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WHATCOM COUNTY COUNCIL
Special Committee of the Whole

July 9, 2019

CALL TO ORDER

Council Chair Rud Browne called the meeting to order at 9:30 a.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

ROLL CALL

Present: Barbara Brenner, Rud Browne, Barry Buchanan, Todd Donovan, Carol Frazey, and Satpal Sidhu.

Absent: Tyler Byrd.

COMMITTEE DISCUSSION

1. AB2019-387 DISCUSSION OF CASCADIA LAW GROUP'S RECOMMENDATIONS FOR PROPOSED CHERRY POINT URBAN GROWTH AREA (UGA) COMPREHENSIVE PLAN AND ZONING CODE AMENDMENTS

Browne reported about a meeting between councilmembers, staff, and Cascadia Law Group representatives, in which the councilmembers and staff presented questions and comments. Councilmembers can propose additional questions and comments for the Cascadia Law Group representatives today, and they will prepare a response to all questions.

Mark Personius, Planning and Development Services Department Director, answered questions.

Councilmembers and staff discussed the process moving forward and the following motions:

Brenner moved to amend to eliminate item one on Council packet page three.

The motion was seconded.

The motion failed by the following vote:

Ayes: Brenner (1)

Nays: Browne, Buchanan, Donovan, and Frazey (4)

Absent: Byrd (1)

Abstains: Sidhu (1)

Brenner moved to amend to eliminate item three on Council packet page three.

The motion was seconded.

The motion failed by the following vote:

Ayes: Brenner (1)

Nays: Sidhu, Browne, Buchanan, Donovan, and Frazey (5)

Absent: Byrd (1)

Brenner moved to amend to eliminate item seven on Council packet page three.

1
2 The motion was seconded.
3

4 The motion failed by the following vote:

5 **Ayes:** Brenner (1)

6 **Nays:** Sidhu, Browne, Buchanan, Donovan, and Frazey (5)

7 **Absent:** Byrd (1)
8

9 **Brenner moved** to amend to delete proposed subsection 2.11.205(F) on Council
10 packet page five.
11

12 The motion was seconded.
13

14 The motion failed by the following vote:

15 **Ayes:** Brenner (1)

16 **Nays:** Sidhu, Browne, Buchanan, Donovan, and Frazey (5)

17 **Absent:** Byrd (1)
18

19 **Brenner moved** to amend to delete 20.68.059 on Council packet page nine.
20

21 The motion was seconded.
22

23 The motion failed by the following vote:

24 **Ayes:** Brenner (1)

25 **Nays:** Sidhu, Browne, Buchanan, Donovan, and Frazey (5)

26 **Absent:** Byrd (1)
27

28 **Brenner moved** to amend to delete subsection 20.68.153(10) on Council packet
29 page 11.
30

31 The motion was seconded.
32

33 The motion failed by the following vote:

34 **Ayes:** Brenner (1)

35 **Nays:** Sidhu, Browne, Buchanan, Donovan, and Frazey (5)

36 **Absent:** Byrd (1)
37

38 **Brenner moved** to amend to delete subsections 20.68.204 and .205 on Council
39 packet page 13.
40

41 The motion was seconded.
42

43 The motion failed by the following vote:

44 **Ayes:** Brenner (1)

45 **Nays:** Browne, Buchanan, Donovan, and Frazey (4)

46 **Absent:** Byrd (1)

47 **Abstains:** Sidhu (1)
48

49 **Brenner moved** to eliminate section 20.68.800 and its subsections in their entirety.
50

51 The motion was seconded.
52
53

1 The motion failed by the following vote:

2 **Ayes:** Brenner (1)

3 **Nays:** Sidhu, Browne, Buchanan, Donovan, and Frazey (5)

4 **Absent:** Byrd (1)

5
6 **Brenner moved** to amend to delete subsection 20.74.055.

7
8 The motion was seconded.

9
10 The motion failed by the following vote:

11 **Ayes:** Brenner (1)

12 **Nays:** Sidhu, Browne, Buchanan, Donovan, and Frazey (5)

13 **Absent:** Byrd (1)

14
15 **Brenner moved** to amend to delete the first sentence in subsection 20.74.110, "A
16 permit is required to document a change of use, even where no alternations are planned or
17 required by the code."

18
19 The motion was seconded.

20
21 **Buchanan moved** to hold the motion until they can ask Cascadia Law Group
22 representatives if they can amend the sentence, "A permit is required to document a
23 change of use if that change of use is not an allowed use within the zoning, even where no
24 alternations are planned or required by the code."

25
26 The motion to hold was seconded.

27
28 The motion to hold carried by the following vote:

29 **Ayes:** Sidhu, Browne, Buchanan, Donovan, Frazey, and Brenner (6)

30 **Nays:** None (5)

31 **Absent:** Byrd (1)

32
33 **Brenner moved** to amend to delete language in section 20.88.130(3), "...cultural
34 resources. This shall be ensured by...have been reached."

35
36 The motion was seconded.

37
38 **Brenner withdrew** the motion.

39
40 **Brenner moved** to amend to delete subsection 20.97.160.6.

41
42 The motion was seconded.

43
44 **Brenner amended her motion and moved** to hold the motion until they develop a
45 proposed alternative definition for fossil fuels.

46
47 The motion to hold carried by the following vote:

48 **Ayes:** Sidhu, Browne, Buchanan, Donovan, Frazey, and Brenner (6)

49 **Nays:** None (5)

50 **Absent:** Byrd (1)

51
52 **Brenner moved** to amend subsection 23.100.170(A)(1)(c) "ii. Existing legal fossil
53 fuel refineries should shall be allowed...."

1
2 The motion was seconded.

3
4 The motion to hold carried by the following vote:

5 **Ayes:** Sidhu, Browne, Buchanan, Donovan, Frazey, and Brenner (6)

6 **Nays:** None (5)

7 **Absent:** Byrd (1)

8
9 **Brenner moved** to amend subsection 23.100.170(A)(1)(c) "ii. Existing legal fossil
10 fuel refineries should be allowed...with limited expansions subject to...."

11
12 The motion was seconded.

13
14 The motion failed by the following vote:

15 **Ayes:** Brenner and Sidhu (1)

16 **Nays:** Browne, Buchanan, Donovan, and Frazey (4)

17 **Absent:** Byrd (1)

18
19 **Frazey moved** to cancel the afternoon Special Committee of the Whole meeting.

20
21 The motion was seconded.

22
23 The motion carried by the following vote:

24 **Ayes:** Browne, Buchanan, Donovan, Frazey and Sidhu (5)

25 **Nays:** Brenner (1)

26 **Absent:** Byrd (1)

27
28
29 **OTHER BUSINESS**

30
31 There was no other business.

32
33
34 **ADJOURN**

35
36 The meeting adjourned at 11:02 a.m.

37
38 The Council approved these minutes on July 23, 2019.


39
40 ATTEST:

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Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Rud Browne, Council Chair



Jill Nixon, Minutes Transcription