

**Schroader, Kathy**



**From** Orjiako, Oliver  
**Sent** Monday, September 14, 2015 10 15 AM  
**To** Euler, Gordon, Alvarez, Jose  
**Cc** Schroader, Kathy  
**Subject** FW Whatcom County rural lands policy - 5 acres and smaller - For the Public record and DSEIS review

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FYI, and for the PC and the record Thanks

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**From** Carol Levanen [<mailto:cnldental@yahoo.com>]  
**Sent** Saturday, September 12, 2015 11 44 PM  
**To** Stewart, Jeanne, Mielke, Tom, Madore, David, Orjiako, Oliver  
**Subject** Whatcom County rural lands policy - 5 acres and smaller - For the Public record and DSEIS review

Please see

#23 - On September 9 2011 the GMHB order following remand from the Supreme Court found retention of rural zoning with density of one dwelling per 2 acres was compliant with the GMA because it was limited to areas which similar densities had already been established

RCW 36 70A 115 does not impose a needs or capacity analysis for areas outside UGAs - WWGMHB

#30 - does not require a rural lands analysis - Case # 07 2-0025c

# 32 - limited to neighborhoods that have already been substantially developed this will not lead to the 'inappropriate conversion of undeveloped lands into sprawling low density development WWGMHB # 072-0018c Nov 3 2009

#33 - Washington State Supreme Curt - cannot base rural densities on a "bright line" rural density of one dwelling unit per five acres 164 Wn 2d 329 190 P 3d 38 2008

<http://www.whatcomcounty.us/DocumentCenter/View/4376>