

Point Roberts Community Advisory Committee

Tuesday May 4, 2019, 3:00 pm

Minutes of Special Meeting

Committee Members in Attendance:

Steve Wolff (PRTA),
Linda Hughes (at-large)
David Gellatly (PRCoC).

Absent: Stephen Falk (at-large)
Tessa Pinckston (PRRVA)

1. Call to Order

Chairperson Hughes called the meeting to order at 3:00 pm. She announced that the purpose of this meeting was for the PRCAC board to have a Work Session relating to potential changes to the sub-codes of WCC 20.72 that had been identified as “focus items” from public input, earlier meeting discussions, and at the PRCAC Special Meeting of April 16, 2019. She announced that this meeting would begin with a Public Comment session, and following that session the Board would move into Work Session mode and would not be inviting any more public input at that time. She also reiterated that Public Comments are always welcome to be emailed to comments@pointrobertsac.org

2. Public Session – each speaker is permitted 3 minutes to provide comment

Pat Harper asked if the board would be discussing Cottage Industries today. Linda Hughes responded that it is not one of the sub-codes scheduled for discussion today. Steve Wolff followed up by saying that Cottage Industry is allowed in Point Roberts and he gave an overview of the code allowing it.

Bennett Blaustein asked if the board would publish a list of the sub-codes to be discussed at future Special Meetings. Linda Hughes responded that it is the intention of the Board to create a schedule of discussion for each of the remaining sub-codes slated for discussion at this meeting, which will be published when available.

Steve Wolff indicated that although not planned for today, he recommends that we approve the Minutes of the Special Meeting of April 16th, to allow them to be published for the public to have access to. Linda Hughes responded that there’s nothing stopping us from approving them today, or by email, as has become the norm for the PRCAC board over the course of the past year.

MOTION Steve Wolff moves to approve the Minutes of the Special Meeting of April 16, 2019. David Gellatly seconded the Motion. Motion passes 3-0 (For the Record, Tessa Pinckston and Steve Wolff had both previously approved the Minutes of the April 16th meeting via email, and Stephen Falk was absent so no input is required from him)

Holger asked if Parking is one of the sub codes that will be discussed today. Linda Hughes responded that at this time, we do not know how many of the sub-codes we will complete discussion of today, but indicated that Parking is quite far down the list and therefore it is unlikely that we will make it that far today.

Ken Calder who arrived after the meeting started, asked if the Board could publish meeting dates, along with intended sub-codes for discussion. Linda Hughes responded that it is the intention of this Board to do just that, with apologies for not specifically publishing today's agenda as it intended to be a Work Session to determine a schedule of discussion of sub-codes under review by this Committee. David Gellatly added that the All Point Bulletin has published a schedule of these special meetings and we have yet to determine which codes will be discussed at each meeting.

Several people left the meeting, as there was no further public input at this time and the Board would be moving into the Work Session part of the meeting.

3. Work Session to review the WCC 20.72 sub-codes earlier identified as "focus" items, and create schedule of which sub-codes are to be addressed at the remaining 20.72 Special Meetings

David Gellatly announced that Cliff Strong has reiterated his willingness to attend certain of these Work Session meetings to help guide us through the process, but would prefer to be invited to the meetings where his attendance will actually be beneficial. David also reminded us that we could submit progress notes to Cliff Strong by email so that Cliff can review our progress and determine whether he should attend an upcoming meeting to lend assistance.

Linda Hughes opened discussion of the potential sub code changes with 20.72.50, but noted that the sub code is so limited, it hardly appears to need changes. David Gellatly responded that the sub code essentially indicates all permitted uses are allowed except as prohibited or made conditional, but noting especially that the permitted uses listed in the STC are quite extensive.

An unnamed member of the public asked where the STC could be found. Linda Hughes responded that it is posted on the County website under zoning.

Donna Gillespie indicated that we should be talking about the Character Plan. Linda Hughes advised that the Character Plan is no longer relevant, and David Gellatly added that the code portions have been merged into the 20.72 code and the Design Guidelines of the former Character Plan are currently retained in their original entirety as an addendum to 20.72, named

Design Guidelines. Linda Hughes further indicated that the Design Guidelines are scheduled for discussion but not today.

Donna Gillespie continued to say that we shouldn't be forced to live with the colors of the building on the corner (of Tyee and Gulf), and there was some recollection by the Board members that the colors of that building were in compliance with the former Character Plan.

Donna Gillespie added that at least one of the WCC 20 guidelines, specifically 20.17.026, refers to the Character Plan as an addendum. Steve Wolff responded, indicating that would be a simple language error, and wherever Character Plan is referred to as an addendum, it should be amended to read Design Guidelines. This needs to be further reviewed to find any erroneous references to the Character Plan.

Linda Hughes reminded the public that this meeting is now in Work Session mode, for the Board to continue its work on the potential changes to 20.72 sub codes.

Michael Fisher asked why we are even here then, if the public is not permitted to ask questions. As he and Donna Gillespie were latecomers to the meeting, Linda Hughes let them know that the Public Comments session was scheduled at the beginning of the meeting, but in consideration for their input, she offered to re-open Public Comment for the benefit of anyone who felt they missed their opportunity to be heard, and reiterated that following the renewed Public Comment session, the Board would continue with a Work Session as planned.

Michael Fisher was very grateful for the opportunity to address the Board because he had questions about where to take his specific inquiries about this property that lies within a grey area of zoning, between TZ and RI, further noting that the property (which he recently purchased) is apparently non-compliant with zoning but he is in possession of a letter from the County acknowledging the non-compliance of the property but granting approval for use, which he does not plan on changing. (He bought the Roof House and intends to continue in the same business model as existed before the owner became ill and closed the business) David Gellatly recommended that Mr. Fisher visit PDS for attention to his questions about zoning.

Steve Wolff offered that it may be that just the building is non-compliant, and that the land use is compliant, but reiterated David's suggestion to visit PDS, saying they are very helpful at that department.

Linda Hughes added that zoning is a much more comprehensive topic than what we are talking about today, and not one currently scheduled to be discussed by PRCAC. She also said that PRCAC has scheduled the topics for the first six months of the year to help the public with expectations of topics and timelines, but zoning is not yet scheduled, although it has been discussed that it may become necessary to review zoning in the future. She noted that this meeting, and this series of special meetings, is for the sole purpose of discussing WCC codes specific to Point Roberts – building codes and architectural guidelines. She also mentioned to Mr. Fisher that he may be required to come before the PRCAC board in the future if he plans to make any design or structural changes to the current building, as this Board is tasked with the

responsibility of providing recommendations to the County with regard to certain building permits.

With no further Public Comment from the floor, the Board resumed the Work Session as scheduled.

The discussion resumed on 20.72.050. Linda Hughes asked if anyone felt that the STC, specifically 20.61 and 20.64 were so restrictive that they should be reviewed for recommended changes. As these sub codes are county wide and not part of the Point Roberts overlay, the board agreed that we would not seek to make any changes. Therefore 20.72.050 is acceptable in its current form.

20.72.130, relative to Administrative approval uses, addresses the allowances and restrictions of RV's, park model trailers and guest RV's on private lots. It was agreed that 20.72.135 (1) is fine, but 20.72.135(2) needs clarification of "guest" RV, as the (1) refers to "all recreational vehicles" and (2) refers to "any recreational vehicle" but adds the term "guest" RV, restricting its maximum length of stay on a lot to 14 days.

Donna Gillespie spoke out to say that (1) and (2) are in conflict with one another, as one states 14 days and the second refers to 120 days. Linda Hughes responded that the two do not conflict with one another as (1) restricts the stay to 14 days before requiring connection to on-site sewage, and (2) refers to the maximum stay of the RV being 120 days. Linda Hughes also reminded Ms. Gillespie that this is a work session and asked her to submit any further comment she may have in relation to today's discussion to the PRCAC email address Comments@pointrobertscac.org.

Heidi Baxter asked where the comments are posted for the public to see. Linda Hughes responded that at the Regular Meetings of PRCAC, all Correspondence addressed to PRCAC and received since the last Regular Meeting, is reviewed and attached as addendums to the Minutes of that date's Meeting, and posted on the PRCAC Minutes link on the Whatcom County website.

The Board resumed discussion of the sub code in relation to RV's and trailers, with Steve Wolff bringing up the annual fees levied on RV owners to use their own lots for this recreational purpose; his understanding being that the annual fee is somewhere in the neighborhood of \$1,200. Linda Hughes wondered how this fee discussion is relevant to the sub-code discussion and David Gellatly pointed out that although the fees are not expressly identified in these sub-codes, the language definitely refers to "uses permitted subject to administrative approval pursuant to WCC 20.84.235," without identifying entirely what administrative approval might entail.

Steve Wolff said that he has received numerous complaints from people about the annual RV fees, and suggested that we add the topic to the list of things to ask Cliff Strong about.

The board attempted to move onto review of 20.72.135(3), but Donna Gillespie interrupted numerous times with additional comments specific to the discussion. She was asked repeatedly (including by other members of the public) to withhold her comments at this time to allow the

Board to make progress in this work session. Linda Hughes also said that once the Board completes our work sessions relative to these sub codes, the public would have plenty of opportunity to provide further input on any proposed changes this Board comes up with in the course of the work sessions.

The Board attempted to continue the Work Session but Ms. Gillespie interrupted again, saying the Board wasn't hearing her questions or concerns, at which point Mr. Gellatly commented that if we cannot get any work done in the scheduled Work Session, then there is no point to being here, and he left the meeting.

Without a quorum to continue, the meeting was adjourned at 3:40 pm

4. Adjourn