

Whatcom County Council Committee of the Whole

**COUNTY COURTHOUSE
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Bellingham, WA 98225-4038
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Committee Minutes - Draft Minutes

Tuesday, May 26, 2026

3:20 PM

Hybrid Meeting - Council Chambers

**HYBRID MEETING - MAY BEGIN EARLY/LATE - ADJOURNS BY 4:30 P.M.
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010)**

COUNCILMEMBERS

Elizabeth Boyle
Barry Buchanan
Ben Elenbaas
Kaylee Galloway
Jessica Rienstra
Jon Scanlon
Mark Stremler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

Call To Order

Council Chair Kaylee Galloway called the meeting to order at 3:25 p.m. in a hybrid meeting.

Roll Call

Present: 7 - Elizabeth Boyle, Barry Buchanan, Ben Elenbaas, Kaylee Galloway, Jessica Rienstra, Jon Scanlon, and Mark Stremler

Announcements

Committee Discussion

1. [AB2026-298](#) Discussion and preliminary Council direction on Whatcom County Comprehensive Plan Appendix K: Adequate Provisions Checklist for Housing Availability

Maddie Schacht, Planning and Development Services Department, read from a presentation (on file) about why Appendix K (or the “Adequate Provisions Checklist”) is being newly proposed for the Comprehensive Plan, how the checklist is organized, the definition of middle housing, barriers to achieving housing availability that were identified by the Planning Commission, that the purpose for the checklist is to help document and identify areas for achieving housing availability, that the next step would be code amendments which would lay out how they are actually going to do what was identified in order to meet their goals, and that Planning will be presenting some code amendments on June 9th directly related to the development barriers that were identified within the checklist.

She and the following additional people discussed the item with councilmembers:

- Mark Personius, Planning and Development Services Department Director
- Matt Aamot, Planning and Development Services Department

They discussed if future work to remove barriers is already in the workplan for Planning and Development Services and the timeline for making these changes, that Planning will focus first on the code amendments to address development regulations identified as barriers, that these changes are driven by new state laws in the past couple years, the nature of the coming proposed code changes, the impact of the added language in barriers 2, 3, 4 and 6 under the “Supplementary Barrier Review Checklist for Permanent Supportive Housing (PSH) & Emergency Housing,” a scrivener’s error in Barrier #1 on page 16 (it should say “yes,” that the barrier is likely to affect housing production), the barrier of public notice requirements (the

requirement to hold a neighborhood meeting), and what they can be doing to make sure there is early notification (Page 7, Barrier #10).

Galloway moved to recommend staff prepare Appendix K (Planning Commission Approved Version from 5/14/2026) for an upcoming inclusion in a future agenda bill file for council introduction and public hearing.

The motion was seconded by Scanlon.

Scanlon moved to amend to reinsert the language on page 1 of the proposed Appendix K under the header, "Action Needed to Address Barrier" which was stricken by the Planning Commission (comment MS2) and which starts with "Under the" and ends with "Additionally."

The motion was seconded by Boyle.

Kayla Schott-Bresler, Executive's Office, gave an update on the code scrub that was included in the budget but put on hold from the executive because of budget issues.

Personius stated they will do their (in-house) code scrub annually as well as when they find issues, but the comprehensive overall update of the code is currently not funded.

Scanlon stated the statement is still factual so he would like it to remain in the record.

Galloway stated it is work that still needs to happen, whether they contract it out or do it internally, to improve efficiencies and customer experience with our permit process.

The motion to amend carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Galloway spoke about Barrier #4 (Permit Fees, Impact Fees & Utility Connection Fees) and stated she believes there was a fee study that was approved in the 2025-2026 budget that the Administration also held off on.

Galloway moved to amend to add a bullet point under "Action Needed to Address Barrier" for Barrier #4 on page 9 of the proposed Appendix K that

says:

Conduct a fee study and update fee schedule to ensure full cost recovery enabling investment in staff and administrative infrastructure necessary to improve permit processes and timelines.

The motion was seconded by Boyle.

Councilmembers discussed the motion, the language that was in the budget at the mid-biennium review for the Supplemental Budget Request number 5043 "PDS Fee study" for \$150,000, that ensuring full cost recovery is taxing individuals that are trying to create housing, a hope that a study could look at the potential cost benefit of increasing fees, and whether that could have an impact on reducing permitting timelines.

Galloway amended her motion and **moved** to strike "ensure full cost recovery" and add "collect reasonable and sufficient fee charges to cover the cost of processing permits" so that the bullet point would read:

Conduct a fee study and update fee schedule to collect reasonable and sufficient fee charges to cover the cost of processing permits, enabling investment in staff and administrative infrastructure necessary to improve permit processes and timelines.

The amended motion carried by the following vote:

Aye: 7 - Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, Stremmer, and Boyle

Nay: 0

Galloway moved to amend to add another bullet point under "Action Needed to Address Barrier" for Barrier #4 on page 9 of the proposed Appendix K that says:

Consider implementing impact fees to defray the costs of infrastructure and service improvements required by development in areas under county jurisdiction as allowed by state law.

The motion was seconded by Rienstra.

Personius answered who would establish these fees and justify them, and spoke about what that would look like. He stated two school districts in the county have requested Council to adopt impact fees, so those amendments are docketed. The GMA also authorizes additional impact fees that counties

can adopt.

Councilmembers discussed the motion, making sure they are not putting up barriers for small businesses or others for whom the impact fee would potentially outweigh the ability for them to start something up, and that the wording of the motion does just say, “consider.”

The motion carried by the following vote:

Aye: 6 - Elenbaas, Galloway, Rienstra, Scanlon, Boyle, and Buchanan

Nay: 1 - Stremler

Councilmembers and the speakers discussed Barrier #3: “Processing Times & Staffing Challenges” around process obstacles for accessory dwelling units and why it says “No,” the barrier is not likely to affect housing production, even though they said it would for other forms of housing, and what the feedback loop is to make sure the “yesses” and “nos” stay true.

The main motion to recommend staff prepare Appendix K as amended carried by the following vote:

Aye: 7 - Galloway, Rienstra, Scanlon, Stremler, Boyle, Buchanan, and Elenbaas

Nay: 0

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

MOTION 1:

Motion approved to recommend staff prepare Appendix K (Planning Commission Approved Version from 5/14/26) for an upcoming inclusion in a future agenda bill file for council introduction and public hearing.

MOTION 2:

Motion approved to reinsert the language on page one of the proposed Appendix K under the header, “Action Needed to Address Barrier” which was stricken by the Planning Commission (comment MS2) and which starts with “Under the” and ends with “Additionally.”

MOTION 3:

Motion approved to amend to add a bullet point under "Action Needed to Address Barrier" on page 9 of the proposed Appendix K that says:

Conduct a fee study and update fee schedule to collect reasonable and sufficient fees to cover the cost of processing permits, enabling investment in staff and administrative infrastructure necessary to improve permit processes and timelines.

MOTION 4:

Motion approved to amend to add a bullet point under "Action Needed to Address Barrier" on page 9 of the proposed Appendix K that says:

Consider implementing impact fees to defray the costs of infrastructure and service improvements required by development in areas under county jurisdiction as allowed by state law.

2. [AB2026-249](#) Discussion regarding schedule for Council review of the comprehensive plan update

Galloway stated the last time they talked they were going to wait to see the outcome of the June 2nd Special Committee of the Whole meeting before making a final decision on potentially extending the timeline. She spoke about opportunities that the public still has to comment on the Comprehensive Plan and that they are potentially on track for introduction of the ordinance on June 9th, with a public hearing and final action on June 23rd, depending on the outcomes of next week.

Councilmembers discussed a letter received by the Business and Commerce Advisory Committee asking for a change in the timeline, that Scanlon asked several groups to get their feedback in by this Friday ahead of the June 2nd meeting, a group that came together to discuss some of the Cherry Point-related amendments, that they can postpone introduction if they think there is more work that needs to be done, and deadlines for people or groups to propose amendments.

Cathy Halka, Clerk of the Council, stated on June 2nd, the public comment includes the chapters on the agenda but also any other Comprehensive Plan items.

This agenda item was DISCUSSED.

Committee Discussion and Recommendation to Council

1. [AB2026-390](#) Resolution regarding greenhouse gas reduction sub-element voluntary review as part of the Whatcom County Comprehensive Plan periodic update under the Washington State Growth Management Act (RCW 36.70A.096)

Galloway stated this resolution was Council-reviewed at last week's meeting.

Gary Stoyka, Public Works Department, answered if they have met the threshold of Council having completed its review and initial recommendation on the climate element so that they are good to take action on the resolution. He stated he believes that it true.

Galloway stated she wants to make sure the version they take action on has

the comment removed that they need to meet the threshold and Stoyka stated a last Whereas statement was added to a substitute resolution (on file) noting the Whatcom County Council completed review of the draft climate element on May 19th, 2026.

Scanlon moved and Rienstra seconded that the Resolution be RECOMMENDED FOR APPROVAL. The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremler

Nay: 0

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 4:27 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger