

Whatcom County Council Special Committee of the Whole

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



Committee Minutes - Draft Minutes

Tuesday, February 3, 2026

1 PM

Hybrid Meeting - Council Chambers

**HYBRID MEETING -- 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 Vice Chair Jon Scanlon called the meeting to order at 1 p.m. in a hybrid meeting.

Roll Call

Present: 7 - Elizabeth Boyle, Barry Buchanan, Ben Elenbaas, Kaylee Galloway, Jessica Rienstra, Jon Scanlon, and Mark Stremmler

Announcements

Committee Discussion

1. [AB2026-037](#) Update on 2026 State Legislative Session

Jed Holmes, Executive's Office, provided an update on the 2026 Legislative Session. He stated that the county submitted a capital budget ask of \$15 million for funding from the state for various flood hazard mitigation projects, including acquisition of key properties and advanced design on projects aimed at alleviating flood damage to Everson, Sumas, and Nooksack, such as widening the corridor, designing berms and flood walls, and floodproofing for critical facilities. He said they are also looking at advanced design for emergency access and drainage improvement projects, which might include relocating or replacing tide gates on Jordan Creek, elevating portions of access routes to Lummi Nation, and more. Holmes said that more information would be available to the county once the state's budget is published.

Boyle moved to indicate the Council's support for funding from the State of Washington. Scanlon seconded the motion.

Rienstra asked whether the 18-month period referenced in the memo (on file) are for design or for action.

Holmes said that the request is for acquisition and easements and advanced design work. The money, if granted, would go toward design rather than actual construction.

Rienstra asked for clarification about how the administration reached the \$4 million request for advanced design projects listed under Project Area #2 in the memo.

Holmes said that there are probably close to half \$1 billion worth of projects, and the ask was calculated based on what the county thought they might be able to get from the state.

Elenbaas asked whether the county administration will be supporting requests from the mayors of Sumas, Nooksack, and Everson.

Holmes stated that the administration met with the mayors and the memo incorporates requests from the mayors, including sediment removal and widening of the corridor.

Stremler stated that advanced design has been underway for years and he is concerned that funding will be going to design rather than execution.

Holmes said that conceptual development has occurred, but identifying plans to move forward for permitting is the next phase. He said there is a plan for an operations plan, which will be shared with Council at the February 24 meeting.

Scanlon asked whether the cities had additional asks of the state.

Holmes stated that there was an effort to coordinate the ask with the cities.

The motion passed by the following vote:

Aye: 7 - Boyle, Buchanan, Elenbaas, Galloway, Rienstra, Scanlon, Stremler

Nay: 0

Galloway shared an update on the 2026 legislative session. She stated that she and several others testified in support of the ferry district bill, which continues to move forward. She said she also attempted to provide testimony about the ecosystem services bill, but the time for testimony ran out. She noted that the Washington State Association of Counties (WSAC) will hold their board meeting, legislative reception, and steering committee and advocacy will continue there.

Stremler asked a question about the tracking of bills by the county's lobbyist.

Holmes stated that some of the bills have been voted on by the Council, and the Executive elects to support others.

Kayla Schott-Bresler, Executive's Office, provided historical context on the process, and stated that improvements may be possible.

Buchanan said that when he first joined the Council, the Executive did not have any interaction with the Council regarding the state legislative agenda.

Scanlon asked that the flood mitigation letter be added to the agenda bill file.

Kirsten Smith, Council Staff, said that the letter is already included with the file.

Scanlon stated that he is working on a resolution expressing support for state funding for county health departments, which he hopes to bring forward on an upcoming Council agenda for action by the Council acting as the Health Board.

Elenbaas asked why the Governor might feel like cuts to foundational public health services funding are needed.

Galloway said that there are massive cuts proposed across the board, and funds are being redirected.

Elenbaas said that all councilmembers can agree that lowering the cost of housing is a priority, and cutting funding to foundational public health services could endanger that priority.

Scanlon asked how much funding the health department receives from the General Fund.

Schott-Bresler said that it is approximately \$2 million.

Boyle asked how community members impacted by the flood should get information.

Schott-Bresler said she would have to follow up on that question.

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

Motion approved to indicate Council's support for this request of funding from the State of Washington.

2. [AB2026-078](#) Discussion of urban growth area proposals for the 2025 Comprehensive Plan
Matt Aamot, Planning and Development Services (PDS), shared a presentation on remaining UGA and UGA reserve proposals.

Birch Bay UGA/UGA Reserve Proposal (Approximate Timestamp 30:43)

Aamot stated that the Birch Bay proposal does not change the UGA boundary or UGA reserve boundary, as that will be a docketed item in 2026 or 2027. Aamot said that while there are no UGA changes, there are zoning

code changes. He provided an overview of the changes, which include zoning text amendments, commercial rezoning, state park rezoning, and R5A to R10A rezoning.

Elenbaas asked if the change from R5 to R10 is to protect the capacity for higher densities in the future.

Aamot said yes.

Elenbaas asked if the property owners had been notified, as they may have concerns about their property values.

Aamot said that this is a countywide change, so individual landowners have not been notified. He explained the reasoning behind the change from R5 to R10.

Stremmer asked whether single family homes are still allowed in areas where duplexes, triplexes, etc. will now be allowed.

Aamot said that single family homes will still be an option in those areas.

Elenbaas asked for clarification about the types of housing currently allowed in urban residential zones.

Aamot said that urban residential zones currently allow only single-family homes. He said the impetus for the change to add duplex, triplex, and fourplex development is House Bill 1220, which requires the county to accommodate a variety of income levels and housing types.

Scanlon asked a question about the Birch Bay Bible Church.

Aamot said that the Birch Bay Community Advisory Committee recommended bringing the area around the Birch Bay Bible Church into the UGA. Aamot said that the county did not recommend this because housing for all income levels can be accommodated within the existing UGA and Birch Bay Water and Sewer District. The UGA Reserve discussion will be revisited in the next year or two. Aamot stated that zoning changes will be presented in a separate ordinance from the Comprehensive Plan, though it is part of the comprehensive review process.

Scanlon said he hopes the good work between the county and community planning for sea level rise continues.

Stremler asked about a property on Lincoln Road.

Aamot said that it is similar to the Birch Bay Bible Church in that PDS has concerns about expanding the UGA. He noted that Planning Commission recommended the property owner for consideration for UGA Reserve.

Columbia Valley UGA/UGA Reserve Proposal (Approximate Timestamp 51:35)

Aamot stated that Columbia Valley is proposed to maintain its existing UGA boundary. An existing 40-acre UGA Reserve would be changed to Rural Forestry, as this area contains steep slopes, landslide hazard areas, and alluvial fans. Aamot then provided an overview of related zoning changes, including zoning text amendments and residential, commercial, industrial, and UGA reserve rezoning. He said that the land capacity analysis indicates the existing UGA can accommodate housing growth with the proposed rezones.

Buchanan asked for clarification about a particular zoning change.

Aamot said explained the reason for the zoning change, stating the goal is to ensure that properties on a parcel are included in a single zone. Stremler asked about the parcel that would go from reserve to rural forestry.

Aamot said the reserve decision was originally made because of property lines.

Boyle asked for clarification about how decisions are made regarding which properties are elevated to a higher density.

Aamot said that in the specific case under discussion, the property owner made a request, which was brought to Planning Commission for consideration.

Scanlon asked about the safety of the water district infrastructure.

Aamot stated that development requires critical areas review, which would identify whether mitigation is needed, but this planning level has not looked into that question.

Elenbaas asked about the development potential in general commercial zones and spoke about the need for grocery stores and commerce in the area. He said he wants to see great opportunities for someone to have a

business that would be successful over time and serve the community.

Buchanan spoke about his participation in a group that studied how to bring commercial to the Columbia Valley area. He said there was a developer interested in bringing in a shopping center, but the developer ran into some problems, so it did not move forward.

Councilmembers continued to discuss and ask questions about the Columbia Valley UGA map and its suitability to the needs of the community.

Rural and Resource Lands Proposal (Approximate Timestamp 1:27:33)

Aamot stated that the GMA envisions that future growth will go toward UGAs, and there are ten UGAs in Whatcom County. The majority of lands outside the UGAs are natural resource lands of long-term commercial significance. There are over 220,000 acres of forest land and 85,000 acres of designated ag lands. There are also about 5,500 acres of mineral resource lands and 130,000 of rural lands. Limited areas of more intensive rural development (LAMIRDs) are historic communities like Custer, Sudden Valley, Acme, etc. The estimated 2023 population of rural and resource lands was just under 71,000 people, or approximately 30% of the countywide population. Aamot provided an overview of related zoning amendments, including the following: zoning code text amendments intended to allow duplex, triplex, and fourplex development in certain zones when public water is available; rezone of Custer LAMIRD; rezone of Pole & Guide LAMIRD; rezone of Hinote's Corner LAMIRD; and removal of mineral resource land special district overlay zone of Lummi Island. Aamot also provided an overview of the land capacity analysis for housing in the rural and resource lands, explaining how a planning tool instituted following passage of House Bill 1220 distributes housing to different jurisdictions throughout the county. Under House Bill 1220, the county is required to provide for housing for different income levels, which is a change from previous years. Aamot stated that with the proposed rezone changes, the county can provide land capacity for housing across the spectrum of income levels. He said that the Planning Commission did not recommend allowing duplex, triplex or fourplex developments in the residential rural and small town commercial zone except in the Custer, Poland Guide and Hinote's Corner LAMIRDs, which creates a moderate income housing land capacity deficit. Aamot said one option would be for Council to allow only duplexes in the other LAMIRDs, allow only duplexes or triplexes in the other LAMIRDs, or allow the original proposal to allow duplexes, triplexes, and fourplexes in the LAMIRDs.

Boyle asked for clarification about population allocation goals depending on whether duplexes alone were allowed in the LAMIRDs.

Aamot stated that duplexes alone could make up the deficit in those areas.

Elenbaas asked to see a map of the county's mineral resource lands and spoke about Whatcom County Code 20.73 Mineral Resource Land Special District (MRL).

Elenbaas moved to add the shores of the Nooksack River to be included in the Mineral Resource Lands Special District. Stremmer seconded the motion.

Elenbaas said the purpose of the mineral resource lands district is to implement the mineral resource lands designation of the Comprehensive Plan established pursuant to Growth Management Act (GMA) by allowing the type of activity that encourages and supports the opportunity for the extraction of minerals in areas of Whatcom County designated as containing resources viable for long-term commercial extraction. He said the amendment would make it clear that gravel extraction could take place on the banks of the Nooksack River. He said this motion would make it clear that Council would like PDS staff to take an action.

Scanlon asked whether this motion is a request for staff or an amendment to the Comprehensive Plan.

Elenbaas said that he wants the Nooksack River corridor to be a designated part of the mineral resource lands in the Comprehensive Plan and spoke about the potential outcome of the motion.

Buchanan asked how the proposal would impact the Shoreline Management Plan.

Aamot asked whether this proposal would be part of the Comprehensive Plan update or docketed.

Elenbaas said that people in Nooksack and Everson want to know that this conversation is happening now, not in the distant future. He said the Shoreline Management Plan likely has a large number of restrictions, but his motion is just a nod from the Council that this is the direction Council wishes to explore.

Mark Personius, PDS, said there are policy revisions in Chapter 8 about

potential gravel bar scalping. He said that the upcoming discussion of this chapter may be the appropriate time to have this conversation. He added that there is a study going on with a consultant regarding all existing designated mineral resource lands and suitability for potential expansion.

Elenbaas said he is interested in an MRL overlay for the Nooksack River banks so that those areas can be included in discussions around flood management and mineral extraction.

Personius stated that there are some challenges to making changes to map designations as the county is required to do a countywide assessment of those lands.

Elenbaas said his motion is trying to determine whether his peers are supportive of the policy direction to move toward this type of change.

Elenbaas amended his motion to request the Executive to direct Planning staff to explore adding the shores of the Nooksack River into the Mineral Resource Land Special District at the earliest feasible time.

Stremmer asked Director Personius to elaborate on the MRL analysis currently underway.

Personius said a consultant is currently working to identify areas for expansion within a half mile of existing MRLs. Personius said there are existing regulations in Shoreline Management Plan and the Comprehensive Plan that provide a path forward for gravel bar scalping, but no one has ever attempted to take that permit path because of its challenging nature.

Kimberly Thulin, Prosecuting Attorney, asked that the motion maker clarify that Council is not directing staff.

Elenbaas amended his motion to request the Executive to work with Planning Staff to explore adding the shores of the Nooksack River into the Mineral Resource Land Special District at the earliest feasible time.

Boyle asked for clarification about rezoning.

Personius stated that any change to designations on the map constitute a Comprehensive Plan amendment, which requires a countywide assessment, something not covered by the current consultant's work.

Elenbaas provided clarification about how he sees the process moving

forward.

Rienstra asked whether there has been stakeholder work or input on this topic.

Elenbaas stated that he came up with this idea as he was reading code, but he was part of earlier conversations about expanding mineral resource options.

The motion passed by the following vote:

Aye: 6 - Elenbaas, Rienstra, Scanlon, Stremmer, Boyle, Buchanan

Nay: 0

Temporarily Away: 1 - Galloway

Aamot stated that PDS recommended allowing duplex, triplex, and fourplex development in residential rural 2 and residential rural 3 and small town commercial zones. Planning Commission recommended that these changes only apply within Custer, Pole & Guide, and Hinote's Corner LAMIRDs.

Scanlon asked about Planning Commission's rationale for their recommendation.

Aamot said he is hesitant to speak for Planning Commission, but their meeting minutes indicated some concern about single family housing.

Scanlon said these changes would just make duplexes, triplexes, and fourplexes allowable; it would not disallow single family housing.

Buchanan asked whether there was a public hearing for communities in these areas.

Aamot said this is a countywide process, so there were no individual mailings to specific communities.

Buchanan asked whether there were any written comments on this topic.

Aamot said he does not recall any comments.

Scanlon moved to support the original proposal (the Planning and Development Services' Rural Resource Lands proposal to allow duplexes, triplexes, and fourplexes in LAMIRDs). Boyle seconded the motion.

Scanlon said this proposal ties into conversation from the Glacier and Maple Falls business community about how staff are unable to find

affordable housing.

Stremler said he wonders if this change to allow higher density housing will discourage the construction of single family homes.

Elenbaas said that providing options allows people to make decisions about what they need.

The motion passed by the following vote:

Aye: 6 - Scanlon, Boyle, Stremler, Elenbaas, Rienstra, Buchanan

No: 0

Temporarily Away: 1 - Galloway

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

Motion approved to request the executive work with planning staff to explore adding the shores of the Nooksack River to the Mineral Resource Lands Special District at the earliest feasible time.

Motion approved to support the original proposal (the Planning and Development Services' Rural and Resource Lands proposal to allow duplexes, triplexes, and fourplexes in LAMIRDs).

3. [AB2026-126](#) Discussion of councilmember project updates

Scanlon stated that he would like each councilmember to talk about something they are working on.

Boyle said she is interested in increasing shelter options, including micro shelters, as everyone deserves a safe place to sleep.

Scanlon said that the Bellingham Library is closing for renovation at some point this year and there are ongoing conversations about how to fill the gap this will create, as many use the library as a daytime shelter.

Boyle said she would like to see opportunities in smaller communities for expanded shelter options, similar to Ferndale Community Services' micro shelter.

Scanlon said Nooksack Tribe is looking to build a tiny home village modeled on the Lummi Nation's tiny home village.

Stremler said he wants to see a menu of options for long-term river management and flood mitigation. He said he is also interested in working to expand access to mental health treatment.

Rienstra said she is also excited to work on that expanding access to mental

health treatment, and she loved hearing from the community organizations that shared during the morning's Health Board meeting.

Scanlon said that he has heard from community members that kids are struggling in Everson and Sumas because they have been so traumatized by the floods. He said he would like to see a coalition effort similar to Birch Bay Blaine Thrives and other similar groups.

Stremler said he would like to hear an update on the use of Healthy Children's Fund dollars for families with young children that were impacted by the flood.

Buchanan said he would be happy to work with Stremler on mental health expansion as well.

Rienstra said she is interested in housing and increasing access to behavioral health resources and preventative treatment throughout the whole county.

Elenbaas said he is working on revisiting concomitant agreements. He is also working on an ordinance to allow ATV use on county roads and an ordinance to clarify how department-level processes are implemented. He stated he is also interested in revising the code to better allow slaughterhouses. He said he will also be pushing for any viable alternative to water rights adjudication. He said he is not advocating canceling adjudication; he does not believe a judge should decide the issue.

Buchanan said he is excited about the partnerships being formed in the criminal justice space, including the Joint Justice Project Advisory Work Group.

Boyle said Lynden, Everson, and Nooksack do not have community coalitions. She added that she is very interested in working to support youth and successful re-entry for individuals who have been incarcerated.

Scanlon said he has a lot of projects on his list, including flood recovery and mitigation, comprehensive water planning, Point Roberts' stormwater plan and use of transportation benefit district funds, development of a Columbia Valley workgroup focused on cleaning up properties, senior centers, healthcare access and costs, community health assessment, the Bay to Baker Trail, strategic planning, and ferry replacement. Scanlon said that additional discussion on these priorities will occur at Council's Annual Retreat on February 17 when councilmembers will engage in strategic

planning.

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 4:04 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Kaylee Galloway, Council Chair

Meeting Minutes prepared by Jenna Gernand