



P.O. Box 1517
Bellingham, WA 98227

December 11, 2008

Whatcom County Planning Commission
Bellingham, WA 98225

Dear Whatcom County Planning Commission,

Subject: Whatcom County Limited Area of More Intense Rural Development (LAMIRD) Criteria

Futurewise Whatcom's primary goal is protecting rural land from sprawling development, and we believe strong LAMIRD criteria is an important mechanism for preventing urban style development in rural areas.

Overall, the county's Planning and Development Services department has done a good job of summarizing the Growth Management Act requirements and setting LAMIRD criteria for Whatcom County. We are very grateful for their careful work.

As part of minimizing and containing existing development within LAMIRDS, some developed parcels may be excluded since they may be separated or isolated from the larger concentration of development. Also as part of the application of the above mentioned criteria, vacant land may be added to make a regular boundary or some developed land may be excluded. For example, if a developed parcel was on the opposite side of a stream from the rest of the developed area, it may be excluded because it is separated by a natural feature. Similarly, vacant land may be added to smooth out a boundary such as when some vacant land is on the same side of the stream as the developed land and the stream makes sense as the boundary. We recommend the following revisions to part B of the LAMIRD criteria with our additions double underlined and our deletions double struck through.

B. *LAMIRD boundaries ~~shall~~ should include:*

1. *Parcels that were intensively developed (as defined below) on July 1, 1990 that are minimized and contained with the area of intensive development,*
2. *The logical outer boundary of the area of more intensive development shall address whether: ~~Parcels that on July 1, 1990 were not intensively developed, but one or more of the following conditions exist:~~*
 - a. *The parcel helps preserve the character of an existing natural neighborhood,*
 - b. *The parcel allows the logical outer boundary to follow a physical boundary such as bodies of water, streets and highways, and land forms and contours,*
 - c. *The parcel (or in limited cases, a portion of the parcel) prevents the logical outer boundary from being abnormally irregular, and*

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d. *The parcel is consistent with efficient provision of public facilities and services.*

We understand and agree that using lot boundaries often makes sense, especially for lots smaller than three or four acres. However, LAMIRD boundaries are based on the built environment for larger lots, only the more intensely developed portion of the land can be included in the LAMIRD boundary unless it meets the criteria in "B" above.¹ So we recommend that the definition of "irregular boundary" be revised as follows with our additions double underlined and deletions double struck through.

Irregular boundary: A boundary between LAMIRD and non-LAMIRD areas that causes island, peninsula, or checkerboard patterns to be formed. While boundaries should follow parcel lines wherever possible, a boundary may cross a parcel in order to prevent excessive irregularity or to comply with part B of the LAMIRD criteria. Some irregularity is to be expected and boundaries do not have to be squared off.¹

Additionally, we support amending the language in A2, as indicated by the double underlined language below, to read as follows:

- A. *"LAMIRDS should generally be located in areas that:*
- 2. Are not designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, or Rural, with the exception of UGAs which undergo periodic review and reassessment of the appropriateness of their designation as a UGA; and"*

Adopting the language as it currently reads could affect discussion around and options available on as yet undetermined appropriateness of the Columbia Valley UGA.

Thank you for considering our views. Please contact us if you have any questions or comments on these issues.

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Allison Aurand
Rural Land Policy Committee Chair, Futurewise Whatcom

Eric Hirst
Steering Committee President, Futurewise Whatcom

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¹ See for example, *James Halmo, et al. v. Pierce County*, CPSGMHB Case No. 07-3-0004c, Order Finding Compliance and Rescinding Invalidity [Re: Graham Community Plan] (January 23, 2008), at 12 of 13.