

1 WHATCOM COUNTY COUNCIL  
2 **Planning and Development Committee**  
3

4 January 10, 2012  
5

6 **CALL TO ORDER**  
7

8 Committee Member Bill Knutzen called the meeting to order at 3:03 p.m. in the  
9 Council Chambers, 311 Grand Avenue, Bellingham, Washington.  
10

11  
12 **ROLL CALL** (3:03:03 PM)  
13

14 **Present:** Ken Mann, Bill Knutzen and Barbara Brenner.

15 **Absent:** None.

16 **Also Present:** Sam Crawford and Carl Weimer.  
17  
18

19 **COMMITTEE DISCUSSION**  
20

21 **1. DISCUSSION REGARDING TWO RESOLUTIONS IN SUPPORT OF**  
22 **PARTICIPATION IN THE VOLUNTARY STEWARDSHIP PROGRAM CONSISTENT**  
23 **WITH RCW 36.70A.710 (AS AN ALTERNATIVE APPROACH TO CRITICAL**  
24 **AREAS PROTECTION FOR AGRICULTURAL ACTIVITIES) (AB2011-279C)**  
25

26 Peter Gill, Planning and Development Services Department, gave a staff report and  
27 presented the two resolution options in the Council packet.  
28

29 The following staff answered questions:

- 30 • Royce Buckingham, Prosecutor's Office  
31

32 Knutzen stated and there was discussion of the potential for the State to fund the  
33 program.  
34

35 Kershner asked and there was discussion of:

- 36 • Who approves the plan if the County opts in.
- 37 • Whether the plan comes before the Council at any point in the process.
- 38 • Whether opting in ensures that the County won't be sued or challenged.
- 39 • Whether the current critical areas ordinance (CAO) provides opportunity for  
40 the same thing as the program.
- 41 • What standards the County would have to meet in ten years.  
42

43 Brenner asked and there was discussion of:

- 44 • Whether they can amend the resolution so the plan comes to the County  
45 Council for final decision, before it's forwarded to State agencies.
- 46 • Brenner asked if someone can sue the County at any time on related issues.  
47

48 Weimer asked and there was discussion of:

- 49 • Whether the promised \$100,000 or \$150,000 from the State would cover  
50 County costs.  
51

52 The following people spoke:

- 53 • Ellen Baker stated that if opting in, farm plans will no longer be required. She  
54 asked if the staff prepared an opt out resolution. There is no benefit to the  
55 citizens of Whatcom County.

- 1 Wendy Harris stated this won't be successful without funding. Focus on the  
2 environmental improvement that will result. This program isn't good for the  
3 County to enter into. It will delay watershed improvements.
- 4 Roger Almskaar submitted and read from a handout (*on file*). Do not opt into  
5 this program. Council attorneys should review whether or not anyone can  
6 challenge the rules. After a few years, the funding becomes available.
- 7 Skip Richards stated he submitted information to the Council earlier. The  
8 Farm Bureau comments have been misleading and their meetings have been  
9 exclusive. Don't opt in. If the County chooses to opt in, designate the same  
10 area as is designated for water resource inventory area (WRIA) 1.

11  
12 Mann asked and there was discussion of how much staff time and money has been  
13 spent on this decision.

14  
15 Crawford asked and there was discussion of how the language in the Revised Code of  
16 Washington (RCW) would indemnify the County from legal action.

17  
18 The following person also spoke:

- 19 Wes Kentch stated the program makes promises that the State can't keep.  
20 He is opposed to the program. Comments that agriculture has done  
21 environmental damage from fecal coliform is misinformation.

22  
23 Brenner asked and there was discussion of why the Farm Bureau advocates for the  
24 program.

25  
26 Knutzen stated and there was discussion of:

- 27 The local Farm Bureau hiring a local attorney.
- 28 The local advisory group having the power in the situation.

29  
30 The following people also spoke:

- 31 Sarah (*inaudible*) stated she is opposed to the program because it's not free.  
32 Don't give control of the County away to the State.
- 33 Ellen Baker spoke again and stated the legislature can change the rules at  
34 any time.

35  
36 Brenner stated and there was discussion of when the County can opt out of the  
37 program.

### 38 39 40 **COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL**

#### 41 42 **1. ORDINANCE AMENDING THE WHATCOM COUNTY ZONING CODE TO ALLOW** 43 **ELECTRIC VEHICLE INFRASTRUCTURE (AB2011-431)**

44  
45 ***Brenner moved*** to recommend approval to the full Council.

46  
47 Gary Davis, Planning and Development Services Department, gave a staff report.

48  
49 Brenner asked and there was discussion of the battery life of a vehicle.

50  
51 Knutzen asked and there was discussion of adding language about disposal of and  
52 recycling old batteries.

53  
54 (4:07:59 PM)

1 Davis continued the staff report about the three levels of charging stations.

2  
3 Mann asked and there was discussion of

- 4 • Whether the definition of "electric vehicle charging station" in 20.97.113
- 5 establishes where it's allowed.
- 6 • Why the definition addresses where the use is allowed.
- 7 • Why a charging station is an accessory to food markets with gasoline pump
- 8 islands in the urban residential, mixed use (UR-MX) zone.
- 9

10 Crawford stated and there was discussion of the length of time it takes to charge a

11 vehicle, which takes much longer than it does to fill a gas tank.

12  
13 The motion carried by the following vote:

14 **Ayes:** Mann, Knutzen and Brenner (3)

15 **Nays:** None (0)

16  
17

18 **COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL –**

19 **COMPREHENSIVE PLAN**

- 20
- 21 **1. ORDINANCE AMENDING THE WHATCOM COUNTY COMPREHENSIVE PLAN**
- 22 **MAP AND WHATCOM COUNTY ZONING MAP TO REMOVE A MINERAL**
- 23 **RESOURCE LANDS (MRL) ZONING OVERLAY FROM THE EXISTING RURAL**
- 24 **(R10) ZONE AND CHANGE THE MRL DESIGNATION TO RURAL FOR**
- 25 **APPROXIMATELY 90 ACRES ON ALDRICH ROAD (AB2011-435)**

26  
27 *(Clerk's Note: This item was withdrawn from the agenda.)*

28  
29

30 **OTHER BUSINESS**

31  
32 There was no other business.

33  
34  
35

36 **ADJOURN**

37  
38 The meeting adjourned at 4:19 p.m.

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40

41 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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360-676-6690 or council@co.whatcom.wa.us