

Public Participation Plan

Whatcom County Comprehensive Plan and
Development Regulation Amendments

Approved by the County Council
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Table of Contents

Chapter 1. Introduction	1-1
1.1. Public Participation Plan Format.....	1-3
Chapter 2. The Issues.....	2-1
2.1. Statutory Requirements.....	2-1
2.2. Docketed Amendment Requests.....	2-4
2.3. Comp Plan and Development Regulation Appeals.....	2-6
Chapter 3. Project Participants	3-1
3.1. The Public	3-1
3.1.1. Interested Property Owners and Developers.....	3-1
3.1.2. Community Organizations	3-1
3.1.3. Other Groups and Individuals	3-2
3.2. Governmental/Quasi-Governmental Groups	3-2
3.2.1. Planning Commission.....	3-3
3.3. The Cities	3-3
Chapter 4. Public Participation Approach	4-1
4.1. Overall Approach.....	4-1
4.2. Level 1 Issues.....	4-2
4.2.1. Approach	4-2
4.2.2. Level 1 Projects	4-2
4.3. Level 2 Issues.....	4-4
4.3.1. Approach	4-4
4.3.2. Level 2 Projects	4-4
4.4. Level 3 Issues.....	4-5
4.4.1. Approach	4-5
4.4.2. Level 3 Projects	4-5
Chapter 5. Conclusion.....	5-1

Chapter 1. Introduction

Whatcom County has initiated a multi-year project to update its Comprehensive Plan. The Washington State Growth Management Act (GMA) requires the County to review and revise its comprehensive plan and development regulations periodically [RCW 36.70A.130(1)]. The GMA states:

“...Except as otherwise provided, a county or city shall take legislative action to review and, if needed, revise its comprehensive land use plan and development regulations to ensure the plan and regulations comply with the requirements of this chapter...The review and evaluation required by this subsection shall include, but is not limited to, consideration of critical area ordinances and, if planning under RCW [36.70A.040](#), an analysis of the population allocated to a city or county from the most recent ten-year population forecast by the office of financial management.”

Additionally, the GMA requires review of urban growth areas [RCW 36.70A.130(3)]. The GMA states:

“(a) Each county that designates urban growth areas under RCW [36.70A.110](#) shall review, according to the schedules established in subsection (5) of this section, its designated urban growth area or areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area. In conjunction with this review by the county, each city located within an urban growth area shall review the densities permitted within its boundaries, and the extent to which the urban growth occurring within the county has located within each city and the unincorporated portions of the urban growth areas.

(b) The county comprehensive plan designating urban growth areas, and the densities permitted in the urban growth areas by the comprehensive plans of the county and each city located within the urban growth areas, shall be revised to accommodate the urban growth projected to occur in the county for the succeeding twenty-year period.”

According to RCW 36.70A.130(5), Whatcom County is required to complete its next review and update of the comprehensive plan, development regulations (zoning, critical areas ordinance, etc.) and urban growth areas by June 30, 2016. The update will represent the county's vision for the next twenty years.

This Public Participation Plan (PPP) is intended to guide the County in completing the comprehensive plan update and other amendments. The Plan is required by state law (RCW 36.70A.140), which indicates:

“Comprehensive plans – Ensure public participation. Each county and city that is required or chooses to plan under RCW 36.70A.040 shall establish and broadly disseminate to the public a public participation program identifying procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans. The procedures shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, communication programs, information services, and consideration of and response to public comments. . . .”

The bolded sentence of RCW 36.70A.140 above guided the County in developing this PPP. Prior to implementation, this plan will have been reviewed by the planning commission and the county council, with opportunity for the public to comment. The plan will be implemented as adopted.

The issues that will be considered as part of County's review and amendment of the comprehensive plan and development regulations are divergent and far-reaching. A one-size-fits-all approach to this public participation plan for all of these very different types of issues would not be effective and would do a disservice to the residents of Whatcom County.

This PPP outlines the public participation approach that will be taken with each issue rather than a generic overall approach. The objective of this plan is to provide a clear process for each issue so residents can easily determine how best to be involved in the issues they care about most.

There are other planning issues that require public participation that may not be mentioned in this plan, including standard map and text amendments to Title 20 Zoning. At minimum, these items will be processed as Level 1 projects. If additional public participation is required or another approach is appropriate, the Planning and Development Services Department will upgrade the item to a more vigorous approach. Please see Chapter 4 for more information about public participation approaches.

Ongoing programs administered through the Planning Department also provide opportunities for public participation through their respective advisory committees. The Agricultural Advisory Committee, Purchase of Development Rights Oversight Committee, Forestry Advisory Committee, Surface Mining Advisory Committee, and Critical Areas Advisory Committees meet regularly to assist in the administration of their programs, and may

recommend amendments to the comprehensive plan and County Code. These advisory committee meetings are open to the public. More information on these programs can be found at: <http://www.whatcomcounty.us/pds/plan/lr/projects.jsp>.

The PPP is designed to meet the following objectives:

- Provide a roadmap for the public, outlining a clear and accessible public process for the comprehensive plan and development regulation update;
- Provide a roadmap for the public, outlining a clear and accessible public process for the review of urban growth areas;
- Ensure input is sought from a broad base of public participants and is elicited in a timely fashion, considered, and incorporated as appropriate into the Comprehensive Plan and Development Regulation updates; and
- Make a concerted and continuous effort to ensure that elected officials and staff are fully aware of and understand community and stakeholder concerns.

1.1. Public Participation Plan Format

To meet PPP objectives consistent with GMA goals this document:

- Outlines the **issues** that will be considered (Chapter 2);
- Identifies the potential project **participants** in the comprehensive planning process (Chapter 3), and;
- States the **approach** that will be taken with each issue (Chapter 4).

Chapter 2. The Issues

The issues that Comprehensive Plan and development regulation amendments will address can be divided into two categories: statutory requirements and docketed requests. This section of the PPP outlines these issues, within these categories. Each issue has been assigned a number beginning first with an “S” or “D” for “statutory” or “docket” respectively. These numbers will carry with each issue to Chapter 4 of this document. Chapter 4 will go into greater detail on the public participation approach that the County will take on each of these issues.

2.1. Statutory Requirements

The Growth Management Act requires Whatcom County to review and update the comprehensive plan by 2016. The County has identified the following issues as those requiring attention during the comprehensive plan and development regulation update process in order to comply with the changes in state Growth Management law that have occurred between the last Comprehensive Plan update in Jan. 2005 and the conclusion of the 2013 state legislative session. This section also addresses the review of urban growth areas, which must be completed by 2016. This list will be updated each year with new statutory requirements, passed during the prior year, the County must address as part of the 2016 comprehensive plan update. The following is a current list of identified statutory requirements:

- S-1. **Transportation** – The Transportation Chapter of the Whatcom County Comprehensive Plan will be updated. This update will consider provisions of the GMA and changes to the law, including the physical activity amendments (RCW 36.70A.070, amended in 2005 by SSB 5186) and the multimodal concurrency amendments (RCW 36.70A.108, amended in 2005 by 2SHB 1565). The physical activity amendments indicate that transportation element of the comprehensive plan must contain a pedestrian and bicycle component that includes identified planned improvements for pedestrian and bicycle facilities and corridors to enhance community access and promote healthy lifestyles. The multimodal

concurrency amendments specify that concurrency compliance improvements or strategies may include qualifying multimodal transportation improvements or strategies. This update will involve coordination with Cities, Washington State Department of Transportation (WSDOT), and other governmental and quasi-governmental groups, including the Whatcom Council of Governments (including the Citizens Transportation Advisory Group) and Tribal governments.

- S-2. **Mineral Resource Lands** (RCW 36.70A.131) – Review of mineral resource land designations and development regulations.
- S-3. **Land for Facilities** (RCW 36.70A.110, .115, .210, amended in 2009 by SHB 1825) – Identifying specific facilities planning requirements under the Growth Management Act. Each city and county fully planning under the Growth Management Act must identify areas sufficient to accommodate the full range of needs and uses that will accompany projected growth.
- S-4. **Accessory Uses in Agricultural Lands** (RCW 36.70A.177, amended in 2006 by SHB 2917) – SHB 2917 clarifies that any accessory use a city or county may allow on designated agricultural lands of long-term significance must not interfere with and must support continuation of the overall agricultural use of the property and neighboring properties.
- S-5. **Family Day-Care Providers in Home** (RCW 36.70A.450 amended in 2007 by SB 5952) – No county or city may enact, enforce, or maintain an ordinance, development regulation, zoning regulation, or official control, policy, or administrative practice that prohibits the use of a residential dwelling, located in an area zoned for residential or commercial use, as a family day-care provider’s home facility.
- S-6. **Housing** (RCW 36.70A.070(2)) – Review and update housing inventory as part of the required Housing Element of the Comprehensive Plan. Review new provisions governing affordable housing incentive programs that may be enacted or expanded in jurisdictions planning under the GMA (RCW 36.70A.540, amended in 2009 by EHB 1464).
- S-7. **Forest Practices** (RCW 36.70A.570, amended in 2007 by SHB 1409) – Relating to the transfer of jurisdiction over conversion-related forest practices to local governments. For counties planning under the GMA, if more than 25 Class IV applications had been filed with the DNR between certain dates, then the county, and the cities within it, are required to adopt forest practices approval ordinances.
- S-8. **Critical Areas/Best Available Science** (RCW 36.70A.130(1)(c)) – The GMA was amended in 1995 to require that the county include the best available science (BAS) in developing policies and development regulations to protect the functions and values of critical areas. State law requires the county to consider the critical areas ordinance and best available science as part of this 2016 update. See also EHB 1653 and SSB 6520 from 2010.
- S-9. **2016 Comprehensive Plan Update** (RCW 36.70A.130(1)) - Review and, if needed, revise the Whatcom County Comprehensive Plan by June 2016 to ensure the plan complies

with the requirements of RCW 36.70A. This review is the periodic update of the Comprehensive Plan required by the Growth Management Act. It includes an analysis of the population allocated to a city or county from the most recent population forecast by State Office of Financial Management (OFM).

- S-10. **2016 UGA Review** (RCW 36.70A.130(3)) – Review urban growth areas and densities permitted within urban growth areas by June 2016, in conjunction with the Cities. If necessary, revise urban growth areas and associated development regulations to accommodate the urban growth projected to occur in the county for the succeeding twenty-year period.

2.2. Docketed Amendment Requests

The items in this section were docketed amendment requests in 2014. These were items initiated for further review by the County Council under Resolution 2014-012. As with statutory requirements in the previous section, this list will be updated on an annual basis.

D-1. **Boundary Line Adjustments** (PLN2014-00001) - Amend Section 20.83.110 of the Whatcom County Zoning Ordinance relating to boundary line adjustments. The amendment would allow boundary line adjustments to nonconforming parcels to resolve encroachments such as fences, trees and other occupational indicators. The amendment would also allow boundary line adjustments that modify the boundaries between two nonconforming parcels based upon land owner preferences, as long as the smallest parcel is not decreased in size.

D-2. **Repeal Lake Whatcom Subarea Plan** (PLN2014-00002) - Repeal the Lake Whatcom Subarea Plan, which was adopted in 1982 prior to enactment of the Growth Management Act (GMA). The proposal would also amend related provisions in the Whatcom County Comprehensive Plan.

D-3. **Repeal South Fork Valley Subarea Plan** (PLN2014-00003) - Repeal the South Fork Valley Subarea Plan, which was adopted in 1991 prior the first Whatcom County Comprehensive Plan that was adopted under the GMA. The proposal would also amend related provisions in the Whatcom County Comprehensive Plan.

D-4. **Repeal Eliza Island Subarea Plan** (PLN2014-00004) - Repeal the Eliza Island Plan, which was adopted in 1994 prior the first Whatcom County Comprehensive Plan that was adopted under the GMA. The proposal would also amend related provisions in the Whatcom County Comprehensive Plan and Zoning Code.

D-5. **Capital Facility Planning - Special Purpose Districts** (PLN2014-00005) - Review and amend provisions of the Whatcom County Comprehensive Plan relating to capital facilities. Potential amendments include adopting by reference and/or incorporating information from fire district, school district, water district and sewer district plans.

D-6. **Broadcast Towers in Point Roberts** (PLN2014-00006) - Amend Whatcom County Comprehensive Plan Policy 2VV-9 and section 20.72.200 of the Whatcom County Zoning Code to prohibit radio towers with signal strength of greater than 1,500 watts in the Point Roberts Special District.

D-7. **Six-Year CIP and LOS Amendments** (PLN2014-00007) - Review and update the Six-Year Capital Improvement Program for Whatcom County Facilities (Appendix F of the Whatcom County Comprehensive Plan). Review and amend the park and recreation level of service standards in the Whatcom County Comprehensive Plan.

D-8. **Slater/Elder Rd. Rezone (NC to RGC)** (PLN2014-00008) - Amend the Whatcom County Zoning map from Neighborhood Commercial to Rural General Commercial for approximately six acres at the corner of Slater Rd. and Elder Rd.

D-9. **WCC/Title 20 Amendments** (PLN2014-00009) - Review and, if needed, revise the Whatcom County Zoning Code and other sections of the Whatcom County Code to address issues identified in the administration of the codes. Additionally, any revisions needed to achieve consistency with the Growth Management Act and the Whatcom County Comprehensive Plan will also be considered.

D-10. **Wireless Communication Facilities** (PLN2014-00010) - Review and update Whatcom County Zoning Code text relating to Wireless Communications Facilities. The proposal is to add new language in Chapter 20.13 that exempts certain projects from Wireless Communication Facility permit requirements when such structures or improvements do not substantially change the physical dimensions of such facilities.

D-11. **Road Setback Amendments** (PLN2014-00011) - Review and amend the setback provisions and related definitions in the Whatcom County Comprehensive Plan and Whatcom County Zoning Code. The proposed amendments would provide the zoning administrator with authority to modify the front yard setback when a lot is located between two parallel roads or at the corner of two roads.

D-12. **Weddings and Special Events** (PLN2014-00016) - Amend the Official Whatcom County Zoning Ordinance (Title 20) to allow for "Weddings and Special Events" in specific zone districts through an approved Conditional Use Permit (CUP). Authorization to approve this amendment will result in the county needing to define "Special Events" under the "Definitions" section of WCC 20.97 and an additional amendment made to the "Parking Space Requirements" under WCC 20.80.580.

D-13. **Marijuana Regulations** (PLN2014-00017) - Amend Whatcom County Zoning Ordinance relating to growing, processing and retail sales of marijuana as authorized by Washington State Initiative 502 and in compliance with Ordinance No. 2014-009.

D-14. **Packinghouses** (PLN2014-00018) - Amend Whatcom County Zoning Ordinance relating to regulations and conditions for the allowance of small-scale packinghouses in the Agriculture zone.

D-15. **Capital Facility Planning - LOS for Correction Facilities** (PLN2013-00002) - Review and potentially modify the level of service standards for correction facilities (jails, juvenile detention and sheriff's office space) in the Capital Facilities element of the Whatcom County Comprehensive Plan (Chapter 4).

D-16. **Bellingham Development Standards** (PLN2013-00003) - Review and potentially revise the Whatcom County Code to adopt City of Bellingham Development Standards for the Bellingham Urban Growth Area (UGA).

D-17. **MRL Policies and Surface Mining Regulations** (PLN2013-00008) - Amend the mineral resource land (MRL) policies and MRL designation criteria in the Whatcom County Comprehensive Plan. Amend the Official Whatcom County Zoning Ordinance to change certain surface mining and related uses from an administrative approval use to a conditional use permit that requires a public hearing. Make other changes to the surface mining regulations.

D-18. **Specified Fittings (R5A to RIM) (PLN2012-00006)** – Amend the Comprehensive Plan designation from Rural to Rural Community and amend the zoning from Rural one dwelling/five acres (R5A) to Rural Industrial and Manufacturing for approximately 1.86 acres located on the north side of Smith Rd., west of the Guide Meridian.

D-19. **Agricultural Strategic Plan Implementation (PLN2012-00007)** – Resolution 2011-023 was approved by the County Council on 7/26/2011 declaring support for the Whatcom County Agricultural Strategic Plan. An immediate priority in this plan is to review the Rural Study Areas as listed in the 2007 Rural Land Study and make recommendations for possible changes in accordance with Resolution 2009-040 (100,000 acre target), Resolution 2011-023 (the Agricultural Strategic Plan), and RCW 36.70A.170 and .177. Other immediate and short-term priorities in this plan include developing tools that can be incentives for agricultural operators within the priority agricultural areas. These activities may lead to proposed changes to the agricultural portions of the Comprehensive Plan and zoning regulations.

D-20. **MRL Expansion – North Star Rd. (PLN2012-00009)** – Consider proposal to amend the comprehensive plan designation from Rural to Mineral Resource Lands (MRL) and amend the zoning map to expand a MRL overlay zone on approximately 19.7 acres on the west side of North Star Rd., south of Brown Rd. The underlying zoning is Rural one dwelling/five acres (R5A).

D-21. **Rural Element Update (PLN2012-00012)** – Amend the Rural element of the Whatcom County Comprehensive Plan, including provisions relating to limited areas of more intensive rural development and water resources, in response to a decision of the Growth Management Hearings Board. Make related amendments to the Official Whatcom County Zoning Ordinance and maps.

D-22. **MRL Expansion – Lummi Island (PLN2011-00009)** – Consider proposal to amend the comprehensive plan designation from Rural Forestry to Mineral Resource Lands (MRL) and amend the zoning map to expand a MRL overlay zone on approximately 27.5 acres on Lummi Island. The underlying zoning is Rural Forestry.

D-23. **Offsite Wetland Mitigation/Habitat Restoration (ZON2008-00001)** – Consider proposal to amend the Official Whatcom County Zoning Ordinance to allow offsite wetland mitigation and habitat restoration as a form of compensatory mitigation in all zoning districts.

2.3. Comp Plan and Development Regulation Appeals

The Whatcom County Council may continue to address appeals brought to the Growth Management Hearings Board (GMHB). Public participation for settlement activities that will result in an ordinance amending the comprehensive plan and/or development regulations will include, at a minimum:

- Posting an initial draft proposal on the County website and sending it to anyone requesting notification at least 30 days prior to the public hearing. Posting any revised draft on the County website and sending it to anyone requesting notification at least 10 days prior to the public hearing.
- If urban growth areas are being modified, sending the draft proposal to cities and any citizen planning groups for non-City UGAs at least 30 days prior to the public hearing. Sending any revised draft to cities and any citizen planning groups for non-City UGAs at least 10 days prior to the public hearing.
- Publishing notice of the hearing in the newspaper and, if urban growth areas are being modified, e-mailing notice to cities at least 10 days prior to the public hearing; and
- Holding a public hearing.

Chapter 3. Project Participants

The Public Participation Plan is designed to reach all audiences that may have an interest in the Comprehensive Plan and development regulation update process. It is also designed to reach out to other groups and individuals – those that may not yet have an interest or be inclined to participate – to encourage their awareness, understanding and involvement in the process. The PPP also promotes use of existing communication networks to encourage involvement in the Whatcom County Comprehensive Plan and development regulation update process.

3.1. The Public

The general public is defined as members of the community including residents, groups, property owners, farmers, business owners and any others that might be interested in the Comprehensive Plan update process. The following sections contain a breakdown of some specific types of community groups and organizations that the County will attempt to engage in the Comprehensive Plan update process.

3.1.1. Interested Property Owners and Developers

Interested property owners and developers are defined as members of the community that have an interest in growth and development regulations, especially as they relate to their private property rights. They may have an interest in developing or preserving their property. This might include farmers, real estate and development groups and other related professionals.

3.1.2. Community Organizations

Community organizations are loosely defined as groups, associations, or committees that come together for a common interest or cause. This includes service groups, environmental groups, chambers of commerce, non-profit organizations, advocacy groups, community councils, neighborhood associations, local granges, social service organizations, religious organizations,

and others. Community organizations also include groups that are centered around non-city UGAs like the Birch Bay steering committee and others.

3.1.3. Other Groups and Individuals

WAC 365-196-600(4) states that “Each county or city should try to involve a broad cross-section of the community, so groups not previously involved in planning become involved.” The County will continue to expand our email list when people request to be added to the list and as new groups come to the County’s attention, we will work to include them as appropriate.

3.2. Governmental/Quasi-Governmental Groups

Governmental and quasi-governmental groups are defined as organizations that have a connection to local government, including Whatcom Council of Governments; Whatcom County Council; City Councils; Whatcom County and individual cities’ Planning Commissions; area tribes; local special purpose districts; citizen advisory committees and others. Groups typically consist of elected officials, appointed or volunteer community members, or jurisdictional staff. Table 1 below shows a selected group of advisory committees that may be asked to comment on portions of amendments required to update the comprehensive plan. It will be important to ensure continued coordination with these groups throughout the entire Comprehensive Plan Update process.

Table 1: Selected Whatcom County Advisory Boards/Committees and Commissions

Agricultural Advisory Committee	Parks and Recreation Committee
Bicycle/Pedestrian Advisory Committee	Portage Bay Shellfish Protection District Advisory Committee
Birch Bay Shellfish Protection District Advisory Committee	Public Health Advisory Board
Birch Bay Watershed and Aquatic Resources Management Advisory Committee	Purchase of Development Rights Oversight Committee
Critical Areas Ordinance Citizen Advisory Committee	Rural Library Board
Critical Areas Ordinance Technical Advisory Committee	Surface Mining Advisory Committee
Development Standards Technical Advisory Committee	Whatcom County Community Network
Drayton Harbor Shellfish Protection District Advisory Committee	Whatcom County Housing Advisory Committee
Flood Control Zone District Advisory Committee	Whatcom Council of Governments: Citizens’ Transportation Advisory Group
Flood Control Sub-Zone District Advisory Committee	Whatcom Transportation Authority’s Citizen Advisory Panel
Marine Resource Committee	WRIA 1 – Joint Management Team
Forestry Advisory Committee	WRIA 1 – Planning Unit

3.2.1. Planning Commission

Implementation of the GMA as it relates to public participation is covered within WAC 365-196-600 “Public Participation.” WAC 365-196-600(3)(c) states: “The public participation program should clearly describe the role of the planning commission, ensuring consistency with requirements of chapter 36.70, 35.63, or 35A.63 RCW.” RCW 36.70 is the Planning Enabling Act, which requires:

- Notice of the time, place and purpose of any public hearing shall be given by one publication in a newspaper of general circulation in the county at least ten days before the hearing (RCW 36.70.390 and .590).
- A recommendation of approval of comprehensive plan or official control amendments shall be by the affirmative vote of not less than a majority of the total members of the planning commission. Such approval shall be by a recorded motion which shall incorporate the findings of fact of the planning commission and the reasons for its action (RCW 36.70.400 and .600).

For purposes of this process, the Planning Commission will be more involved throughout each of the projects within the larger process. The Planning Commission is an appointed group of citizens that work directly with Planning and Development Services to craft legislation and make recommendations to the County Council. They also hear and make recommendations on applications for amendments to the Whatcom County Code and the Comprehensive Plan from private individuals, agencies and other applicants. Currently, the Planning Commission hears from the public primarily during public hearings and through written correspondence.

It is the goal that most town hall meetings, open houses and other public participation activities will occur with some involvement with the Planning Commission. In this way, the Planning Commission will hear straight from the public on each issue and will be more involved in crafting policies, earlier in the process. The public is encouraged to communicate with planning commissioners through the email and mailing address listed in Chapter 5 of this document in addition to attending planning commission meetings.

3.3. The Cities

Whatcom County will continue to engage with the Cities on issues that need to be reconciled as part of the periodic review. The County will work with the cities to achieve coordinated and consistent planning during the UGA review and revision process. The Cities will be conducting their own periodic reviews as required by state law, and public participation regarding issues associated with City planning areas will be undertaken by each city.

Chapter 4. Public Participation Approach

4.1. Overall Approach

The Washington Administrative Code (WAC) provides guidelines and rules for public involvement in comprehensive planning. WAC 365-196-600 “Public Participation” states that “The public participation program should clearly describe the role of the planning commission, ensuring consistency with requirements of chapter 36.70, 35.63, or 35A.63 RCW.”

Through this public participation program the planning commission will act as a central hub for many public participation activities. In this way, the planning commission will have maximum exposure to the public perspective no matter how complex or minute the issue.

Starting in section 4.2, issues are broken down into 3 types for the purposes of public participation. Each type of issue has a different approach and the approach is described in each section. All the issues retain the numbers assigned to them in Chapter 2, so if more information is needed about an issue, the reader may refer back to Chapter 2.

The 2016 Comprehensive Plan Update will include various opportunities for public participation, such as commenting on the scope of the environmental impact statement (EIS) and the draft EIS, and commenting at advisory committee, Planning Commission and County Council meetings. Proposals will be posted on the website and sent out through the County e-mail list. The County intends to provide a broad range of opportunities for the public to provide written and/or oral comments relating to the 2016 Comprehensive Plan update.

4.2. Level 1 Issues

Level 1 issues are generally less complicated, have already been through extensive public process or are quasi-judicial actions¹. This level is also appropriate for most standard map and text amendments to Title 20 Zoning. A more vigorous public participation approach may be assigned at the discretion of the Planning and Development Services Department.

4.2.1. Approach

Level 1 issues will be subject to the public process required by the code. Typically, they will follow this process:

- 1) **Proposal:** Staff generates a proposal or a recommendation on an application.
- 2) **Proposal posted:** Proposal is posted to the website and announced through email list. Legal notice will be given as required and applicable. Public may make comment to the Planning Commission via email and/or US mail.
- 3) **Public hearing:** Planning Commission holds public hearing on issue.
- 4) **Work session and recommendation:** Planning Commission conducts work session on issue and recommends action to the County Council. Public may make comment to the County Council via email and/or US mail.
- 5) **County Council:** County Council will review the recommendation of the Planning Commission and hold a work session in committee. The Council will approve the recommendation, modify, or deny. If the Planning Commission recommendation is substantively modified, another hearing will be held on that modification and then the Council will act.

4.2.2. Level 1 Projects

- S-3. **Land for Facilities** (RCW 36.70A.110, .115, .210, SHB 1825)
- S-5. **Family Day-Care Providers in Home** (RCW 36.70A.450, SB 5952)
- S-7. **Forest Practices** (RCW 36.70A.570, SHB 1409)
- D-1. **Boundary Line Adjustments** (PLN2014-00001)
- D-2. **Repeal Lake Whatcom Subarea Plan** (PLN2014-00002)
- D-3. **Repeal South Fork Valley Subarea Plan** (PLN2014-00003)

¹ Quasi-judicial actions of local decision-making bodies are "those actions of the legislative body, planning commission, hearing examiner, zoning adjuster, board of adjustment, or boards which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding" (RCW 42.36.010). These require adjudication in a court-like process, in which the guidelines for public participation are different from other actions.

- D-4. **Repeal Eliza Island Subarea Plan** (PLN2014-00004)
- D-5. **Capital Facility Planning - Special Purpose Districts** (PLN2014-00005)
- D-6. **Broadcast Towers in Point Roberts** (PLN2014-00006)
- D-7. **Six-Year CIP and LOS Amendments** (PLN2014-00007)
- D-8. **Slater Rd. Rezone (NC to RGC)** (PLN2014-00008) *Note: This rezone is quasi-judicial.*
- D-9. **WCC/Title 20 Amendments** (PLN2014-00009)
- D-10. **Wireless Communication Facilities** (PLN2014-00010)
- D-11. **Road Setback Amendments** (PLN2014-00011)
- D-12. **Weddings and Special Events** (PLN2014-00016)
- D-13. **Marijuana Regulations** (PLN2014-00017)
- D-14. **Packinghouses** (PLN2014-00018)
- D-15. **Capital Facility Planning - LOS for Correction Facilities** (PLN2013-00002)
- D-16. **Bellingham Development Standards** (PLN2013-00003)
- D-18. **Specified Fittings (R5A to RIM)** (PLN2012-00006) *Note: The rezone is quasi-judicial.*
- D-20. **MRL Expansion - North Star Rd.** (PLN2012-00009)
- D-22. **MRL Expansion - Lummi Island** (PLN2011-00009)

4.3. Level 2 Issues

Level 2 issues require a little more than the code-required public process. The issues in this category are of a sensitive or political nature and/or the public has come out to oppose or support them in the past. They are generally more complicated.

4.3.1. Approach

Typically, level 2 issues will follow this process:

- 1) **Alternatives:** Staff generates alternative approaches to the issue, when applicable.
- 2) **Alternatives posted:** Alternatives are posted to the website and announced through email list.
- 3) **Advisory Committee/Agency/City Review and Comment:** The alternatives will be submitted to the appropriate advisory committee, department, city or agency for review and comment.
- 4) **Proposal:** Staff generates a proposal considering any feedback received on the alternatives.
- 5) **Proposal posted:** Proposal is posted to the website and announced through email list and legal notice as required and applicable. Public may make comment to the Planning Commission via email and/or US mail.
- 6) **Public hearing:** Planning Commission holds public hearing on issue.
- 7) **Work session:** Planning Commission conducts work session on issue and recommends action to the County Council. Public may make comment to the County Council via email and/or US mail.
- 8) **County Council:** County Council will review the recommendation of the Planning Commission and hold a work session in committee. The Council will approve the recommendation, modify, or deny. If the Planning Commission recommendation is substantively modified, another hearing will be held on that modification and then the Council will act.

4.3.2. Level 2 Projects

- S-1. **Transportation** (RCW 36.70A.070 and RCW 36.70A.108)
- S-6. **Housing** (RCW 36.70A.070(2)) and (RCW 36.70A.540, EHB 1464)
- D-17. **MRL Policies and Surface Mining Regulations** (PLN2013-00008)
- D-21. **Rural Element Update** (PLN2012-00012)
- D-23. **Offsite Wetland Mitigation/Habitat Restoration** (ZON2008-00001). Consider along with the Critical Areas Ordinance update.

4.4. Level 3 Issues

These issues are generally more complicated and are of interest to the general public. All of these issues will have many opportunities for public comment, including a town-hall style meeting where people are able to openly share their feelings on the alternatives proposed or just the issue in general. When appropriate, town hall meetings will be planned close to areas that will be or are being impacted by the issue.

4.4.1. Approach

Typically, level 3 issues will follow this process:

- 1) **Alternatives:** Staff generates alternative approaches to the issue, when appropriate.
- 2) **Alternatives posted:** Alternatives are posted to the website and announced through email list.
- 3) **Advisory Committee/Agency/City Review and Comment:** The alternatives will be submitted to the appropriate advisory committee, department, city or agency for review and comment.
- 4) **Town hall meeting:** A town hall style meeting is held to seek public input on the issue and the proposed alternatives. When appropriate, the meeting is held in a location that is reasonably located near an area affected by the issue. Planning Commission may be in attendance at this town hall meeting. Announcements of town hall meetings will be done through the website, email list, media releases, and local postings as appropriate.
- 5) **Proposal:** Staff generates a proposal considering feedback received on the alternatives, including feedback heard at the town hall meeting.
- 6) **Proposal posted:** Proposal is posted to the website and announced through email list. Legal notice will be given as required and as appropriate. Public may make comment to the Planning Commission via email and/or US mail.
- 7) **Public hearing:** Planning Commission holds public hearing on issue.
- 8) **Work session:** Planning Commission conducts work session on issue and recommends action to the County Council. Public may make comment to the County Council via email and/or US mail.
- 9) **County Council:** County Council will review the recommendation of the Planning Commission and hold a work session in committee. The Council will approve the recommendation, modify, or deny. If the Planning Commission recommendation is substantively modified, another hearing will be held on that modification and then the Council will act.

4.4.2. Level 3 Projects

S-2. **Mineral Resource Lands** (RCW 36.70A.131)

- S-4. **Accessory Uses in Agricultural Lands** (RCW 36.70A.177, SHB 2917). Coordination with Agriculture Advisory Committee.
- S-8. **Critical Areas/Best Available Science** (RCW 36.70A.130(1)(c)). A review committee will be reactivated for this effort. However, many of the existing advisory committees will make recommendations including, as applicable, the Agriculture Advisory Committee, Lake Whatcom Watershed Advisory Committee, Shellfish and Marine advisory committees and others who are impacted by Best Available Science.
- S-9. **2016 Comprehensive Plan Update** (RCW 36.70A.130(1)). Coordination, as applicable, with various committees, the cities, and service providers.
- S-10. **2016 UGA Review** (RCW 36.70A.130(3)). Coordination with the seven Cities and capital facility/urban service providers.
- D-19. **Agricultural Strategic Plan Implementation** (PLN2012-00007). Coordination with Agriculture Advisory Committee and applicable Cities.

Chapter 5. Conclusion

This public participation plan was initially crafted at the beginning of the comprehensive planning process. It is a living document that should be updated as conditions change or new methods are discovered. This public participation plan meets the requirements of the RCW and the requirements of the WAC. Specifically, the Planning and Development Services Department hopes that this public participation program will “involve a broad cross-section of the community, so groups not previously involved in planning become involved” as WAC 365-196-600(4) suggests it should.

To provide written feedback on this public participation plan, please contact Planning and Development Services at rboxx@co.whatcom.wa.us. If you wish to provide comment on any issue to the Planning Commission or County Council, please utilize the following addresses:

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