

**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, September 28, 2021

2:05 PM

Virtual Meeting

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

COUNCILMEMBERS

Rud Browne
Todd Donovan
Ben Elenbaas

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Committee Chair Ben Elenbaas called the meeting to order at 2:07 p.m. in a virtual meeting.

Roll Call

Present: 3 - Rud Browne, Ben Elenbaas, and Todd Donovan

Absent: None

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

Announcements

Committee Discussion

1. [AB2021-548](#) Discussion and status update of proposed amendments to the Whatcom County Code regarding short-term rentals

Cliff Strong, Planning and Development Services Department, updated the Councilmembers and discussed with them why this item had been put on hold, how many properties they would need to track using the proposed software, whether the noted number of unique rental units is just in the unincorporated county, what the City of Bellingham is charging for an annual registration fee, what happens when someone calls the Granicus (software) hotline, why they should use the software instead of utilizing the statewide registry, whether the Planning and Development Services Department gets a lot of complaints related to vacation rentals, whether there should be additional regulation, whether adding them as an accessory use would be encouraging the conversion of more properties into vacation rentals and losing housing stock, and whether the Planning Department does site visits after final inspections.

Will Anderson, Fire Marshal's Office, answered whether the Fire Marshal has a right to do fire inspections of vacation rentals on an annual basis like they do on commercial properties.

Councilmembers and staff continued to discuss whether vacation rentals should be considered commercial properties, whether regulations should be made if there are not many complaints, whether there is a limit on how much the industry will be growing, and holding this item in committee to allow time for Planning to come back with a report on the questions discussed today.

This agenda item was HELD IN COMMITTEE.

Committee Discussion and Recommendation to Council

1. [AB2021-424](#) Ordinance adopting amendments to the Whatcom County Code Title 20, Zoning to allow and regulate Battery Energy Storage Systems

Robby Eckroth, Planning and Development Services Department, gave a presentation.

He answered questions about the one-mile buffer, whether it is possible to put a new facility in Limited Areas of More Intense Rural Development (LAMIRDs), whether there would be a ceiling in the conditional use process for how big the facilities can get, and lot coverage allowances in the rural zone.

Will Anderson, Fire Marshal's Office, answered what the fire code consideration is for these relative to other structures and he answered other fire-related questions.

Clerk's note: Kathy Kershner joined around 3 p.m.

Mark Personius, Planning and Development Services Department Director, answered whether the Planning Department could look at the issue of scale in the rural area and come back with ideas.

Donovan moved to recommend to Council that the item be referred back to staff.

The motion carried by the following vote:

Aye: 3 - Donovan, Elenbaas, and Browne

Nay: 0

This agenda item was HELD IN COMMITTEE.

Items Added by Revision

There were no agenda items added by revision.

Other Business

Dana Brown-Davis, Clerk of the Council answered how much time is needed to prepare for the next meeting.

Adjournment

The meeting adjourned at 3:20 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Ben Elenbaas-via email 10/2/2021

Dana Brown-Davis, Council Clerk

Ben Elenbaas, Committee Chair

Kristi Felbinger, Minutes Transcription

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