

Whatcom County Council Planning and Development Committee

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



Committee Minutes - Draft Minutes

Tuesday, June 9, 2026

1:55 PM

Hybrid Meeting - Council Chambers

**HYBRID MEETING - MAY BEGIN EARLY/LATE - ADJOURNS BY 2:25 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

Committee Chair Jessica Rienstra called the meeting to order at 1:59 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. [AB2026-443](#) Discussion of an ordinance imposing an interim moratorium on the acceptance or processing of applications and permits for the establishment of new or expansion of existing civil detention facilities

Rienstra stated there is a substitute ordinance and spoke about the language that was added. She spoke about the purpose of the ordinance and stated the proposed moratorium would temporarily prohibit Whatcom County from accepting or approving permit applications for new or expanded civil detention facilities related to immigration enforcement in unincorporated Whatcom County for one year. The purpose is not to prohibit use, but to provide time for the county to evaluate land use that is not currently defined or specifically regulated under existing code, and determine whether additional zoning standards, citing criteria, mitigation measures or development regulations are needed. This will not affect the Whatcom County jail, the Sheriff's Office operations, local police departments, behavioral health facilities, crisis centers, or substance use disorder facilities underneath this moratorium.

Mark Personius, Planning and Development Services Department Director, gave input about whether an ordinance is needed and stated there are a number of avenues in the code to explore a particular use being allowed even if it is not stated. It is always good to try to clarify the code, so if this is a case where we would want to have time to define it properly and determine an appropriate permit path, that is a fine approach.

Councilmembers discussed their thoughts on the ordinance. They discussed Whatcom County Code as it pertains to uses not listed already being prohibited (WCC 20.20.200) and avenues under which people could seek a permit (WCC 20.66.077 and 20.83.040), that it is important that they have very explicit and specific code around where and how these facilities can be sited, that if an avenue were to be pursued it would come before the Council

and they would make that decision at that time, that the moratorium would give them time to do longer-term work on the code and prohibited uses, that Customs has to hold people accountable and sometimes that takes infrastructure, that the ordinance is not against the work that those who are providing safety are doing for our community but is about reaffirming the basic principle that the law applies to everyone and that every person deserves due process and transparency and accountability from government institutions, that there is an element of providing public safety should one of these facilities be needed in our community, that the ordinance is a response to a huge community outcry and is a step forward in bringing about clarity, research that says that counties with more detention space see significantly more ICE arrest, that there is a large group of the community who could feel safer if there was more Federal presence, if the Sheriff has any thoughts on the ordinance, if this is a political or a non-partisan issue, and if a right-sized jail and working with Federal law enforcement would make it so there is no need for these detention facilities.

Rienstra gave closing comments and stated that she sees this as a way they can stand up and say they hear those in the community who are afraid.

This agenda item was DISCUSSED.

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 2:25 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Jessica Rienstra, Committee Chair

Meeting Minutes prepared by Kristi Felbinger