

Whatcom County Council Planning and Development Committee

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



Committee Minutes - Final

Tuesday, March 19, 2024

10:55 AM

Hybrid Meeting

HYBRID MEETING - ADJOURNS BY ADJOURNS BY NOON; MAY BEGIN EARLY (PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010)

COUNCILMEMBERS

Todd Donovan
Ben Elenbaas
Jon Scanlon

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Committee Chair Ben Elenbaas called the meeting to order at 10:46 a.m. in a hybrid meeting.

Roll Call

Present: 3 - Todd Donovan, Ben Elenbaas, and Jon Scanlon

Also Present: Barry Buchanan, Tyler Byrd, Kaylee Galloway, and Mark Stremmer

Announcements

Committee Discussion

1. [AB2024-172](#) Discussion of proposed ordinance adopting amendments to Whatcom County Code Title 15, Buildings & Construction, to adopt by reference the 2021 Editions of the International Building Codes

The following people spoke:

- Curtis Metz, Planning and Development Services Department
- Cliff Strong, Planning and Development Services Department

Metz referred to a memo (on file) and updated the Councilmembers. He answered questions about the proposed permitting changes and how permitting would be affected if someone does not finish work in the given timeline or if the code changes in the middle of the process. He answered whether there are any changes to the proposed ordinance since the last discussion and he stated it is the same.

Strong stated this ordinance is on the agenda for introduction tonight.

This agenda item was DISCUSSED.

2. [AB2024-207](#) Discussion of a proposed ordinance to allow as a conditional use the distribution, reload, storage, and sales of propane in the Agriculture District, and as a permitted use in the Light Impact Industrial District, Heavy Impact Industrial District, Rural Industrial and Manufacturing District, and add two new definitions to the Definitions sections of WCC Title 20

The following people read from a presentation (on file) and answered questions:

- Lucas Clark, Planning and Development Services Department
- Steve Roberge, Planning and Development Services Department

They answered questions about where a facility could be built, the intent of proposed code provision number one in the presentation, the definition of agricultural use, how the use would be allowable in Rural Industrial and Manufacturing (RIM) land which is in limited areas of more intense rural development (LAMIRDs), not changing the language to say it is allowable in a RIM zone if it is not feasible, and how many zones have an approved use beyond the ones that are a conditional use.

Royce Buckingham, Prosecuting Attorney's Office, answered whether this is a spot zone that could be challenged and stated his take on it is that this is not really a re-zone. It is proposed to be county-wide. And so, it does not really fit being a spot zone. With that being said, all the evils of a spot zone are something you should be discussing, and whether you want to do this or not.

Councilmembers and staff discussed whether there are other potential sites where people might be interested in this, where the definition for long-term commercial significance is found and whether it is spelled out enough, that this had a unanimous vote in the Planning Commission on the second vote, what the concerns of the Agricultural Advisory Committee were and whether they were addressed, the fact that this particular parcel is probably being looked at because of its vicinity to a rail spur and that this type of facility would probably not “go gangbusters” across the ag land, whether they are ultimately doing this for a singular applicant for a specific piece of property, that the use is functionally disallowed in the RIM zone by the Growth Management Act and the reason that zone was included, and the next steps for the ordinance and whether there are time constraints.

Donovan stated they are talking about a specific piece of property for a specific applicant.

Elenbaas stated that is true, but the action they take will affect the entire ag zone.

Mark Personius, Planning and Development Services Department Director, stated this is on for introduction tonight and scheduled for a public hearing at the next meeting.

Stremmer stated it is not just about this property. It is the ability to look at things in a common-sense way and what is a good move in changing language that allows us to facilitate good use practices. This is just an example of what the County can utilize moving forward.

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 11:30 a.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Ben Elenbaas-via email 3/23/2024

Dana Brown-Davis, Council Clerk

Ben Elenbaas, Committee Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE