

Whatcom County Council Committee of the Whole

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



Committee Minutes - Draft Minutes

Tuesday, June 9, 2026

2:30 PM

Hybrid Meeting - Council Chambers

**HYBRID MEETING - MAY BEGIN EARLY/LATE - ADJOURNS BY 4:30 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

Council Chair Kaylee Galloway called the meeting to order at 2:31 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 (Comprehensive Plan)

1. [AB2026-453](#) Discussion and preliminary Council direction on a draft ordinance adopting amendments relating to the 2025 Comprehensive Plan update and Urban Growth Area review, including discussion of proposed findings of fact

Matt Aamot, Planning and Development Services Department, introduced the discussion and highlighted some of the changes to the draft findings which were sent to Council on June 5th, compared to the Planning Commission findings from January. He stated this is by no means an exhaustive list of changes.

Councilmembers and Aamot discussed the following two properties in regard to zoning/rezoning:

- The Caitac property
- The Strider property

Aamot spoke about the City of Bellingham's proposal and answered if this ordinance would change the Caitac property. He stated it would not change the zoning but would add it to the UGA, then a companion ordinance would change the zoning to higher density. This ordinance reflects the Bellingham proposal, which is to expand the UGA to encompass what is in the UGA reserve right now.

Darcy Jones spoke about the Caitac property and that they wrote a couple emails related to and including suggested draft language for Chapter 8 Resource Lands. They want to make sure that the property is not recategorized as resource agriculture land in the future, wherein they would be subject to the Conservation Futures Fund or density transfer program. It is a preventative measure on their part to ensure that this land is kept open and ready for development. He stated what they are asking for is also consistent with the response he got from County Planning staff, and he answered what he ran by them regarding policy 8A-15.

Aamot clarified that the areas designated right now as rural are not designated as lands of long-term commercial significance, so the mitigation policy that applies to Nooksack and Sumas would not apply to these properties at this time.

Councilmembers and Aamot discussed the Strider property and the concerns outlined in a letter sent to Council (on file), and the following additional people spoke:

- Chris Behee, City of Bellingham
- Mark Personius, Planning and Development Services Department Director

Councilmembers and the speakers discussed what notification looks like for people who own property in the light impact industrial (LII) area where Bellingham is proposing taking property out of the UGA and how the proposal would affect businesses in that area, Bellingham's rationale for their proposal, how much more potential there is for housing development if that area changes to Rural (R10A) and the desire to avoid a clash between housing and existing industry, if there is a path for Bellingham to take it from UGA to UGA reserve but retain LLI zoning and that the County would need to consult with legal counsel about that, if they would be walking into a taking situation if Strider can demonstrate a loss due to a rezone, how this would be consistent with the vision of the county executive to find more industry-ready lands and where they are replacing industrial lands if some are removed, and a potential motion to add a study to the already-docketed UGA reserve study to look at the potential for industrial lands in UGA reserves.

This agenda item was DISCUSSED.

2. [AB2026-426](#) Discussion and preliminary Council direction on a draft ordinance amending development regulations in Whatcom County Code Title 20 to coordinate with the comprehensive plan periodic update

Maddie Schacht, Planning and Development Services Department, read from a presentation (on file) about the proposed zoning code amendments. She stated the amendments are either to address changes in State law or to ensure internal consistency between the pending updated goals and policies of the Comprehensive Plan and Whatcom County development regulations.

She discussed with councilmembers the new State law (House Bill 2269) which specifically requires public sewer service for middle housing zoning in Limited Areas of More Intensive Rural Development (LAMIRDs) and the

impact that might have.

Mark Personius, Planning and Development Services Department Director, answered why the Legislature decided to make a distinction between rural and non-rural counties when they made the new requirements, and stated it was a one-size-fits-all statutory change and focused on some counties in eastern Washington. He stated it definitely hurt us. The Planning Directors Association has been and will continue to lobby to get that rule changed (at least for Whatcom County).

Galloway asked if inclusive language has been incorporated in this update as per Resolution 2023-019 passed by the Council in 2023, and Schacht stated they can look into it.

Cathy Halka, Clerk of the Council, stated Council staff can do a preliminary look at that code section, compare it to the resolution edits, and make sure they have caught everything.

Galloway moved to direct council staff to incorporate the edits identified in Resolution 2023-019 to address inclusion in Title 20, in consultation with PDS staff.

The motion was seconded by Boyle.

The motion carried by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, and Stremmler

Nay: 0

Councilmembers and the speakers discussed parking amendments, that staff will be bringing more to Council in the fall but today's amendments are just parking requirements they are required to adopt concurrent with the Comprehensive Plan, parking mandates related to childcare centers and major transit stops, the updated definition of essential public facilities because there were updates to the State law, that the County's definition did not encompass something that looks like a civil detention facility in its definition, and that pipeline definitions were just moved to the correct location in the code.

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

Motion approved to direct council staff to incorporate the edits identified in Resolution 2023-019 to address inclusion in Title 20, in consultation with PDS staff.

3. [AB2026-249](#) Discussion regarding schedule for Council review of the comprehensive plan update
- Galloway read from the proposed schedule (on file) and stated they are on track for introduction on the 23rd of June and a public hearing and final action on July 14th.

Kiana Oos, Council Office Staff, stated it might make sense to schedule all the chapters for the June 16 Special Committee of the Whole, and they will also be adding new Appendix L. She will upload a new schedule for the file. She answered how many amendments she has for the 16th and stated there are about 20 total and Councilmember Elenbaas has some he may want to bring up as well.

Elenbaas spoke about his amendments.

Council staff and councilmembers discussed how proposed amendments will be prepared before the 16th, what kind of legal review they will get between the 16th and the 23rd when the ordinance would be introduced, that legal would just need to do a pro forma review, and creating space to have some discussion around tribal engagement work.

The following Planning and Development Services Department staff spoke:

- Matt Aamot
- Mark Personius

They discussed that staff will have a couple relatively minor changes to some of the other appendices not listed for the 16th, and an email from Elenbaas to Planning about the Nooksack.

This agenda item was DISCUSSED.

Committee Discussion (Other)

1. [AB2026-432](#) Discussion of an ordinance amending Whatcom County Code Chapter 5.20, Fireworks, to strengthen fireworks regulations by limiting the days fireworks are allowed and prohibiting fireworks during burn bans
- Galloway gave background on the ordinance. She stated essentially when reviewing this section of our code, they came to find that it was out of alignment with State RCW, so they updated language to be in alignment with State law and she described specific proposed changes to the code. She stated other jurisdictions (including Bellingham) have completely banned the sale and discharge of fireworks.

Councilmembers discussed fireworks not being legal in the event of a burn ban and that one has historically been in place on the 4th most years in the recent past (functionally disallowing fireworks), if they included the Tribes when drafting this language, that this ordinance would not affect municipal or tribal lands, that it would take a year to go into effect, and that the language would affect the bottom line of those who sell fireworks.

James Triplett, Sheriff's Office, spoke about the Sheriff's Office ability to enforce the ordinance and the potential impact on calls for service. He stated the realistic ability for them to respond to fireworks enforcement would be limited.

Councilmembers discussed stages of burn bans, if it is equitable to only give people one day to celebrate the holiday, what types of activities that are occurring now would not be allowed if this ordinance passes, and how it might change things for permitted firework displays.

Kiana Oos, Council Office Staff, stated it is her understanding that anyone can apply for a permit for a public display at any time. They just have to apply and receive the permit and it does not have to just be on the Fourth of July.

Councilmembers and staff discussed if public displays would be canceled if a burn ban was in effect, that they allow for pretty broad discretion for the fire marshal, if Galloway might be open to looking at other stages of burn bans in the ordinance, and an idea of a setback to encourage people not to light fireworks in close proximity to their neighbor's property.

Kimberly Thulin, Prosecuting Attorney's Office, spoke about adding any setback amendment after the section titled "Period of use."

Councilmembers discussed changing the word from "may" to "shall" as far as the burn ban goes, if research shows how other counties have been able to implement this and what else they have done to reduce the risk of wildfires, if the burn ban reference could be changed to a stage 2, adding back July 3rd and 5th as allowed days, an amendment on a possible setback, looking at what is and is not working in places with fireworks bans, and that it would need to be adopted by the 23rd of June in order for it to take effect next year.

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 4:26 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger