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September 24, 2019

Mr. Rud Brown, Council Chair
Ms. Barbara Brenner
Mr. Barry Buchanan
Mr. Tyler Byrd
Mr. Todd Donovan
Ms. Carol Frazey
Mr. Satpal Sidhu

DISTRIBUTED TO
JAN 25 2019
ALL COUNCIL MEMBERS
WHATCOM COUNTY COUNCIL

Re: County Council Agenda Item
For Tuesday, January 29, 2019, Meeting
An Emergency Ordinance Regarding Temporary Installation of Stop Signs
On Certain County Roads

On September 25, 2001, the Whatcom County Council unanimously voted and closed Cottonwood Drive, to vehicular traffic for **safety** reasons: "Whereas the existing road is narrow, with a substandard sharp ["blind", as described by the Sheriff] road curve, and a steep road grade" with absolutely no shoulder, no guard rail along the deep ravine that runs along the north side of the road, and no lighting. (See Ordinance 2001-043.)

Now, the County Engineers have opened Cottonwood Drive for "**safety**" reasons. See Ordinance currently proposed.

Morgan Drive residents have asked, "**Why is our safety less of a concern** than the people for whom this ordinance is being proposed." "The emergency is over. It is just a convenience to drive up Cottonwood Drive."

PETITION: The Morgan Drive residents respectfully request that the County Council close Cottonwood Drive as soon as possible, and look for expedient solutions to temporarily fix Birch Bay Drive --- possibly a gravel road ---- until the Berm is in place, which may not be constructed for months. See attached Morgan Drive residents' statements and signatures concerning this matter. Additional signatures will follow.

The Morgan Drive residents are extremely concerned about the Engineering Department's proposed ordinance for the "emergency" opening of Cottonwood Drive

The Morgan Drive residents' major concerns about the reopening of Cottonwood Drive are as follows:

1. SAFETY

Residents have witnessed traffic going up and down Cottonwood Drive, as well as Birch Bay Drive. Cottonwood Drive is only open for one-way traffic coming up the hill. There is very clear signage indicating that the road is closed going down Cottonwood Drive, but people still chose to drive around the cement barrier, risking hitting a car coming up the steep hill going onto a narrow, substandard road. Cottonwood Drive never had any divider lanes painted on the road so that people had more a safety guide line as to where their vehicle should be as it turns onto or off of Cottonwood Drive.

The reason for the inadequacies of County road standards on Cottonwood Drive is that it was originally a walking pathway for residents and children on Morgan Drive to access the beach, as noted by a Sheriff patrolling the area two weeks ago when he drove up Cottonwood Drive and asked, "When did this become a road?" Please see footnote 1 below.

For 18 years Morgan Drive residents, their families, and guests have enjoyed the closure of Cottonwood Drive, and SAFELY walk daily with their children, grandchildren, and dogs to and from the beach. And when it snows, children safely sled down the hill.

Also, for 18 years the Morgan Drive residents and guests have not expected traffic to be coming up from Cottonwood Drive. The signage clearly states that one cannot turn from Morgan Drive onto Cottonwood, but there is absolutely no signage to expect traffic to come up from Cottonwood.

This is a problem since drivers notoriously run stop signs in this area of Birch Bay. There should at least be a traffic revision sign like has been posted in other areas of the County. Yes, it may not be a permanent change, but it is a critical **safety** issue.

The County Engineer has assured us that the Sheriffs will be increasing patrol of this area. The Engineering Department's answer to this escalation of traffic violations problem that they have created is to pass the problem on to the Sheriff's office to step up with more enforcement. The Sheriff's department is currently understaffed with a large county to patrol dealing with such problems as drug trafficking, domestic assault, accidents, DUIs, and other more immediate concerns.

The Sheriff's Department only has five designated traffic officers and a large county in which to enforce the laws. The traffic officers usually patrol during the day and the residents on Morgan Drive have noted violations after dark. The traffic officers focus on school zones, and rightly so, and morning and evening rush hour traffic.

Our society has a growing number of citizens who have a sense of entitlement and believe that the traffic rules do not apply to them. Drivers with this attitude will continue to violate the traffic laws. I encounter a gray-haired lady who brazenly admitted she drove the wrong way down Cottonwood Drive, and that she saw the clearly posted signs, and she defiantly said to me, "Go ahead and ticket me!" This type of driver, who refuses to obey the traffic laws, is the very reason why Cottonwood Drive was closed 18 years ago.

2. Summer Traffic

Traffic studies when I was on the Birch Bay Planning Committee in the late 1990's indicated that the volume of traffic tripled at Birch Bay during the summer. Morgan Drive residents are very concerned about the increase of traffic on Cottonwood Drive this summer. Please note that the traffic count for Cottonwood Drive in November 2000, was 1,700 cars a day. As soon as the word gets out, especially to the residents in Birch Bay Village, there will be significantly more traffic going up and down Morgan Drive to get to the freeway or back home --- driving the wrong way down to Birch Bay Drive.

3. Closure of the Road After the Emergency is Over

In spite of the Traffic Officer's assurances that Cottonwood Drive will be closed, there is concern that it will not, in reality, happen. The original drafted ordinance had, what the Morgan Drive residences consider, a glaring omission: the stop signs would be removed, but Cottonwood Drive was not designated to be closed when the emergency was over. The Revised Ordinance still states that the road will be closed, per "further direction of the County Engineer and as set forth in Ordinance No. 2001.043."

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Citizens are concerned about the wording of "further direction of the County Engineer".

RCW 36.32.120 authorizes legislative authorities of counties to "(2) Lay out, discontinue, or alter county roads, " This authority would allow that Engineering department in the future per petition the County Council to make a permanent change to allow a one way street on Cottonwood Drive or otherwise open Cottonwood Drive again. Residents want assurances that this will not happen and that Cottonwood Drive will be closed permanently. See footnote 2.

If the County Council chooses to not close Cottonwood Drive, we request that the some **common sense safety issues** be put in place. The speed limit should be lowered on Morgan Drive.

Morgan Drive previously had a lower speed limit because of the traffic turning around the sharp, blind corner onto Cottonwood Drive. Since drivers are still turning on that road and it is a blind corner, AND the Sheriff's officers cannot be there 24/7, it seems that it is COMMON SENSE to lower the speed limit to limit accidents.

Residents are also concern about big, heavy, construction trucks going up and down Cottonwood Drive once repairs begin on Birch Bay Drive. Residents are concerned about this as summer approaches because the narrow road is not wide enough for children and construction trucks, and the road most likely won't bear constant overweight truck traffic.

Important Footnotes

Footnote 1. Plat maps.

The County Engineers will argue that Cottonwood Drive is on the plat map.

I researched some County Plat Maps in the Birch Bay area along or near the Bay many years ago. It was very interesting.

Some plat maps have been revised with no history of the revision and without the original plat map preserved. Mrs. Smith, the original owner of the plat for the Holiday Shores resort, now deceased, was extremely adamant that the County put the road in the wrong place, and she immediately went back into

her home to retrieve her copy of original plat map to verify her statement. But, it seems that after the County Engineers do whatever they want to do in their in their esteemed wisdom, there is no changing what they have done,

There are plat maps that have roads starting at Terrell Creek, crossing one property, crossing Birch Bay Drive, and then crossing the property on Birch Bay. No one drives from Terrell Creek to Birch Bay!

There are plat maps that clearly state that the easement is only for beach access for the residents that live on the Terrell Creek side of Birch Bay Drive, and the County Engineers have, at some point, made the access for all public.

We found a road for which there is no authorization anywhere on record to build that road, and we researched back to the year before Washington became a state, 1888.

In the 1960's our family stayed at Idlesse Resort which is along Birch Bay Drive and Cottonwood Drive. As a child, one never worried about vehicle traffic on Cottonwood Drive. I remember when we walked up Beachway to go to a Gift Shop, the Doll House, we had to watch for cars, or up Deer Trail.

Cottonwood may be on the plat map, but was never engineered as a road that meets county standards, thus all the inadequacies and safety issues.

Footnote 2.

The lack of trust of the County Engineers statements and reassurances are based upon dealing with the County Engineers to get Cottonwood Drive closed the first time.

For example, a stop sign was proposed at the top of Cottonwood Drive in 2000. The engineers told us that a stop sign could not be placed there because Cottonwood Drive was **too steep** to put a stop sign there.

What is at the top of Cottonwood Drive now? A stop sign!! I remember the engineers saying that because I thought at that time, "Haven't they been to Seattle or San Francisco, which have steep streets?"

Cathy

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CATHY CLEVELAND
4691 MORGAN DRIVE

Morgan Drive Residents'
Signatures for Petition to
County Council 1/29/19

Petition for the immediate closing of NE Corner intersection of Morgan Drive and Cottonwood

I, the undersigned request that the NE corner intersection of Morgan Drive and Cottonwood be closed immediately due to "safety concerns to the public" in our residential area. Due to safety concerns, re additional traffic through my residential area and no safe walking accessibility down to the Drive on Cottonwood.

Name: DALIA DE JESUS Address: 4928 Morgan DR Blaine WA 98230

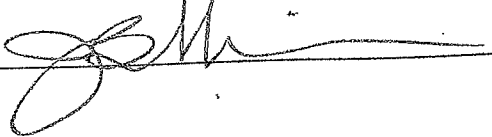
Signature: dalia de Jesus Date: 19 January 19

Additional Comments: I am a daily walker and it is very dangerous walking through Cottonwood to go to my home on Morgan Drive. There are no lights on road and cars/trucks are disobeying the "do not enter" signs on Morgan Drive. Twenty miles per hour signage on Cottonwood - if remains open - it should be 10 MPH or less

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Name: JEFFREY B. MILLER Address: 4935 MORGAN DRIVE

Signature:  Date: 21 JAN. 2019

Additional Comments: I FULLY SUPPORT YOUR POSITION. LET ME KNOW IF I CAN HELP IN ANY WAY.

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Name: Kathryn O'Connor Address: 4991 Morgan Dr.

Signature: Kathryn O'Connor Date: Jan. 24, 2019

Additional Comments: _____

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Name: Pam & Jim Runciman Address: 4962 Morgan Dr ^{Blaine}

Signature: JRunciman Date: 01-20-19

Additional Comments: Close the Road! PLEASE!
