to travel locally. This is the type of thing she looks for. The people in the east county area near Mt. Baker would love to have tourist development in that area. The Foothills Chamber of Commerce and people in the Kendall area want jobs so they don’t have to drive into Bellingham. If the County can create jobs out there, she’s all for it. She won’t support the motion.

Roy stated tourists at a resort development would be nice, clean tourists. There’s a huge group of people who would stay and not be intrusive to Whatcom County.
McShane stated that in his view, the citizens of Whatcom County overall are not interested in drawing tourists in from Seattle so the ski areas can be flooded with more people.

Motion failed 1-2 with McShane in favor.

McShane moved to amend policy 2B-9, “...under the Comprehensive Plan unless a finding is made that the land is better suited, and has more long-term importance, for the master planned resort than for the commercial harvesting of timber.” He came across language while working on the Department of Natural Resources (DNR) Lake Whatcom Landscape Plan. There was language about establishing a resort on county trust lands on Mt. Stewart. It would be a huge draw. The current use is current forestry. He’s not interested in someone coming up with findings of fact that the better land use would be a huge resort up there.

Brenner stated the motion is an excellent recommendation.

Motion carried unanimously.

Caskey-Schreiber moved to amend goal 2C, “...can be provided and where urban densities are desired.”

Aamot suggested instead, “...and that are designated for urban densities.”

McShane stated they should leave the goal as it is. They’ve already discussed having some growth that would not necessarily be in urban growth areas. They would want to have that growth where there are adequate services. That’s thoroughly covered in the previous policy 2B-6. In resort development, include capital facilities, utilities, and services. Make sure they have the capital facilities to support growth wherever it is.

Fleetwood asked if people could conceivably subvert the goals by claiming they can provide adequate services.

Caskey-Schreiber stated that’s what her concern is. They need language about where they have or want to have designated higher densities.

Goodwin stated that means anything not currently zoned for urban growth can’t be increased. If they discover one of their urban growth areas are too small, they can never enlarge it. If they discover zoning isn’t appropriate in a small town or in Point Roberts, they can’t increase it.

Fleetwood stated adequate services can always be provided. They have the capacity to do that. Goodwin stated that’s correct. However, by saying they would limit growth to areas already designated for growth, it means once they are full, they are full. If they use the term “desire,” the problem is that half of the residents in the Bellingham urban growth areas don’t desire density. It’s too subjective.
Olason stated they have to look at the policies and how they apply to all areas of the county.

McShane stated the goal is for capital facilities. They don’t have to worry about density in this language. Growth should be channeled to where there are services. It’s tied to capital facilities. They’re trying to bring too many things into this.

McShane called the question.

Caskey-Schreiber asked if Councilmember McShane is not concerned that in areas such as Lake Whatcom and Lake Samish where the services exist, people will be calling for more roads and development.

McShane stated the language says they will channel growth to areas where adequate services can be provided. They’re trying to expand that issue beyond what this little section is about, which is capital facilities.

Fleetwood stated it’s broader than that. The goal is under the capital facilities heading, but capital facilities stimulate growth. The language talks about channeling growth. He moved to amend the motion to amend goal 2C, “Channel growth to areas where adequate services can be provided where growth is planned.”

Olason suggested amending the goal, “Provide adequate capital facilities where growth is planned.”

Roy stated the language reverses the entire intent.

Fleetwood asked whether this entire goal is even necessary.

Hart stated it is important to keep the goal. First, where they invest the rural sales tax for commercial and industrial development is also their responsibility. That’s the Council’s tool to say where they want to encourage stuff. In the urban growth area north of Ferndale, there are three major light industrial and commercial areas exploding right now. All three have certain needs for water, utility, and road infrastructure needs. They are channeling growth into that place. It’s important to think about how they would use the fiscal spending tools to channel economic development. They will use this goal in economic development.

Fleetwood withdrew his motion to amend the motion.

Caskey-Schreiber withdrew her motion to amend.
McShane moved to amend the first paragraph in the Regulations section on page 2-10, “...At the same time some people want to see regulations streamlined and reduced....”

Motion carried unanimously.

McShane moved to amend the first paragraph in the Regulations section on page 2-10, “...and efficient decision-making. Regulation should be enforced. People would like to see an incentive....”

Motion carried unanimously.

Caskey-Schreiber referenced policy 2D-1 and asked what regulations are unnecessary.

McShane stated it allows them to get rid of any regulation they may find is unnecessary.

Goodwin stated it ties to the natural resource policy integration they will talk about with the water resource inventory area (WRIA) process. A question is whether they really need a separate State Environmental Policy Act (SEPA) regulation, shoreline regulation, and critical area regulation when they all regulate buffers, or whether they could be combined to be more efficient. That’s what may be coming up in the future. The WRIA plan calls for integration and coordination between various levels of regulations that all regulate the same thing.

Hart stated the Planning Division talks to the Land Use Division annually about how the regulations are working. It would be more accurate to say, “Eliminate unnecessary regulations through an annual review process.” That’s what they are currently doing. The County would not be in violation of the policy if they don’t come up with anything.

Olason stated staff writes codes separate from other codes. Sometimes they end up with overlaps that they don’t realize until someone tries to do a project. Believe it or not, there are unnecessary regulations.

Caskey-Schreiber stated there are also gaps.

Roy asked if they ever have conflicting regulations. Olason stated they do once in a while. They would want to rectify those conflicting regulations.

Fleetwood asked staff for ideas on how to get through this chapter on time. Olason stated regulations are where they make these things happen. If the policies don’t preclude what the Council wants to see happen, then maybe the policies are alright.
Goodwin stated they can push into January. They still have amendments to the Bellingham Urban Fringe Plan to go through. They still have to finish the Environment Chapter and the population discussion.

Fleetwood asked if the Council is creating any unintended burdens on staff. Goodwin stated they are not. However, she is really concerned about what she heard at the WRIA meeting this morning. It looks like the Council is also supposed to get through hundreds of pages of the WRIA plan in December and January. The Council has no meetings scheduled in December after December 9. They won’t have time to work on it after December 9, if they are still working on population impact fees. The Lake Whatcom downzone is breathing down their necks, also. Then there’s Birch Bay and Lummi Island subarea plans. All these things are on top of the WRIA schedule. According to the WRIA schedule, it comes to Council in December and is done in January.

The committee concurred to have a special Planning Committee meeting on Tuesday that is not a Council meeting day.

Goodwin stated they might want to continue the existing meetings from the previous year to the first meeting in January.

Roy stated this is an issue that someone from the Planning Department should discuss with the Water Resources Division.

Fleetwood stated this would be held in committee at a future, unspecified date.

OTHER BUSINESS

There was no other business.

ADJOURN

The meeting adjourned at approximately 5:15 p.m.

Jill Nixon, Minutes Transcription

ATTEST:
WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON
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1
2 Dana Brown-Davis, Council Clerk
3 Seth Fleetwood, Committee Chair