

RECORD OF PROCEEDINGS OF THE  
**WHATCOM COUNTY PLANNING COMMISSION**

1

October 22, 2009

Regular Meeting

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1 **Call To Order:** The meeting was called to order, by Whatcom County Planning  
2 Commission Chair, Jean Melious, in the Northwest Annex Conference Room at 6:35 p.m.

3  
4 **Roll Call**

5 Present: Jean Melious, Ken Mann, Sean Wilson, John Lesow, John Belisle, John Steensma  
6 Hunter in attendance at 6:45 p.m.

7 Absent: Geoff Menzies, Rabel Burdge  
8

9 **Staff Present:** David Stalheim, Wain Harrison, Matt Aamot, Erin Osborn, Rebecca Craven  
10 – Council Office, Becky Boxx  
11

12 **Director's Dialog**

13  
14 Director Stalheim updated the Commission with the County Council schedule regarding  
15 the Rural Element and the update to the UGAs. He also outlined the items that will be  
16 before the Planning Commission in 2010.  
17

18 **Open Session for Public Comment**

19  
20 Dominique Zervas, Whatcom County: Felt there was not enough time for the Commission  
21 and the public to review the UGA findings they had received earlier in the day.  
22

23 **Commissioner Comments**

24  
25 Lesow stated he had attended the hearing regarding the Fairhaven Highlands EIS as a  
26 private citizen, not a Planning Commission. The contents of his comments were submitted  
27 into the record.  
28

29 Steensma spoke of an article in the Lynden Tribune in which the Lynden City Council  
30 spoke unfavorably about the County UGA process.  
31

32 Melious distributed an article on Transferable Development Rights. She also thanked  
33 Director Stalheim his work on the UGA process.  
34

35 **Approval of Minutes**

36  
37 September 8, 2009: Lesow made a change to page 1, line 25 to read: ...regarding water  
38 ~~commissioners districts~~. Wilson moved to approve the minutes as amended. Mann  
39 seconded. The motion carried.  
40

41 September 17, 2009: Wilson moved to approve the minutes as presented. Lesow  
42 seconded. The motion carried.  
43

44 September 24, 2009: Lesow moved to approve the minutes as presented. Wilson  
45 seconded. The motion carried.  
46

47 October 1, 2009: Lesow moved to approve the minutes as presented. Wilson seconded.  
48 The motion carried.

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1 **Public Hearings**

2

3 Open Space Applications

4

5 *Prestlien-Open Space Timber*

6

7 Staff has given this application a revised because of information recently obtained that  
8 indicates it may not meet the qualifications for the open space program. Because of the  
9 safety buffer, of 150 feet, around the house, staff has determined it does not meet the  
10 minimum acreage requirements.

11

12 The hearing was opened to the public.

13

14 Terry Prestlien, the property owner, stated they followed the requirements in order to  
15 apply for open space. The issue of the buffer was never brought up until recently. Feels  
16 the timber buffer is unnecessary and the application should be approved.

17

18 Belisle moved to deny the application. Mann seconded. The motion carried.

19

20 *Congregation Beth Israel-Open Space Land*

21

22 Staff recommended approval.

23

24 The hearing was opened to the public.

25

26 Karen Sloss, a representative of Congregation Beth Israel, stated that the City of  
27 Bellingham was granted a conservation easement on the land.

28

29 Lesow moved to approve the application. Hunter seconded. The motion carried.

30

31 *McMinn-Open Space Land*

32

33 Staff recommended approval.

34

35 The hearing was opened to the public.

36

37 Steve McMinn, the property owner, spoke on the merits of the application.

38

39 Mann moved to approve the application. Wilson seconded. The motion carried.

40

41 *Marsh-Open Space Land*

42

43 Staff recommended approval.

44

45 The hearing was opened to the public.

46

47 Doug Marsh, the property owner, spoke on the merits of the application.

48

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- 1 Lesow moved to approve the application. Wilson seconded. The motion carried.  
2  
3 *Jenkins- Open Space Land*  
4  
5 Staff recommended approval.  
6  
7 The hearing was opened to the public.  
8  
9 Liz Jenkins, the property owner, spoke on the merits of the application.  
10  
11 Lesow moved to approve the application. Wilson seconded. The motion carried.  
12  
13 *Olson-Open Space Farm and Agricultural Conservation Land*  
14  
15 Staff recommended approval.  
16  
17 The hearing was opened to the public.  
18  
19 Sherry Olson, the property owner, answered Commission questions about the use of the  
20 land.  
21  
22 Mann moved to approve the application. Lesow seconded. The motion carried.  
23  
24 *Lann-Open Space Timber Land*  
25  
26 Staff recommended approval.  
27  
28 The hearing was opened to the public.  
29  
30 Mark Lann, the property owner, spoke of the merits of the property.  
31  
32 Lesow moved to approve the application. Belisle seconded. The motion carried.  
33  
34 *Burnett- Open Space Land*  
35  
36 Staff recommended approval.  
37  
38 The hearing was opened to the public.  
39  
40 There was no public comment.  
41  
42 Lesow moved to approve the application. Mann seconded. The motion carried.  
43  
44 *Maier-Open Space Land*  
45  
46 Staff recommended approval.  
47  
48 The hearing was opened to the public.

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- 1 There was no public comment.  
2  
3 The Commission discussed the reason for giving this application an increased public  
4 benefit rating due to additional information about greater opportunities for public access  
5 and recreation provided by the property owner.  
6  
7 Lesow moved to approve the application. Steensma seconded. The motion carried.  
8  
9 *Chamberlin-Open Space Land*  
10  
11 Staff recommended approval.  
12  
13 The hearing was opened to the public.  
14  
15 There was no public comment.  
16  
17 Mann moved to approve the application. Belisle seconded. The motion carried.  
18  
19 *Massey-Open Space Land*  
20  
21 Staff recommended approval.  
22  
23 The hearing was opened to the public.  
24  
25 There was no public comment.  
26  
27 Wilson moved to approve the application. Belisle seconded. The motion carried.  
28  
29 *Hansen-Open Space Timber Land*  
30  
31 Staff recommended approval on a revised acreage of 16.70 acres rather than 18.70 acres  
32 because of the required safety buffer around the home site.  
33  
34 The hearing was opened to the public.  
35  
36 There was no public comment.  
37  
38 Wilson moved to approve the revised application of 16.70 acres. Lesow seconded. The  
39 motion carried.  
40  
41 *Heusinkveld-Open Space Timber Land*  
42  
43 Staff recommended approval.  
44  
45 The hearing was opened to the public.  
46  
47 There was no public comment.  
48

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1 Lesow moved to approve the application. Belisle seconded. The motion carried.

2

3 **Public Hearing**

4

5 **File #PLN2009-00016:** Proposed amendments to the Six-Year Capital Improvement  
6 Program (CIP). The proposed amendment would identify funds for repair/replacement of  
7 Pt. Roberts Sheriff facilities for two mobile homes used by the Sheriffs, located at 430  
8 South Beach Rd.

9

10 Matt Aamot presented the staff report.

11

12 The County would like to complete a project, in Pt. Roberts, involving replacing a mobile  
13 home and repairing another for the Sheriff's Office. Washington State law says the County  
14 can not use Real Estate Excise Tax (REET) funds on a project unless it is listed in the  
15 County's Capital Facility Element of the Comprehensive Plan. This amendment would add  
16 language to the Comprehensive Plan so the work can be completed.

17

18 The hearing was opened to the public.

19

20 There was no public comment.

21

22 Mann moved to approve the staff recommendation of approval. Wilson seconded. Roll Call  
23 Vote: Ayes – Belisle, Hunter, Lesow, Mann, Melious, Steensma, Wilson; Nays – 0; Abstain  
24 – 0; Absent – Burdge, Menzies. The motion carried.

25

26 **Work Session**

27

28 UGA Final Recommendations

29

30 Melious suggested rewording the Comprehensive Plan, Chapter 4, Action item #12 to  
31 read: ...by reference into the Whatcom County Comprehensive Plan when consistent with  
32 the Whatcom County Comprehensive Plan. The Commission agreed to add the language.

33

34 Melious suggested deleting *Short Term Planning Areas* from the Glossary, Appendix A. The  
35 Commission agreed to the deletion.

36

37 Melious suggested rewording Finding #40 to read: In the 2004 Comprehensive Plan,  
38 Bellingham ~~received~~ was allocated the greatest share of population. Rural areas were  
39 slated to take the least share of growth, but have seen substantially more growth than  
40 was intended, for a variety of reasons, including the presence of ~~thousands of~~ more than  
41 18,000 vacant lots in rural and resource lands, and substantial growth in Sudden Valley, a  
42 provisional urban growth area which has subsequently been re-designated to non-urban  
43 status. The Commission agreed to the changes.

44

45 Melious suggested rewording Finding #188 to read: The city's proposed UGA expansion  
46 did not take into account the need for a sufficient quantity of agricultural land to support a  
47 healthy agricultural industry in Whatcom County, nor required mitigation when land is  
48 converted to another use, or required buffers on all new non-agricultural uses located

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1 adjacent to agricultural activities (Policy 8A-2). The Commission agreed to add the  
2 language.

3  
4 Wilson moved to adopt the proposed Comprehensive Plan Text, Comprehensive Plan  
5 Maps, Zoning Text, Zoning Maps and Findings of Fact as amended. Lesow seconded. Roll  
6 Call Vote: Ayes – Hunter, Lesow, Melious, Steensma, Wilson; Nays – Belisle; Abstain –  
7 Mann; Absent – Menzies, Burdge. The motion carried.

8  
9 The meeting was adjourned at 9:35 p.m.

10  
11 Minutes prepared by B. Boxx.

12  
13  
14 WHATCOM COUNTY PLANNING COMMISSION ATTEST:

15  
16  
17  
18  
19 \_\_\_\_\_  
Jean Melious, Chair

\_\_\_\_\_

David Stalheim, Secretary

20  
21  
22  
23  
24  
25