May 8, 2013

Property Owner or Current Resident

RE: Joint City Council/ Planning Commission Meeting: Correctional Facility Development Requirements

To Whom it May Concern:

The City is inviting you to two important meetings related to a potential new Whatcom County Jail.

Meeting 1: The City of Ferndale and Whatcom County will hold a “scoping meeting” at 6pm May 16th, at the Horizon Middle School auditorium located at 2671 Thornton Street in Ferndale. This scoping meeting will provide the public with an opportunity to identify topics that should be analyzed in the Supplemental Environmental Impact Statement (SEIS) that will be completed as part of a future development proposal. This scoping meeting takes place before environmental reviews have been initiated, and allows the public to help guide the environmental review from the beginning of the process.

Meeting 2: The City of Ferndale will hold a joint Planning Commission/ City Council meeting to discuss potential modifications to the Ferndale Municipal Code related to the development of Essential Public Facilities, specifically Correctional Facilities, in the City. The Ferndale Planning Commission held a public workshop in March to discuss potential modifications to the Ferndale Municipal Code on this subject. The joint meeting will be held at 6 p.m. Wednesday, May 22, at the Whatcom Educational Credit Union (WECU) conference room, 5659 Barrett Rd.

The joint meeting is designed to provide information and options related to development regulations for Correctional Facilities. The meeting will also help the City Council provide direction to staff and the Planning Commission on areas of focus when reviewing these regulations. The public is invited to attend this meeting. No application has been submitted to the City, and no final amendment to the Municipal Code will be approved. You are receiving this letter as the City of Ferndale examines its existing regulations concerning this type of facility.

Washington State prohibits jurisdictions from creating land use controls (zoning) that would ban construction of an “Essential Public Facility” such as a jail or a hospital. (RCW
36.70A.200 (5): “No local comprehensive plan or development regulation may preclude the siting of essential public facilities”). However, the State does allow jurisdictions to develop reasonable regulations to mitigate impacts of those facilities; to identify design standards; and to describe the jurisdiction's expectations if such facilities are proposed.

Please note neither the Planning Commission or the City Council will consider a specific jail proposal, even if such a proposal is made. That will be the responsibility of the Ferndale Hearing Examiner following a project-specific public hearing. The consideration of specific development proposals is an entirely different process from the zoning text amendment(s) that may be considered in the coming months.

The City is working closely with Whatcom County to develop a better understanding of a potential correctional facility and impacts it would have in Ferndale. All parties recognize the concerns of neighbors and are committed to an open process.

All parties also understand that the zoning review, which is the subject of the joint meeting on May 22, is one part of the review that may take place, should a correctional facility be proposed. **If you wish to comment on potential amendments to the Ferndale Municipal Code, please attend the May 22 meeting.** The scoping meeting on May 16 represents a second component of this process, and invitations to that meeting are being distributed by Whatcom County. **If you wish to comment on the upcoming SEIS, please attend the May 16th meeting.** Should a development be proposed, a third process (the actual review process) will become necessary, and will include at least one additional public hearing before the Ferndale Hearings Examiner. Of course, you are invited to attend both/all meetings if you wish.

The City has developed a webpage that acts as a clearing house for information concerning this zoning process. This page will be accessible from the City’s homepage at www.cityofferndale.org and will also include links to Whatcom County’s Jail Planning webpage (http://www.whatcomcounty.us/jailsiting/index.jsp).

If you have additional questions, please do not hesitate to contact me at (360) 685-2367, or via email at joriburnett@cityofferndale.org.

Sincerely,

Jori Burnett
Community Development Director, City of Ferndale