

**Whatcom County  
Council Planning and Development Committee**

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



**Committee Minutes - Final**

VIRTUAL MEETING - MAY BEGIN EARLIER/LATER THAN 1:30 P.M.

**Tuesday, September 15, 2020**

**1:30 PM**

**Virtual Meeting**

**COUNCILMEMBERS**

Rud Browne  
Tyler Byrd  
Ben Elenbaas

**CLERK OF THE COUNCIL**

Dana Brown-Davis, C.M.C.

## Call To Order

### Roll Call

**Present:** 2 - Rud Browne and Ben Elenbaas

**Absent:** 1 - Tyler Byrd

Also present: Barry Buchanan, Todd Donovan, Carol Frazey, and Kathy Kershner

### Announcement

### Committee Discussion

1. [AB2020-350](#) Discussion with Planning and Development staff on code amendments to WCC Titles 12, 16, 20, 21 and 22

Cliff Strong, Planning and Development Services Department, briefed the Councilmembers, and walked through the proposed changes to the code listed in Exhibit A.

The following additional staff members also answered questions:

- Amy Keenan, Planning and Development Services Department
- Nick Smith, Planning and Development Services Department

Elenbaas requested that Strong go over any items in the Exhibit where staff notes say there is a policy change or "no policy change per se" and asked how those changes are working toward an environment of more affordable housing in Whatcom County.

*Clerk's note:* Byrd joined the meeting.

Strong briefed the Councilmembers one at a time through the proposed changes for which staff notes stated there would or might be a policy change and provided more explanation. These included note item numbers 2, 7, 9, 10, 11, 13, 14, 15, 16, and 22.

For Exhibit A, staff note **number 2** he answered why the street line policy needs to be changed and where it would be an issue, whether it expands where someone can do boundary line adjustments, and whether any of the proposed code changes in the exhibit would make things more restrictive.

For Exhibit A, staff note **number 9** he answered what manual is being referred to in the table under MR3 Source Control, how the manual gets

updated, whether it comes to the Council when it is changed or whether the Council is subjugating their authority, making the reference to the manual more specific (2012 Washington State Department of Ecology Stormwater Management Manual), and whether the manual is a requirement under State law or just a recommendation.

For Exhibit A, staff note **number 10** he answered whether the minimum lot size of 10 acres would apply to cluster housing, why the size for a lot consolidation is 10 acres, and why the code only allows only one dwelling per 10 acres in an area that has sewer and water in the district column described as “UR-MX; all densities with public sewer or water.”

For Exhibit A, staff note **number 11** he answered whether the code change is applying to something that was docketed that was not approved as a code change or whether it is applying to something that was approved on the Council’s docket, why they would not allow lots as long as they do not change the underlying density, what the smallest lot size would be for a cluster if someone had a 20 acre parcel that was zoned R5, and why the code limits the boundary line adjustment to be no smaller than the smallest nonconforming lot.

For Exhibit A, staff note **number 13** he answered whether people have tried to split agricultural zone parcels into 20-acre parcels, whether 20-acre parcels are allowed in commercial forestry zones, and whether those numbers are from State or local codes.

For Exhibit A, staff note **number 14** he answered whether the code change makes boundary line adjustments not exempt from short plat requirements.

For Exhibit A, staff note **number 15** he answered why the code language is being proposed since there are a lot of lots in the agricultural zone that are not buildable.

For Exhibit A, staff note **number 16** he answered whether references to appeals of Type I and Type II applications are somewhere else in the code.

For Exhibit A, staff note **number 22** he answered questions about appeals of Type I and Type II applications, whether no appeal is available for “Removal of Development Moratorium,” when the process described in the proposed added code language about minor and major variances could be used, and how many appeals under this code would now be decided internally as opposed to going to the Hearing Examiner.

**This agenda item was DISCUSSED.**

**Other Business**

There was no other business.

**Adjournment**

The meeting adjourned at 2:57 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WA

**Ben Elenbaas-via email 10/13/2020**

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

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Ben Elenbaas, Committee Chair

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Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE