

**RECORD OF PROCEEDINGS OF THE
WHATCOM COUNTY PLANNING COMMISSION
April 11, 2019**

Regular Meeting

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1 **Call to Order**

2 The meeting was called to order, by Whatcom County Planning Commission Chair,
3 Kelvin Barton, in the Whatcom County Northwest Annex at 6:30 p.m.

4 **Roll Call**

5 Present: Natalie McClendon, Robert Bartel, Kimberley Lund, Gary Honcoop, Jon
6 Maberry, Kelvin Barton, Atul Deshmane
7 Absent: Stephen Jackson, Dominic Mocerri

8 **Staff Present**

9 Matt Aamot, Mark Personius, Ashley Ubil

10 **Department Update**

11 Mark Personius updated the Commission on the following:
12 Ryan Ericson and Cliff Strong will be meeting with the Department of Ecology on April
13 18th regarding the wetland buffer amendments.
14 The County Council approved the Cherry Point contract with Cascadia Law Group to
15 come up with comprehensive plan language.
16 Council member Donovan requested an update on the wind energy systems ordinance.
17 There is no plan update to regulate wells for the 6091 Hirst well decisions. The
18 Department of Ecology issued a preliminary draft. The deadline to adopt the rule is
19 August 2020. There are three upcoming public meetings to discuss the proposed
20 changes.

21 **Open Session for Public Comment**

22 There was no public comment.

23 **Commissioner Comments**

24 There were no commissioner comments.

25 **Approval of Minutes**

26 **Commissioner Lund moved to approve. Commissioner Bartel seconded. The**
27 **motion carried (ayes-4, nays-0, abstain-2).**

28 There was some discussion as to whether the minutes could be approved without 5
29 ayes. After the meeting, it was confirmed that minutes can be approved with majority
30 vote, rather than needing 5 ayes.

31 Commissioner Deshmane arrived at 6:47 p.m.

32 **Public Hearing**

33 **File #PLN2019-00009: Public Participation Plan**

34 Matt Aamot presented the staff report.

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1 The Growth Management Act (GMA) requires counties to develop public participation
2 programs for comprehensive plan and development regulation amendments. The
3 Whatcom County Council approved the 2018 Public Participation Plan last May, after
4 review by the Planning Commission. The County is now updating that plan. The Plan
5 classifies proposed comprehensive plan and development regulation amendments as
6 levels 1, 2, or 3.

7 **Level 1:** Requires a staff report, notice in the newspaper, posting the proposal
8 on the website, and sending it to the County's e-mail list. It also requires two
9 public hearings, one before the Planning Commission and one before the County
10 Council, prior to final Council adoption.

11 **Level 2:** Requires all Level 1 processes, plus developing alternatives (when
12 appropriate) and review by an advisory committee, agency, or appropriate city.

13 **Level 3:** Requires all Level 2 processes, plus a town hall meeting. These
14 meetings are typically in an informal setting.

15 Proposed changes from last year's plan are shown by underlines and strikethroughs.
16 Some of the changes are included on pages 2-2 and 4-5. Page 4-5 includes adding the
17 Shoreline Management Program (SMP) Update. State law requires updating SMP by
18 June 2020 and every 8 years after. The SMP update is scheduled between the last
19 Comprehensive Plan update in 2016 and the next Comprehensive Plan update in 2024.
20 The County has hired a consultant to assist with the SMP update. Starting on page 2-2
21 and 4-2, the new docketed amendments have been inserted. County Council initiated
22 these amends for review under resolution 2019-015. There are 7 new items:

- 23 (1) Mineral Resource Expansion on Breckenridge Road
- 24 (2) Lummi Island Ferry Amendments which the Planning Commission
25 considered in January 2019
- 26 (3) Density Credit Zoning Amendments
- 27 (4) General category for code amendments
- 28 (5) Point Roberts Subarea Plan and Special District
- 29 (6) Surface Mining Pipeline Buffers
- 30 (7) Surface Mining of Dry Meander Zones

31 Some of the other listed projects are from previous years, some of which may have
32 been updated. Some previously initiated amendments were deleted because they were
33 either completed or no longer relevant.

34 Commissioner McClendon asked if there were any judgement calls that were made
35 regarding which level each project falls under and if they are all in the appropriate
36 levels.

37 Mr. Aamot responded that most projects are in the Level 1 category, which is the basic
38 process. On page 4-5 there are some Level 3 projects. The surface mining projects will
39 go through the MRL County process with the Surface Mining Advisory Committee. The
40 SMP update falls into the Level 3 category and the consultant on the project will be
41 developing a more detailed Public Participation Plan for that project.

42 Mr. Personius stated that the Surface Mining Advisory Committee has had issues with
43 turnover on the committee due to the way the ordinance was written. This has caused
44 delays in meetings and difficulties with project completion. Whatcom County staff will
45 be taking amendments to County Council regarding changes to the ordinance.

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- 1 The hearing was opened to the public.
- 2 There was no public testimony.
- 3 The public hearing was closed.
- 4 Commissioner Honcoop asked if the Level 1 projects were listed in order of priority.
- 5 Mr. Aamot stated no, they are listed in reverse chronological order.
- 6 Commissioner Honcoop asked what the status of the Bellingham Development
7 Standards (PLN2013-00003) is.
- 8 Mr. Aamot stated that Whatcom County and the City of Bellingham have had back and
9 forth discussions on the matter and the County is currently waiting for the City of
10 Bellingham to provide proposed standards to the County.
- 11 Commissioner Lund stated that the phrase "A one-size-fits-all approach to this public
12 participation plan for all of these very different types of issues would not be effective
13 and would do a disservice to the residents of Whatcom County" is editorializing and
14 does not serve the document. She feels that those statements are unnecessary and
15 more of an opinion than a fact.
- 16 Mr. Aamot stated that the reason those statements were included was to provide a
17 basis for the three different levels of projects.
- 18 Commissioner Deshmane stated that he agrees with Commissioner Lund that those
19 statements are more editorial than needed.
- 20 **Commissioner McClendon moved to approve the public participation plan.**
- 21 **Commissioner Honcoop seconded.**
- 22 Commissioner Deshmane asked if the level of the project can be increased if needed
23 depending on community response.
- 24 Mr. Aamot stated yes.
- 25 Mr. Personius stated that the classifications are not mutually exclusive and can change
26 based on the comments received and other factors.
- 27 Commissioner McClendon stated that the wind energy amendments would be better
28 categorized under Level 2 based on past experiences with the wind energy topics.
- 29 **Commissioner McClendon moved to amend her original motion, moving D11:
30 Wind Energy System Amendments to a Level 2 category.**
- 31 **Commissioner Lund seconded.**
- 32 Commissioner Honcoop stated that he is against moving the wind energy amendments
33 to a Level 2 category because he does not think it will be moving ahead for a period of
34 time. He also stated that D12: Cherry Point Amendments is listed under Level 1. He
35 realized that he was looking in the wrong section, D12 is actually categorized in Level
36 3, and requested to retract his comment.
- 37 Commissioner Deshmane stated that he is against moving the wind energy
38 amendments to a Level 2 category because he would like the process to go smoothly
39 and quickly. On the other hand, the topic needs to be properly addressed, so he

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1 changed his decision to be in favor of moving the wind energy amendments to a Level
2 2 category.

3 Commissioner Honcoop discussed the past history of the Wind Energy Systems
4 Amendments and the difficulties in agreement with public opinion.

5 Commissioner Deshmane stated that the Climate Impact Advisory Committee has been
6 focusing on wind energy. The group stated that the barriers need to be eliminated first,
7 but that there was an overwhelming enthusiasm regarding the discussion of wind
8 energy.

9 Commissioner McClendon stated that when the original issue of wind energy came up,
10 there were pending applications with Whatcom County. One was on top of Squalicum
11 Mountain that was retracted because it was difficult to go through the permitting
12 process in Whatcom County.

13 Commissioner Honcoop stated that there were studies done in Whatcom County
14 regarding the feasibility of wind energy in Whatcom County. He asked Mr. Personius if
15 the County had any information on the results study.

16 Mr. Personius stated that he was unsure about the results.

17 Commissioner Barton stated that there are two motions on the floor and would like to
18 return to the amendments.

19 (Restated motion for vote count) **Commissioner McClendon moved to amend her**
20 **original motion, moving D11: Wind Energy System Amendments to a Level 2**
21 **category. Commissioner Lund seconded. The motion carried (ayes-5, nays-1,**
22 **abstain-1).**

23 (Restated motion for vote count)

24 **Commissioner McClendon moved to approve the public participation plan.**

25 **Commissioner Honcoop seconded.**

26 **Roll Call Vote: Ayes-Deshmane, Honcoop, Lund, Maberry, McClendon, Bartel,**
27 **Barton; Nays-0; Abstain-0. The motion carried.**

28 Commissioner McClendon asked Mr. Personius if the annexation of the Alderwood
29 neighborhood in Bellingham will come to the Planning Commission for discussion.

30 Mr. Personius stated no, not directly. The city staff was hoping to come to the County
31 Council in the fall. Mr. Personius asked Mr. Aamot if this would go into effect next April.

32 Mr. Aamot stated that he did not attend the meeting, but assumes it would be effective
33 in April 2020.

34 Commissioner McClendon stated that the City of Bellingham staff estimated that it
35 would take about 12-18 months.

36 Commissioner Honcoop asked if there will be a petition of the land owners.

37 Mr. Personius stated that there are multiple approaches.

38 Commissioner Honcoop stated that it will likely take place in two phases.

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- 1 Mr. Aamot stated the phase one is complete and became effective April 1st, 2019.
- 2 Mr. Personius stated that the larger area is the Alderwood School and residential areas.
- 3 Commissioner Honcoop asked if the maps in GIS are updated.
- 4 Mr. Aamot stated yes.
- 5 The meeting was adjourned at 7:11 p.m.
- 6 Minutes prepared by Ashley Ubil.

7 WHATCOM COUNTY PLANNING COMMISSION ATTEST:

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Kelvin Barton, Chair



Ashley Ubil, Secretary