



**RECORD OF PROCEEDINGS OF THE
WHATCOM COUNTY PLANNING COMMISSION
February 24, 2022**

Public Hearing and Work Session

1

1 **Call to Order**

2 The virtual meeting was called to order by Whatcom County Planning Commission
3 Chair, Kelvin Barton at 6:32 p.m.

4 **Roll Call**

5 **Present:** Robert Bartel, Kelvin Barton, Atul Deshmane, Jim Hansen, Stephen Jackson,
6 Julie Jefferson, Kimberley Lund, Dominic Mocerri, Scott Van Dalen

7 **Staff Present:** Matt Aamot, Steve Roberge, Royce Buckingham, and Tammy Axlund

8 **Department Update**

9 Steve Roberge, Assistant Director of Planning and Development Services (PDS),
10 provided an update on the department's implementation of the new permit software,
11 and announced a short course on local planning to be hosted by Washington State
12 Department of Commerce at the April 28th Planning Commission meeting. More
13 information will be sent out about the event which will be open to the public. Mr.
14 Roberge provided updates on legislative items before Council including approval of the
15 following items as recommended by the Planning Commission:

- 16 • Whatcom County Code clean up
- 17 • Tiny home ordinance
- 18 • Amendment to Comprehensive Plan Map and Zoning for the Nooksack Falls
19 Exclave
- 20 • Repeal of Cherry Point Ferndale Subarea Plan

21 **Open Session Public Comment**

22 No one offered public comment.

23 **Commissioner Comments**

24 Commissioner Deshmane thanked staff for the presentation that they made at the last
25 meeting on the planning and development process. He appreciated it and found it
26 helpful.

27 **Approval of Meeting Minutes**

28 **Timestamp: 12:07**

29 **Commissioner Bartel moved** to approve the meeting minutes from February 10,
30 2022.

31 **Commissioner Deshmane seconded.**

32 **Roll Call Vote: Ayes-Jackson, Jefferson, Lund, Mocerri, Van Dalen, Bartel,**
33 **Deshmane, Hansen, Barton; (Ayes-9; Nays-0; Abstain-0). The motion carried.**

34 **Transfer of Development Rights (TDR) Receiving Area – LA Robertson**

35 **Timestamp: 14:18**

36 Royce Buckingham, Senior Deputy Prosecuting Attorney for Whatcom County,
37 explained that as a request for a rezone, the agenda item tonight qualified for a quasi



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1 judicial public hearing. He described the quasi judicial hearing process and responded
2 to questions.

3 **a) Public Hearing and Work Session Regarding TDR Receiving Area – LA**
4 **Robertson**

5 **Timestamp: 19:10**

6 Matt Aamot, PDS Senior Planner, described the proposal for Transfer of Development
7 Rights, reviewed consistency with the Comprehensive Plan, and reported staff
8 conclusions and recommendations.

9 **Timestamp: 31:00**

10 Brad Swanson and Kristen Reid, Belcher Swanson Law Firm, provided background
11 information for the application as well as arguments on behalf of the applicant. They
12 addressed information provided in the staff report and in public comments.

13 Matt Aamot commented on the interpretation of Policy 2GG-2, and Brad Swanson
14 responded.

15 Representatives from Belcher Swanson Law Firm responded to Commissioners'
16 questions.

17 **b) Public Comment**

18 **Timestamp: 1:00:57**

19 The following individuals provided public comment: Chris Thorndike Kent, Wendy
20 Harris, Daniel Dalley, Laura Brakke, James Hallett.

21 Commissioners discussed the proposal.

22 **Timestamp: 1:30:07**

23 **Commissioner Jefferson moved to oppose the proposal**

24 **Commissioner Deshmane seconded and offered a friendly amendment that the**
25 **motion be to accept staff recommendations and Findings of Fact.**

26 **Commissioner Jefferson agreed to the amendment.**

27 **Roll Call Vote: Ayes-Jefferson, Lund, Mocerri, Van Dalen, Bartel, Deshmane,**
28 **Hansen, Jackson, Barton; (Ayes-9; Nays-0; Abstain-0). The motion carried.**

29 **Adjournment**

30 The meeting was adjourned at 8:05 p.m.

31 Minutes prepared by Tammy Axlund.

32 WHATCOM COUNTY PLANNING COMMISSION ATTEST:

33 

34 Kelvin Barton, Chair



Tammy Axlund, Secretary