

**Whatcom County
Council Planning and Development Committee**

**COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
(360) 778-5010**



Committee Minutes - Final

**Tuesday, January 11, 2022
2:35 PM
Virtual Meeting**

VIRTUAL MEETING - ADJOURNS BY 3:30 P.M.; MAY BEGIN EARLY (TO PARTICIPATE, SEE INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil OR CALL 360.778.5010)

COUNCILMEMBERS

Todd Donovan
Ben Elenbaas
Kaylee Galloway

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Committee member Ben Elenbaas called the meeting to order at 2:35 p.m. in a virtual meeting.

Roll Call

Present: 3 - Ben Elenbaas, Todd Donovan, and Kaylee Galloway

Absent: None

Also Present: Barry Buchanan, Tyler Byrd, Carol Frazey, and Kathy Kershner

Announcements

Special Order of Business

1. [AB2022-031](#) Nomination and appointment of committee chair

Donovan moved to appoint Elenbaas as Committee Chair. The motion was seconded by Galloway.

The motion carried by the following vote:

Aye: 3 - Donovan, Elenbaas, and Galloway

Nay: 0

This agenda item was APPOINTED.

Elenbaas was appointed as Chair.

Committee Discussion and Recommendation to Council

1. [AB2021-744](#) Resolution approving recommendations on three applications for Open Space Current Use Assessment

Joshua Fleischmann, Planning and Development Services Department, presented and answered why Planning and Development Services Department staff recommended no to application OSP2020-00003 and the Planning Commission said yes, why someone would want to go into the Open Space Land program from the Farm and Agricultural Land program if their taxes would go up, the reasons that the Planning Commission and Planning Department staff gave for approval or non-approval on each of the properties, why the Planning Commission did not make a recommendation for the applicant's (OSP2020-00003) request of a public access waiver, how the applicant could get those restrictions placed on the property while part of the program, and a fourth application that was not included in this Resolution.

Donovan moved to approve applications 1 (OSP2020-00003) and 3 (OSP2020-00005) (as proposed in the Resolution). The motion was seconded by Galloway.

Councilmembers discussed the motion and Fleishman answered questions about application OSP2020-00003 and the request of the applicant for a public access requirement waiver. They discussed whether the applicant would pull her application if she was not able to have the waiver, what precedent exists for public waivers or what implications approving a waiver would have on setting a precedent, whether the applicant would be able to request a waiver later if the Council approves the application without it now, and whether the applicant could continue in the property's current designation.

Christine Larsen, Assessor's Office, briefed the Councilmembers on application OSP2020-00003 and why the applicant applied for the Open Space Land designation.

Councilmembers voted on the item (see vote below) then continued to discuss it.

Penny Friedman, applicant, spoke about her reasons for requesting a public access waiver.

Donovan's motion that the Resolution be RECOMMENDED FOR APPROVAL carried by the following vote:

Aye: 2 - Donovan, and Galloway

Nay: 0

Absent: 0

Abstain: 1 - Elenbaas

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 3:27 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Ben Elenbaas-via email 1/14/2022

Dana Brown-Davis, Council Clerk

Ben Elenbaas, Committee Chair

Kristi Felbinger, Minutes Transcription

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