

**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, October 26, 2021
1:35 PM
Virtual Meeting**

**VIRTUAL MEETING - ADJOURNS BY 2:20 P.M. (TO PARTICIPATE, SEE
INSTRUCTIONS AT www.whatcomcounty.us/joinvirtualcouncil OR CALL
360.778.5010); AGENDA REVISED 10.25.2021**

COUNCILMEMBERS

Rud Browne
Todd Donovan
Ben Elenbaas

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Committee Chair Ben Elenbaas called the meeting to order at 1:35 p.m. in a virtual meeting.

Roll Call

Present: 3 - Rud Browne, Ben Elenbaas, and Todd Donovan

Absent: None

Also Present: Barry Buchanan, Tyler Byrd, Carol Frazey, and Kathy Kershner

Announcements

Committee Discussion

1. [AB2021-590](#) Ordinance imposing a second interim moratorium on the acceptance and processing of permit applications for new or expanded recreational cannabis growing and/or processing facilities which are proposed to operate outdoors or in greenhouses

Elenbaas started to read this item into the record then Councilmembers discussed that there was another item added to the agenda before this one so he stopped and came back to this item later.

See discussion on this item below.

Special Presentation (Item Added by Revision)

1. [AB2021-618](#) Presentation from a local tiny home resource group

The following people presented:

- Zack Giffin
- Jesse Rasmussen
- Gwyn Howat
- Dan Fitzpatrick

They answered whether their suggestions are included in the proposed code language in AB2021-605 (later on this agenda).

Cliff Strong, Planning and Development Services Department, stated he would address the presenter's comments in his briefing on AB2021-605.

Satpal Sidhu, County Executive, asked about the advantage of tiny homes on wheels as opposed to fixed Accessory Dwelling Units (ADUs) and how they would benefit the community.

This agenda item was PRESENTED.

Committee Discussion

1. [AB2021-590](#) Ordinance imposing a second interim moratorium on the acceptance and processing of permit applications for new or expanded recreational cannabis growing and/or processing facilities which are proposed to operate outdoors or in greenhouses

Councilmembers discussed whether they could put off discussion of this item until another meeting in light of available time left for this Committee, and the following people spoke about time constraints for the moratorium:

- Dana Brown-Davis, Clerk of the Council
- Karen Frakes, Prosecuting Attorney's Office

Councilmembers concurred that they would not discuss this item in Committee.

This agenda item was NOT ACTED UPON.

2. [AB2021-605](#) Discussion on proposed amendments to the Whatcom County Code Title 20 (Zoning) to provide additional affordable housing options

The following staff briefed the Councilmembers and answered questions:

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

They answered why they can not just say if a tiny home has a certain amount of insulation it is one thing and if it does not it's another, whether the County is more restrictive in tiny home regulations than the State, why a tiny house that can be pulled down the freeway is less structurally sound or safe than one built on a foundation, why there is a restriction of 120 days for recreational vehicles, whether there is an number of ADUs that would trigger a Growth Management Act (GMA) challenge, and whether the 120-day restriction should be changed in the Whatcom County Code.

Karen Frakes, Prosecuting Attorney's Office, answered questions about making changes without going to the Planning Commission and creating Growth Management Act (GMA) concerns.

Councilmembers discussed the item, how to move forward, going ahead with the related ordinance (AB2021-606) now and looking at the 120-day limit in a different ordinance, and looking at tiny home definitions.

Donovan moved that this item be held in Committee for two weeks and not introduced tonight.

Dana Brown-Davis, Clerk of the Council, suggested that the Committee give a recommendation to the Council for this evening that the related ordinance be pulled from Introduction.

Donovan withdrew his motion and *moved* to (hold this item in Committee and) recommend to the full Council that the related ordinance (AB2021-606) be pulled from introduction tonight.

The motion carried by the following vote:

Aye: 3 - Donovan, Browne, and Elenbaas

Nay: 0

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

Other Business

Councilmembers discussed with Mark Personius, Planning and Development Services Department Director, whether staff could give an update on AB2021-509 before the public hearing tonight.

Adjournment

The meeting adjourned at 2:56 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Ben Elenbaas-via email 11/12/2021

Dana Brown-Davis, Council Clerk

Ben Elenbaas, Committee Chair

Kristi Felbinger, Minutes Transcription

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