

**Whatcom County
Council Planning and Development Committee**

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



Committee Minutes - Draft Minutes

Tuesday, March 7, 2023

1:50 PM

Hybrid Meeting

**HYBRID MEETING - ADJOURNS BY 3:15 P.M.; MAY BEGIN EARLY
(PARTICIPATE IN-PERSON AT 311 GRAND AVENUE SUITE 101, SEE REMOTE
JOIN INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil, OR CALL
360.778.5010)**

COUNCILMEMBERS

Tyler Byrd
Ben Elenbaas
Kaylee Galloway

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Committee Chair Ben Elenbaas called the meeting to order at 1:41 p.m. in a hybrid meeting.

Roll Call

Present: 3 - Tyler Byrd, Ben Elenbaas, and Kaylee Galloway

Absent: None

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

Announcements

Committee Discussion

1. [AB2022-597](#) Discussion of the Buildable Lands Report

The following people briefed the Councilmembers on the substitute Ordinance and answered questions:

- Matt Aamot, Planning and Development Services Department
- Chris Behee, City of Bellingham

They answered questions about Findings 37 and 38 regarding single-family housing in Bellingham, why they seem to be singling out Bellingham but not any other cities, and whether the City of Bellingham is fine with those findings of fact.

Clerk's Note: The meeting was paused for technical issues.

The speakers continued to answer questions about whether the Land Capacity Report is a separate process or will be implemented as part of the Comprehensive Plan update.

Galloway moved to recommend that the (Substitute) Buildable Lands Report be introduced at tonight's meeting (on the Council agenda as **AB2022-641**).

The motion carried by the following vote:

Aye: 3 - Byrd, Elenbaas, and Galloway

Nay: 0

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

Motion approved to recommend that the Buildable Lands Report be introduced at tonight's meeting (on the Council agenda as AB2022-641).

2. [AB2023-171](#) Discussion of an Ordinance Adopting Amendments to Whatcom County Code Chapter 16.50, Commercial Property Assessed Clean Energy and Resiliency (C-PACER) Program

The following people briefed the Councilmembers and answered questions:

- Cliff Strong, Planning and Development Services Department
- Maddie Schacht, Planning and Development Services Department

They answered whether they have a sense of what we could do to get more people aware of the program and whether someone could look into what kind of outreach other counties have done. Strong stated the proposed Ordinance is on the Council's agenda for Introduction tonight (**AB2023-172**).

This agenda item was DISCUSSED.

3. [AB2023-173](#) Discussion of an ordinance adopting various minor amendments to Whatcom County Code Title 20, Zoning; Title 21, Land Division regulations, and; Title 22, Land Use and Development

Cliff Strong, Planning and Development Services Department, briefed the Councilmembers on the proposed amendments and answered questions on the following:

7) (POLICY CHANGE) Reduce parking stall size to 9' x 18'

Strong answered whether the size for parking stalls will be mandatory or whether people can have bigger ones if they want to. He stated it is not mandatory and people can put in larger ones.

9) (POLICY CHANGE) Add Bicycle Parking Requirements

He and Amy Keenan, Planning and Development Services Department, answered where the proposed bicycle parking requirements would apply. He stated it would apply to all development except for single family and 2-family residential development and agricultural uses. He answered whether the City of Bellingham has bicycle parking requirements, whether this would apply to any development in the county other than the exceptions that Strong listed even if it is a place people would not ride a bicycle to, how much it might reduce vehicle parking, and whether it could just be made optional.

Byrd moved to amend Exhibit A to make adding bicycle parking optional.

Councilmembers discussed the motion with the following people:

- Gary Malick, Bicycle/Pedestrian Advisory Committee Chair
- Cliff Strong, Planning
- Karen Frakes, Prosecuting Attorney's Office
- Amy Keenan, Planning

Councilmembers, Malick, and Strong discussed retaining the requirement at least for Urban Growth Areas (UGSs) and Limited Areas of More Intensive Rural Development (LAMIRDs) but maybe not throughout the whole county, the recommendation of the Bicycle/Pedestrian Advisory Committee, whether developments can reduce the number of vehicle parking spots if they put in bicycle parking and whether that design may be a cost savings, whether a requirement might incentivize multi-modal transportation, and keeping this a requirement and adding administrative authority to grant exceptions or waivers.

Frakes answered whether a Councilmember owning a dealership selling e-bikes would be a conflict of interest in this case.

Strong answered whether developments get the added benefit of a one to one exchange for parking with the code as it is right now and stated they do not.

Byrd asked whether they could make it optional for a year and then come back and reassess it, and add to the process that people can remove vehicular parking spots if they add bicycle parking. Strong stated he could tweak the text to make it optional while still allowing for a reduction in vehicular parking spaces and he could also talk to the Planning Director about tracking these kinds of things for a year.

Donovan stated he is in favor of making it required in LAMIRDs and UGAs and adding administrative discretion on whether there are exceptions.

Byrd amended his motion to make adding bicycle parking optional for one year and then review the success of the program in a year.

Keenan answered how many building permits they process in a year and whether a year would be long enough to get meaningful information. She stated two years would be better.

Byrd amended his motion to make adding bicycle parking optional for two years and then review the success of the program after that time.

The motion carried by the following vote:

Aye: 2 - Byrd and Elenbaas

Nay: 1 - Galloway

Strong continued to review the proposed changes and answered questions on the following:

10) Standardize and Simplify Accessory Dwelling Unit Language & Regulations

He answered whether amending the County's Accessory Dwelling Unit (ADU) policy should be hashed out in this process or whether it should be a separate process, and whether ADUs and tiny houses are regarded differently in this code.

11) Add Language Authorizing Securities

He answered what types of things this is referring to.

14) (POLICY CHANGE) Allow Transfer of Development Rights (TDR) Receiving Areas in Urban Growth Areas (UGAs) only

He answered whether Whatcom County Code 20.89.051(5) would be staying. That section reads:

(5) Designated Receiving Areas. Such additional areas may be approved through the process established for amendments to the official Whatcom County zoning map and pursuant to the procedures and requirements in Chapter 22.10 WCC, Amendments.

Strong stated he would not be able to have a substitute version of the Ordinance for introduction tonight and answered why he is not able.

Elenbaas moved to recommend the Ordinance for introduction as amended (Ordinance on the Council's agenda as **AB2023-174**).

The motion carried by the following vote:

Aye: 2 - Byrd and Elenbaas

Nay: 0

Abstain: 1 - Galloway

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

ACTION SUMMARY:

Motion approved to make adding bicycle parking optional for two years and then review the success of the program after that time.

Motion approved to recommend for introduction as amended (on the agenda as AB2023-174).

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 3:06 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Ben Elenbaas, Committee Chair

Kristi Felbinger, Minutes Transcription