

**RECORD OF PROCEEDINGS OF THE  
WHATCOM COUNTY PLANNING COMMISSION  
May 13, 2021**

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 6:31 p.m.

4 **Roll Call**

5 **Present:** Robert Bartel, Kelvin Barton, Atul Deshmane, Jim Hansen, Stephen Jackson,  
6 Kimberley Lund, Dominic Mocerri, Jon Maberry, Natalie McClendon

7 **Staff Present:** Cliff Strong, Mark Personius, Ryan Ericson, and Tammy Axlund

8 **Department Update**

9 Mark Personius, Director of Planning and Development Services (PDS), provided a brief  
10 update of agenda items tentatively planned for the next few meetings. Commissioner  
11 McClendon requested to receive the schedule in writing in the next agenda packet and  
12 Mr. Personius agreed to provide a list.

13 Next week the County Council will hear the Open Space Applications and the Capital  
14 Improvement Program Amendments from the April 8<sup>th</sup> Planning Commission meeting.  
15 We are awaiting final clarifications from the stakeholder group on the Cherry Point  
16 regulations and hope to package that up for Council in June.

17 **Open Session Public Comment**

18 Wendy Harris provided public comment.

19 **Commissioner Comments**

20 Commissioner McClendon provided an update on the ad hoc committee for the public  
21 participation plan, stating that they will be sending out a self-evaluation questionnaire  
22 to departments. She commended Cliff Strong on the list of public comments and  
23 responses he provided for the website and the agenda packet regarding the SMP  
24 update.

25 Commissioner Lund thanked staff for the orderly and logical preparation of meeting  
26 materials for the SMP update.

27 Commissioner Deshmane also expressed appreciation to staff and the commenters  
28 who provided lots of very helpful comments.

29 Commissioner Barton reported that he took another Jurassic Parliament class about  
30 motions and complex motions.

31 **Approval of Meeting Minutes**

32 **Timestamp: 12:27**

33 **Commissioner McClendon moved** to approve the meeting minutes from April 22,  
34 2021.

35 **Commissioner Bartel seconded.**

36 **Roll Call Vote: Ayes-Bartel, Barton, Deshmane, Hansen, Jackson, Lund,**  
37 **Maberry, McClendon, Mocerri; (Ayes-9; Nays-0; Abstain-0). The motion carried.**

**RECORD OF PROCEEDINGS OF THE  
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Work Session

2

1 **Shoreline Management Plan (SMP) 2020 Update**

2 **Timestamp: 13:24**

3 Cliff Strong, PDS Senior Planner, provided a status update of where the Planning  
4 Commission left off with SMP review and invited commissioners to discuss any  
5 remaining items of concern.

6 **Timestamp: 20:19**

7 **Commissioner Hansen moved** to add policy 11AA-8 to Whatcom County  
8 *Comprehensive Plan Chapter 11 as follows: The buildable area of new lots and new*  
9 *and expanded development along the marine shoreline should be located two feet*  
10 *above the OHWM so they will be at a lower risk of damage and not interfere with the*  
11 *landward expansion and movement of wetlands and aquatic vegetation as sea level*  
12 *rises. The part of the ownership waterward of the buildable area may be used as*  
13 *required open space. If new data is available, sea level rise elevation data shall be*  
14 *revised during the SMP periodic update.*

15 **Commissioner Lund seconded.**

16 Commissioners discussed the motion and invited clarification from staff.

17 **Roll Call Vote: Ayes-Hansen, Lund, McClendon; Nays- Bartel, Barton, Jackson,**  
18 **Maberry, Mocerri; Abstain- Deshmane; (Ayes-3; Nays-5; Abstain-1). The**  
19 **motion failed.**

20 **Timestamp: 51:13**

21 **Commissioner Hansen moved** that under Exhibit F Critical Areas 16.16.270,  
22 *Reasonable Use, the original staff number of 2,500 square feet be restored to the*  
23 *document as the maximum impact area allowed.*

24 **Commissioner Deshmane seconded.**

25 **Commissioner Barton moved** to amend the motion so 16.16.270(C)(12) would  
26 *read: For single family residences, the maximum impact area shall not exceed 10% of*  
27 *the lot area or 2,500 square feet, whichever is greater, provided that in no instance*  
28 *shall it exceed 4,000 square feet. This impact area shall include the residential*  
29 *structure as well as appurtenant development that is necessarily connected to the use*  
30 *and enjoyment of a single-family residence. Such appurtenant development includes*  
31 *garages, decks, driveways, parking, on-site septic systems, and all lawn and nonnative*  
32 *landscaping, with the following exceptions:*

- 33 a. *On lots outside of the shoreline jurisdiction, when an extended driveway is*  
34 *necessary to access a portion of a development site with the least impact on*  
35 *critical area and/or buffers, those portions of the driveway shall be excluded from*  
36 *the 4,000-square-foot maximum impact area; provided, that the access road or*  
37 *driveway meets the standards of WCC [16.16.620\(D\)](#) or [16.16.720\(D\)](#), as*  
38 *applicable.*
- 39 b. *On lots within the shoreline jurisdiction, when an extended driveway is necessary*  
40 *to access a portion of a development site with the least impact on critical areas*

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Work Session

3

1           *and/or buffers, the applicant shall demonstrate that the size and location of the*  
2           *driveway is the minimum necessary to access the development site.*

3   **Commissioner Maberry seconded.**

4   Commissioners discussed the motion to amend.

5   **Timestamp: 1:01:32**

6   **Commissioners voted to amend the original motion.**

7   **Roll Call Vote: Ayes-Bartel, Barton, Deshmane, Hansen, Jackson, Lund,**  
8   **Maberry, McClendon, Mocer; (Ayes-9; Nays-0; Abstain-0). The motion carried.**

9   **Commissioners voted on the motion as amended.**

10   **Roll Call Vote: Ayes-Bartel, Barton, Deshmane, Hansen, Jackson, Lund,**  
11   **Maberry, McClendon, Mocer; (Ayes-9; Nays-0; Abstain-0). The motion carried.**

12   **Timestamp: 1:03:28**

13   **Commissioner McClendon moved** *that the proposed motion to approve in the memo*  
14   *from Mr. Strong, starting with "After holding 11 work sessions" and the 2020 Shoreline*  
15   *Management Program Periodic Update be approved as amended, including the findings*  
16   *of fact from the last staff report*

17   *The language from the memo reads as follows: After holding 11 work sessions and a*  
18   *joint public hearing with the Department of Ecology wherein the Planning Commission*  
19   *reviewed and amended the draft documents based on public comment, and based on*  
20   *the draft Finding of Facts and Conclusions included in the staff report, the Planning*  
21   *Commission recommends that the Council adopt the 2020 Shoreline Management*  
22   *Program Periodic Update, including exhibits:*

    A – CompPlan Ch. 10 Environment

    B – CompPlan Ch. 11 Shorelines

    C – CompPlan Ch. 8 Marine Resource Lands

    D – WCC Title 23 Shoreline Regulations

    E – WCC Title 22 Shoreline Permitting

    F – WCC 16.16 Critical Areas Regulations

    G – Shoreline Map

    I – No Net Loss Addendum

    J – Shoreline Restoration Addendum

23   *This also includes Council's docketed items:*

24           1) *PLN2019-00011, a directive to amend the CompPlan and codes to allow the*  
25           *seasonal extraction of sand and gravel from dry upland areas under certain*  
26           *conditions, which both the Mineral Resources Advisory Board and the*  
27           *Commission have been found to be unnecessary as such use is already allowed*  
28           *under current code; and ,*

29           2) *PLN2018-00010, the addition of Policy 10L-19 supporting the establishment of a*  
30           *Sustainable Salmon Harvest Goal to CompPlan Ch. 10.*

31   **Commissioner Jackson seconded.**

32   Commissioners discussed the motion and staff responded to questions.

33   **Roll Call Vote: Ayes-Bartel, Barton, Deshmane, Hansen, Jackson, Lund,**  
34   **Maberry, McClendon, Mocer; (Ayes-9; Nays-0; Abstain-0). The motion carried.**

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4

23 Commissioner Deshmane requested an update to climate modeling be added to the list  
24 of items for the Planning Commission to consider.

25 **Adjournment**

26 The meeting was adjourned at 7:44 p.m.

27 Minutes prepared by Tammy Axlund.

28 WHATCOM COUNTY PLANNING COMMISSION ATTEST:

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\_\_\_\_\_  
Kelvin Barton, Chair

\_\_\_\_\_  
Tammy Axlund, Secretary

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