

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54

WHATCOM COUNTY COUNCIL  
**Planning and Development Committee**

December 8, 2009

Committee Chair Laurie Caskey-Schreiber called the meeting to order at 3:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

Present:

Carl Weimer

Absent:

None

Also Present:

Barbara Brenner

Seth Fleetwood

**COMMITTEE DISCUSSION AND RECOMMENDATIONS TO COUNCIL**

1. ~~CONSIDERATION OF HEARING EXAMINER'S RECOMMENDED APPROVAL OF DEVELOPMENT AGREEMENT PREPARED BY BIRCH BAY BIBLE COMMUNITY CHURCH AND WHATCOM COUNTY PLANNING & DEVELOPMENT SERVICES, IN CONSULTATION WITH THE WASHINGTON STATE DEPARTMENT OF ECOLOGY AND THE U.S. ARMY CORPS OF ENGINEERS RELATED TO CUP2007-0003 (AB2009-454)~~ RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT BETWEEN WHATCOM COUNTY AND BIRCH BAY BIBLE COMMUNITY CHURCH AS RECOMMENDED BY THE HEARING EXAMINER (AB2009-454)

Brenda Wilson, Planning and Development Services Department, gave a staff report.

The following people spoke:

- Phil Serka, Attorney for Birch Bay Bible Community Church, stated the State Department of Ecology section 404 issued the permit. The Corps of Engineers also approved. There has been no opposition to the request. The Hearing Examiner also recommends approval. The Birch Bay community, County staff, and other agencies are very supportive.

*Weimer moved* to recommend approval to the full Council.

The motion carried by the following vote:

**Ayes:** Caskey-Schreiber and Weimer (2)

**Nays:** None (0)

2. **ORDINANCE AMENDING WCC 20.94, "ENFORCEMENT & PENALTIES" TO CEASE ISSUING CITATIONS AND INSTEAD ISSUE ADMINISTRATIVE CIVIL PENALTIES (AB2009-447)**

Suzanne Bosman, Planning and Development Services Department, gave a staff report. She submitted photos and described violations (*on file*).

Discussion included targeting the worst cases; cleaning up other problems when they clean up zoning code violations; whether they can do anything different regarding private off-road vehicle use; drafting an interim ordinance to not allow any more off-road vehicle use privately, and; whether anyone testified against this at the Planning Commission hearing or expressed opposition.

1  
2 Brenner stated amend the fifth Whereas statement, "...text amendment will better  
3 protect public health..." They are already doing things to protect public health. This is an  
4 amendment to make it better.

5  
6 **Weimer moved** to amend the fifth Whereas statement, "...text amendment will  
7 better protect public health..."

8  
9 The motion to amend carried by the following vote:

10 **Ayes:** Caskey-Schreiber and Weimer (2)

11 **Nays:** None (0)

12  
13 **Weimer moved** to correct a scrivener's error in finding number 7, "The text  
14 amendment with will provide..."

15  
16 The motion to amend carried by the following vote:

17 **Ayes:** Caskey-Schreiber and Weimer (2)

18 **Nays:** None (0)

19  
20 **Weimer moved** to recommend approval as amended to the full Council.

21  
22 The motion to recommend approval as amended carried by the following vote:

23 **Ayes:** Caskey-Schreiber and Weimer (2)

24 **Nays:** None (0)

25  
26  
27 **OTHER BUSINESS**

28  
29 There was no other business.

30  
31  
32 **ADJOURN**

33  
34 The meeting adjourned at 3:30 p.m.

35  
36  
37  
38 Please contact the Council Office to obtain an  
39 official, signed copy:  
40  
41 360-676-6690 or council@co.whatcom.wa.us  
42  
43  
44  
45

46  
47 \_\_\_\_\_  
48 Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Laurie Caskey-Schreiber, Committee Chair