

Jul 27



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Attention: Krisiti Felbinger
WHATCOM CO COUNCIL
311 GRAND AVE STE 105
BELLINGHAM, WA 982254038

AB2021- 420 413
422 417
424
433

ACTION TAKEN

The Whatcom County Council adopted the following at its July 27, 2021 meeting: **ORDINANCE (2021-048) ADOPTING AMENDMENTS TO THE WHATCOM COUNTY COMPREHENSIVE PLAN AND WHATCOM COUNTY CODE RELATING TO THE CHERRY POINT UGA FOSSIL FUEL FACILITIES, RENEWABLE FUEL FACILITIES, PIERS, SEPA, GREENHOUSE GAS EMISSIONS, AND OTHER MATTERS (AB2021-403)** This ordinance will amend Whatcom County's development regulations, State Environmental Policy Act (SEPA) provisions, permit review procedures, and Comprehensive Plan relating to fossil fuel facilities, renewable fuel facilities, transshipment fuel facilities and other similar land use activities. The proposal is intended to address the risks to public health, safety, and the environment associated with fossil fuel facilities. The proposal is also intended to address the negative impacts on public safety, transportation, the economy, and environment from crude oil, coal, liquefied petroleum gases, and natural gas transshipments from the Cherry Point Industrial District. Ordinance introduced July 13, 2021. **ORDINANCE (2021-047) ADOPTING AMENDMENTS TO THE WHATCOM COUNTY COMPREHENSIVE PLAN RELATING TO DENSITY CREDITS, PORS, AND TDORS (AB2021-380)** This ordinance would insert the concept of a density credit program into the Whatcom County Comprehensive Plan. A density credit program would allow development incentives, such as increased land use intensity, in exchange for a voluntary contribution towards preserving agricultural lands and open space. The proposal would also amend purchase of development right (PDR) and transfer of development right (TDR) provisions in the Comprehensive Plan. Ordinance introduced June 29, 2021. **ORDINANCE (2021-048) ADOPTING WHATCOM COUNTY COMPREHENSIVE PLAN AMENDMENTS CONCERNING THE LUMMI ISLAND FERRY, MODIFYING POLICY 6A-1 RELATING TO FERRY LEVEL OF SERVICE AND DELETING POLICY 6C-6 RELATING TO A FERRY FEASIBILITY STUDY (AB2021-381)** This ordinance would amend the Whatcom County Comprehensive Plan concerning the Lummi Island Ferry. The proposal would modify Policy 6A-1 relating to ferry level of service and delete Policy 6C-6 relating to a ferry feasibility study. Ordinance introduced June 29, 2021. **ORDINANCE (2021-049) REQUESTING THAT THE WHATCOM COUNTY AUDITOR INCLUDE THE QUESTION OF ESTABLISHING A BIRCH BAY LIBRARY CAPITAL FACILITY AREA TO FINANCE A NEW LIBRARY FACILITY IN BIRCH BAY ON THE BALLOT AT THE NOVEMBER GENERAL ELECTION (AB2021-405)** This ordinance would forward the Birch Bay Library Capital Facility Area proposal to the Whatcom County Auditor for inclusion on the ballot at the next general election. For a complete legal description of the boundaries of the proposed Capital Facility Area, please contact the Council office at 360-778-5010. Ordinance introduced July 13, 2021.

PUBLIC HEARING NOTICE

The Whatcom County Council will hold a public hearing, consider adopting, and may amend the following at its 6 p.m. meeting on August 10, 2021, or at a later date: **ORDINANCE AMENDING THE WHATCOM COUNTY COMPREHENSIVE PLAN MAP AND ZONING CODE FOR THE NOOKSACK FALLS EXCLAVE WITHIN THE MOUNT BAKER-SNOQUALMIE NATIONAL FOREST (AB2021-420)** This ordinance is a Comprehensive Plan Map amendment and zoning code amendment for the Nooksack Falls Exclave within the Mount Baker-Snoqualmie National Forest. The proposed map amendment will amend the Mineral Resource Lands Comprehensive Plan Designation to Rural Forestry, to match the zoning district. The zoning code amendment will include the Nooksack Falls Exclave as an area where a Conditional Use Permit application may be submitted for facilities intended to provide education related to forestry, natural resources and wildlife, and the purpose of the Rural Forestry zone. The proposal affects approximately 66 acres of privately held lands on/near Wells Creek Road, off of State Route 542 - Mt. Baker Hwy. Assessor's Parcel Numbers 400631580150, 400631450200, 390806550650. Ordinance introduced July 27, 2021. **ORDINANCE FOR REESTABLISHING A SPEED LIMIT FOR A PORTION OF BAY ROAD (AB2021-422)** This ordinance reestablishes a speed limit of 35 miles per hour on Bay Road from 500 feet east of Jackson Road to Halbut Drive. Ordinance introduced July 27, 2021. **ORDINANCE ADOPTING AMENDMENTS TO THE WHATCOM COUNTY CODE TITLE 20, ZONING TO ALLOW AND REGULATE BATTERY ENERGY STORAGE SYSTEMS (AB2021-424)** This ordinance makes amendments to WCC Title 20 (Zoning) amendments to the Whatcom County Code Title 20 (Zoning) to allow and regulate Battery Energy Storage Systems in Whatcom County. Ordinance introduced July 27, 2021. **RESOLUTION DECLARING WHATCOM COUNTY REAL PROPERTY AS SURPLUS (AB2021-433)** This resolution declares 1661 Baker Creek Place, tax parcel number 3803771904530000, and further described by its abbreviated legal description as: Parcel P-13 Iron Gate Park specific binding site Plan No 3 as Rec book 1 binding site plans PG 63-EXC PTN to City of Bellingham for Street Desc: AF 196060800, for purposes of sale to Lake Whatcom Treatment Center pursuant to Whatcom County Code 1 10.340(F). Resolution introduced July 27, 2021. **REQUEST AUTHORIZATION FOR THE COUNTY EXECUTIVE TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN WHATCOM COUNTY AND CITY OF BELLINGHAM FOR FY2021 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD, IN THE AMOUNT OF \$14,001 (AB2021-413)** This interlocal agreement includes a total Whatcom County Jurisdiction allocation of \$38,736 (with \$24,735 for the City of Bellingham and \$14,001 for Whatcom County). The City of Bellingham will administer the grant and provide \$14,001 to the Whatcom County Sheriff's Office to purchase ballistic resistant vests. Introduced July 27, 2021. **TRANSFERRING A WHATCOM COUNTY FLOOD CONTROL ZONE DISTRICT PROPERTY TO THE LUMMI NATION (COUNCIL, ACTING AS THE FLOOD CONTROL ZONE DISTRICT BOARD OF SUPERVISORS) (AB2021-417)** This resolution is for the transfer of Whatcom County Flood Control Zone District real property to the Lummi Nation in exchange for wetland mitigation credits in the amount of \$17,000 pursuant to WCC 1 10.340 (A) and WCC 1 10.370. Resolution introduced July 27, 2021.

ACTION PROPOSED (INTRODUCED)

The Whatcom County Council will consider adopting and may amend the following at its 6 p.m. meeting on August 10, 2021, or at a later date: **ORDINANCE AMENDING THE 2021 WHATCOM COUNTY BUDGET, REQUEST NO. 12, IN THE AMOUNT OF \$1,506,763 (AB2021-412)** This ordinance amends the 2021 Whatcom County Budget as follows: From the General Fund - appropriate \$97,486 in Sheriff to fund less lethal device replacements as a result of recent legislation, appropriate \$43,277 in Non-Departmental to fund What-Com E911 operations from pass-through grant proceeds, From the Countywide Emergency Medical Services Fund - appropriate \$591,000 to partially fund 5th medic unit implementation, From the Auditor's C&M Fund - appropriate \$25,000 to fund commissioner proceedings scanning and digitizing project, From the Public Utilities Improvement Fund - reappropriate 2019 funding of \$750,000 for Port of Bellingham rural broadband project. Ordinance introduced July 27, 2021.

Public documents are available for review weekdays from 8-30 a.m. to 4:30 p.m. in the Council Office, 311 Grand Avenue, Suite 105, Bellingham, and at www.whatcom.us/council. View meeting schedules, agendas, minutes, videos, documents, and archives at whatcom.legistar.com. The Council is currently holding all meetings remotely. For instructions on how to watch or participate in meetings, please visit whatcomcounty.us/joinvirtuallcouncil or contact the Council Office at 360-778-5010.

Publish August 1, 2021
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Islamae Brown, being duly sworn, deposes and says: That he/she is the Principal Clerk of The Bellingham Herald, a daily newspaper printed and published in Bellingham, Whatcom County, State of Washington, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Bellingham Herald, as amended, for:

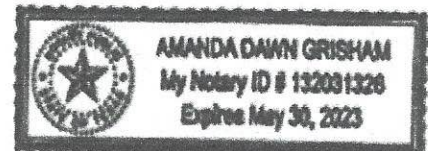
No. of Insertions: 1
Beginning Issue of: 08/01/2021
Ending Issue of: 08/01/2021

Islamae Brown

(Principal Clerk)

Subscribed and sworn on this 3rd day of August in the year of 2021 before me, a Notary Public, personally appeared before me Islamae Brown known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Notary Public in and for the state of Texas, residing in Dallas County



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