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WHATCOM COUNTY COUNCIL
Planning and Development Committee

June 8, 2010

CALL TO ORDER

Committee Chair Bill Knutzen called the meeting to order at 2:30 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Ken Mann, Bill Knutzen and Barbara Brenner

Absent: None

Also Present: Carl Weimer and Sam Crawford

COMMITTEE DISCUSSION AND RECOMMENDATIONS TO COUNCIL

1. **REQUEST APPROVAL FOR THE COUNTY EXECUTIVE TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND THE CITY OF BELLINGHAM FOR ANNEXATION OF APPROXIMATELY 174 ACRES (KNOWN AS THE BENNETT/BAKERVIEW/AIRPORT DRIVE ANNEXATION) (AB2010-234) (2:35:49 PM)**

Kate Blystone, Planning and Development Services Department, gave a staff report and stated the City is doing an annexation. There are issues with traffic on Bakerview Road. The City is doing a traffic study.

Discussion included the lack of an interlocal agreement for annexations; when project reimbursement is due, and; developing a new interlocal agreement for annexations with the City of Bellingham.

Mann moved to recommend approval to the full Council.

The motion carried by the following vote:

Ayes: Mann, Knutzen and Brenner (3)

Nays: None (0)

2. **CONSIDERATION OF HEARING EXAMINER'S RECOMMENDED APPROVAL OF A PLANNED UNIT DEVELOPMENT AND PRELIMINARY BINDING SITE PLAN, FILED BY THE PORT OF BELLINGHAM FOR "BELLINGHAM INTERNATIONAL AIRPORT" (PUD2008-0001) (BSP2008-0003) (AB2010-224) (2:41:44 PM)**

Brenner moved to recommend approval to the full Council.

Matt Aamot, Planning and Development Services Department, gave a staff report.

The following person answered questions:

- Sylvia Goodwin, Port of Bellingham

1 Discussion included the residential use; the location of the property and the
2 residential use; structures that would be too tall to be located around the airport; the type
3 of proposed buffer; a laser surgery center in an area designated for airport-dependent and
4 airport-related light industrial and commercial uses compatible with airport operations;
5 water and sewer agreement; potential impacts to a possible jail site; the status on
6 annexation of this property, and; impact fees will be paid.
7

8 The motion carried by the following vote:

9 **Ayes:** Knutzen and Brenner (2)

10 **Nays:** Mann (1)

11
12 **3. ORDINANCE AMENDING WHATCOM COUNTY CODE, TITLE 20, TO REDUCE**
13 **DEVELOPMENT POTENTIAL IN ZONING DISTRICTS WITHIN THE LAKE**
14 **WHATCOM WATERSHED (AB2010-185) (2:57:34 PM)**

15
16 Tyler Schroeder, Planning and Development Services Department, gave a staff report
17 and answered questions.
18

19 Discussion included additional paperwork; whether property owned by Paul Isaacson
20 is in the watershed boundary; using a Council of Governments (COG) map of the boundary;
21 and a US Geological Survey (USGS) map; adhering to the map the County gave Mr.
22 Isaacson that showed his property was not in the watershed, and; developing a transfer of
23 development rights (TDR) program as a solution.
24

25 **Brenner moved** to recommend to the full Council tabling this issue.
26

27 The motion carried by the following vote:

28 **Ayes:** Mann, Knutzen and Brenner (3)

29 **Nays:** None (0)
30

31 Paul Isaacson, citizen, stated he understands he is facing some type of downzone.
32 The TDR's are worthless, but he hopes that is going to change. The maps are the worst
33 maps and are inaccurate. He uses his property as timber credit line. When the zoning
34 changes, the perceived value of his property changes. Remain with the COG map. Require
35 an engineered study at the time of development, not now. He bought his property based on
36 information from the Planning Department. Now the rules have changed.
37

38 **Brenner moved** to add language, "Properties that were in the original COG map,
39 that have now changed, for purposes of mapping, until or unless there is development, shall
40 remain with that COG map." If any property is questioned because the map has changed,
41 the County would adhere to the original COG map until or unless development is proposed.
42 At that time, there would be an engineered study at the expense of the owner.
43

44 Mann asked about Mr. Isaacson's proposal and extending the moratorium for six
45 months. Isaacson stated he has always supported the moratorium. He supports the
46 moratorium. He is not doing a development at this time. He prefers to use the COG map
47 and develop a TDR program that works.
48

49 Knutzen stated the issue has been tabled.
50

51 **4. ORDINANCE AMENDING WHATCOM COUNTY CODE, TITLE 20, TO CLARIFY**
52 **AND REVISE THE DEFINITION AND STANDARDS OF HOME OCCUPATIONS**
53 **(AB2010-047) (3:31:29 PM)**

1
2 Wain Harrison, Planning and Development Department, gave a staff report and
3 stated he was out of town last meeting and there was confusion as to which way to go. He
4 would like to provide a copy of amendments proposed by Tyler Schroeder. He has not seen
5 Ms. Brenner's amendments.
6

7 **Brenner moved** to recommend adoption to the full Council of the version in the
8 Council packet. She will propose amendments. She **moved** to amend 20.84.150(6)(1)(a)
9 in the Council packet, so the language should be, "On a lot of record less than one acre; two
10 commercial vehicles, each of which shall not exceed 105,500 lbs. gvw." Heavy equipment
11 should be separate.
12

13 The motion carried by the following vote:

14 **Ayes:** Mann and Brenner (2)

15 **Nays:** Knutzen (1)
16

17 **Brenner moved** to amend section 20.84.150(6)(1)(a) from the amendment just
18 made. The language should be, "On a lot of record less than two acres; two commercial
19 vehicles, each of which shall not exceed 105,500 lbs. gvw."
20

21 The motion carried by the following vote:

22 **Ayes:** Mann and Brenner (2)

23 **Nays:** Knutzen (1)
24

25 **Brenner moved** to amend:

- 26 • completely delete 20.84.150(6)(1)(c) and 20.84.150(6)(1)(d)
- 27 • amend 20.84.150(6)(1)(b) so the language says, "On a lot two acres or
28 greater; one commercial vehicle shall be allowed for each acre, up to ten
29 vehicles, regardless of weight."
30

31 The motion carried by the following vote:

32 **Ayes:** Knutzen, Mann and Brenner (3)

33 **Nays:** None (0)
34

35 **Brenner moved** to amend 20.84.150(2) so it should say, "The vehicles shall not be
36 stored within any required rights-of-way areas of the lot or adjacent roadways and shall be
37 adequately screened from adjacent neighboring residences or roadways."
38

39 Tyler Schroeder, Planning and Development Services Department, stated rights-of-
40 way and setbacks are completely different things.
41

42 The motion failed by the following vote:

43 **Ayes:** Brenner (1)

44 **Nays:** Knutzen and Mann (2)
45

46 **Brenner moved** to amend 20.84.150(3) so the language should be, "In all zones
47 except EI, UR, URM and URMX, home occupations shall not exceed a total of 1250 square
48 feet of new building floor area, whether located in the dwelling, accessory structure(s) or
49 combination thereof. There is no square footage limit inside accessory structures that
50 existed at the time of adoption of this ordinance; however, there shall not be new square
51 footage in addition to existing square footage that would bring the total to greater than
52 1250 square feet. In the EI, UR, URM, and URMX zones home occupation shall not exceed a

