

Whatcom County Council Committee of the Whole

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



Committee Minutes - Final

Tuesday, April 15, 2025

2:20 PM

Hybrid Meeting - Council Chambers

**HYBRID MEETING -- MAY BEGIN EARLY -- ADJOURNS BY 4:30 P.M. --
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil OR CALL 360.778.5010)**

COUNCILMEMBERS

Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Kaylee Galloway
Jon Scanlon
Mark Stremmler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

Call To Order

Council Chair Kaylee Galloway called the meeting to order at 2:22 p.m. in a hybrid meeting.

Roll Call

Present: 7 - Barry Buchanan, Tyler Byrd, Todd Donovan, Ben Elenbaas, Kaylee Galloway, Jon Scanlon, and Mark Stremmer

Announcements**Special Presentation**

1. AB2025-291 Presentation by the Department of Public Works on the inclusion of HB 1181 and climate planning requirements in the County's Comprehensive Plan periodic update process

Lauren Clemens, Public Works Department Climate Action Manager, read from a presentation (on file) and answered questions. She answered what the timeline will be for this chapter to come to the Council, and stated there will be at least one work session and then a public hearing in the Planning Commission before it will come to Council and that process will likely start in May. She answered what "overburdened" communities means in relation to the greenhouse gas emissions sub-element priority, and stated there is a definition in the State Legislation.

This agenda item was PRESENTED.

Committee Discussion and Recommendation to Council

1. AB2025-221 Discussion and motion relating to draft Countywide Planning Policy amendments
Matt Aamot, Planning and Development Services Department, stated that after the last meeting (March 25, 2025), they sent comments from Councilmember Galloway to the City/County planner group, and since then, they have received additional comments from Councilmember Donovan and the Nooksack Tribe. The City/County planner group has not weighed in on those.

Galloway stated the "Substitute Countywide Planning Policies - Galloway & Donovan" (on file) has both Galloway's and Donovan's amendments.

Donovan moved and Galloway seconded to recommend approval of the substitute version.

Donovan briefed the councilmembers on the language he is proposing to retain in the document, and Galloway briefed them on her proposed

amendments noted in blue.

Galloway moved to amend the second sentence of section I (Economic Development and Employment), subsection 9 to reflect the recommendation of the City/County planner group as follows:

As part of a broad based economy, productive timber, agriculture, and fisheries, and mineral resource industries should be supported in a sustainable manner ~~and mineral resource extraction should be supported to provide necessary materials for the local economy.~~

Councilmembers and Aamot discussed that some of the language that Donovan would like to reinstate was deleted because it is already covered somewhere else, that once this committee passes a final draft it cannot be changed so they may want to send the additional amendments to the City/County planner group first, and whether the city councils will also give feedback.

Chris Behee, City of Bellingham, stated there is not anything the City of Bellingham would object to at this point.

Councilmembers and Aamot discussed whether they should present a draft with the proposed amendments to the City/County planner group first before voting today, and about getting feedback from the Surface Mining Advisory Committee on the proposed changes to section I (9).

Aly Pennucci, Executive's Office, stated that if staff is going to take time to coordinate with another committee, they want to make sure it is the request of the entire body of the Council.

Councilmembers discussed how to proceed.

Donovan withdrew the motion to approve the substitute **and moved** that his proposed changes go to the relevant stakeholders for feedback.

The motion was seconded by Byrd.

Donovan accepted a friendly amendment to his motion to send his amendments to the City/County planner group.

Councilmembers discussed how the different versions of the document and feedback should be presented, and whether they should also send the letter from the Nooksack Tribe to the City/County planner group.

Donovan amended his motion to send his amendments and the Nooksack Tribe's proposal to the City/County planner group, to refer the proposed amendments in section I (9) to the Surface Mining Advisory Committee, and to then get feedback from the relevant stakeholders on those three items.

Councilmembers discussed whether they should also send any proposals from the City of Lynden, but the motion stayed as it was.

Aamot answered whether an amended version would go back to the Planning Commission before coming back to Council.

Donovan's motion carried by the following vote:

Aye: 7 - Byrd, Donovan, Elenbaas, Galloway, Scanlon, Stremmer, and Buchanan

Nay: 0

Councilmembers discussed one of Galloway's suggested amendments to add a new policy N (7) (Water Quality and Quantity) as noted in the "Substitute Countywide Planning Policies - Galloway & Donovan," and the following people spoke:

- Matt Aamot
- Satpal Sidhu, County Executive
- Aly Pennucci
- Bob Carmichael, Lynden City Attorney

They discussed questions about how cities would be able to demonstrate that they have access to adequate water, a concern about leaving cities off the planning trajectory based on information they provide today, whether information demonstrated in a water system plan is sufficient for making determinations as to whether or not a city has enough water to go forward with their population allocations, whether one city's inability to demonstrate compliance would put burden on other jurisdictions to plan for that growth, when the City of Lynden would do their next update to their water system plan under the current process, and whether our current system already meets the intention of the proposed amendment.

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

Motion approved that Donovan's proposed changes (in the "Substitute Countywide Planning Policies - Galloway & Donovan" version) and Nooksack's letter regarding potential changes go to the relevant stakeholders (City/County Planner Group) for feedback, and that Galloway's proposed change to Section I (9) (in blue in the substitute) be sent to the Surface Mining Advisory Committee for their feedback.

2. AB2025-239 Resolution regarding additional guidance from the County Council to the Executive and Planning and Development Services Department on the population, housing, and employment allocations

Donovan briefed the Councilmembers on work he and Councilmembers Scanlon and Elenbaas did with the Executive's Office on the resolution, and feedback from some of the cities as shown in the "Substitute Resolution - Cities' Comments" (on file).

Scanlon spoke about a suggestion that the small group (Scanlon, Donovan, Elenbaas, and Deputy Executive Pennucci) meet to consider the comments noted on the substitute and then come back to Council with a clean version, and Councilmembers discussed that.

Aly Pennucci, Executive's Office, requested they also have Council staff as part of that group to help incorporate any changes.

Elenbaas moved and Scanlon seconded that the Resolution be HELD IN COMMITTEE pending more work. The motion carried by the following vote:

Aye: 7 - Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremmer

Nay: 0

Motion approved to hold in committee pending more work.

3. AB2025-280 Resolution approving a conditional use permit and development agreement for Ponderosa Estates Mobile Home Park

Galloway stated this is a substitute resolution.

The following people briefed the councilmembers and answered questions:

- Amy Keenan, Planning and Development Services Department
- Kim Thulin, Prosecuting Attorney's Office

Keenan stated this is a proposal to phase redevelopment of an existing mobile home park in Birch Bay for a total of 163 units. The Hearing Examiner held a public hearing on this and issued a recommendation of approval, with conditions and findings of fact and conclusions, which is in the packet.

Councilmembers and the speakers discussed that any response from the applicant needs to be something that is contained in the Hearing Examiner's record because Council will be sitting tonight as a quasi-judicial body in this matter, a desire from Councilmembers to hear from the applicant to hear if they feel the conditions are reasonable and learn more about the proposal, and that the records and hearing are available online on the Hearing Examiner's website.

Tony Sosebee, representative of the applicant, answered whether or not the applicant had their input sought as to the conditions that were discussed and approved by the Hearing Examiner.

Stremler moved and Buchanan seconded that the SUBSTITUTE Resolution be RECOMMENDED FOR APPROVAL.

Councilmembers discussed the motion and Keenan answered questions about the resolution.

Stremler's motion that the SUBSTITUTE Resolution be RECOMMENDED FOR APPROVAL carried by the following vote:

Aye: 6 - Buchanan, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Nay: 0

Abstain: 1 - Byrd

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 4:28 p.m.

The County Council approved these minutes on April 29, 2025.

ATTEST:



Cathy Halka, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA


Kaylee Galloway, Council Chair

Meeting Minutes prepared by Kristi Felbinger