WHATCOM COUNTY COUNCIL

COUNCIL AGENDA
FOR JULY 25, 2017

MEMBERS OF OUR COMMUNITY WHO REQUIRE SPECIAL ASSISTANCE TO PARTICIPATE IN OUR MEETINGS ARE ASKED TO CONTACT OUR OFFICE AT LEAST 96 HOURS IN ADVANCE

AS A COURTESY TO ALL MEETING ATTENDEES, CELLULAR PHONE USE IS PROHIBITED IN THE COUNCIL CHAMBERS

ACCESSIBLE PARKING IS AVAILABLE NEAR THE COURTHOUSE SOUTH ENTRANCE

OUR REGULAR COUNCIL MEETINGS CAN BE VIEWED LIVE AT https://www.youtube.com/user/WhatcomCountyGov AND ARE ALSO BROADCAST ON BTV10 (COMCAST CHANNEL 10) AT 7 P.M. ON THE TWO WEDNESDAYS FOLLOWING EACH TUESDAY EVENING COUNTY COUNCIL MEETING

PLEASE VISIT US AT WWW.CO.WHATCOM.WA.US FOR THE FOLLOWING:

COUNCIL MEETING AUDIO AND VIDEO
COUNCIL OFFICE EMAIL POLICY
CURRENT COUNCIL AGENDA
CURRENT COUNCIL PACKET
PUBLIC NOTICES
1979 - 2017 ORDINANCES
1979 - 2017 RESOLUTIONS
1984 - 2017 COMMITTEE MINUTES
1979 - 2017 COUNCIL MINUTES

UPCOMING MEETINGS AND EVENTS:

AUGUST 1, 2017
10:30 A.M. – HEALTH BOARD
COUNCIL CHAMBERS, 311 GRAND AVENUE

AUGUST 8, 2017
REGULAR COUNCIL AND COMMITTEE MEETINGS
COUNCIL CHAMBERS, 311 GRAND AVENUE

TODAY’S SCHEDULE

9:30 A.M. – SPECIAL COMMITTEE OF THE WHOLE

11:30 A.M. – FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE

1 P.M. – COMMITTEE OF THE WHOLE

1:45 P.M. – PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE
IMMEDIATELY FOLLOWING PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE - PLANNING AND DEVELOPMENT COMMITTEE (MEETING SCHEDULED TO BEGIN NO LATER THAN 3 P.M.)
COUNCIL COMMITTEE SCHEDULES

SPECIAL COMMITTEE OF THE WHOLE
9:30 a.m. Tuesday, July 25, 2017
Council Chambers, 311 Grand Avenue

Special Presentation

1. Presentation of a Governor’s 2017 Smart Communities Award to Whatcom County Planning and Development Services (AB2017-231)
   Pages 1 - 4

Committee Discussion

1. Continuation of Council’s review of the 2016 Critical Areas Ordinance Update (AB2016-276K)
   Pages 5 - 67
   Review of certain questions, comments, and suggestions by staff and Councilmembers related to:
   • Article 8 – Conservation Program on Agriculture Lands
   • Article 9 – Definitions

Other Business

FINANCE AND ADMINISTRATIVE SERVICES COMMITTEE
Members: Rud Browne, Ken Mann, Satpal Sidhu
11:30 a.m. Tuesday, July 25, 2017
Council Chambers, 311 Grand Avenue

County Executive’s Report

Committee Discussion and Recommendations to Council

1. Ordinance amending the 2017 Whatcom County Budget, eighth request, in the amount of $851,061 (AB2017-222)
   Pages 68 - 95

2. Resolution amending the 2017 Flood Control Zone District and Subzones Budgets, third request, in the amount of $15,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2017-199B)
   Pages 96 - 99

Other Business

COMMITTEE OF THE WHOLE
1 p.m. Tuesday, July 25, 2017
Council Conference Room, 311 Grand Avenue

Committee Discussion

1. Update on negotiations and strategy planning regarding collective bargaining (AB2017-018N)
   [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.140 (4)(a)]
   Page 100

2. Continued discussion and consultation with Chief Civil Deputy Dan Gibson in the matter of negotiations for various project-related easements (AB2017-018 O)
   [Discussion of this item may take place in executive session (closed to the public) pursuant to RCW 42.30.110 (1)(i)]
   Page 101

Other Business
PUBLIC WORKS, HEALTH, AND SAFETY COMMITTEE  
Members: Barbara Brenner, Todd Donovan, Ken Mann  
1:45 p.m. Tuesday, July 25, 2017  
Council Chambers, 311 Grand Avenue

Special Presentation

1. Presentation by Mark Buehrer, 2020 Engineering, regarding sustainable water resource 
management (AB2017-232)  
Pages 102 - 120

2. Presentation by Des Skubi, Executive Director of Unity Care NW, regarding agency services 
and North Whatcom expansion (AB2017-225)  
Pages 121 - 125

3. District Court to present annual report (AB2017-068)  
Page 126

Committee Discussion

1. Discussion of a proposal to move forward with a Pharmaceutical Stewardship Program in 
Whatcom County (AB2017-226)  
Pages 127 - 142

Other Business

PLANNING AND DEVELOPMENT COMMITTEE

Members: Barbara Brenner, Rud Browne, Carl Weimer  
Immediately Following Public Works, Health, and Safety Committee (meeting to begin no 
later than 3 p.m.)  
Tuesday, July 25, 2017  
Council Chambers, 311 Grand Avenue

Committee Discussion

1. Discussion of a proposed ordinance adopting amendments to Whatcom County Code Title 20 
Zoning, relating to the waiver of spacing requirements between marijuana production facilities 
and community centers in the rural, agriculture, and rural forestry districts, and amending the 
definition of community center (ordinance scheduled for public hearing this evening) (AB2017- 
223)  
Pages 143 - 172

2. Discussion of a proposed ordinance adopting amendments to Whatcom County Code Title 20 
Zoning, exempting public community facilities and community centers from lot coverage limits 
in the Residential Rural (RR), Rural (R), and Point Roberts Transitional Zone (TZ) districts 
(ordinance scheduled for introduction this evening) (AB2017-230)  
Pages 173 - 182

3. Discussion of a proposed ordinance amending Whatcom County Code Title 20 Zoning and the 
Whatcom County Comprehensive Plan relating to cumulative impervious surface coverage 
standards (ordinance may be added to introduction this evening) (AB2017-195)  
Pages 183 - 280

4. Discussion of proposed Whatcom County Code amendments to consolidate land use and 
development procedures (AB2017-227)  
Page 281

Other Business
COUNCIL AGENDA

REGULAR COUNCIL MEETING
7 p.m. Tuesday, July 25, 2017
Council Chambers, 311 Grand Avenue

CALL TO ORDER
ROLL CALL
FLAG SALUTE
ANNOUNCEMENTS

If you will be handing out paperwork to councilmembers, please give one copy to the clerk for our office files. Thank you.

PUBLIC HEARINGS
Audience members who wish to address the council during a public hearing are asked to sign up at the back of the room before the meeting begins. The council chair will ask those who have signed up to form a line at the podium. Each speaker should state his or her name for the record and will be given three minutes to address the council. Council staff will keep track of time limits and inform speakers when they have thirty seconds left to conclude their comments. When a large group of individuals supports the same position on an issue, we encourage the selection of one or two representatives to speak on behalf of the entire group.

1. Ordinance adopting amendments to Whatcom County Code Title 20 Zoning, relating to the waiver of spacing requirements between marijuana production facilities and community centers in the rural, agriculture, and rural forestry districts, and amending the definition of community center (AB2017-223)  
   Pages 143 - 172

2. Ordinance establishing the speed limit on a portion of the North Shore Road (AB2017-196A)  
   Pages 282 - 289

3. Resolution providing for submission to the qualified voters of Whatcom County, at an election to be held on November 7, 2017, an advisory ballot seeking citizen input regarding the use of eminent domain by pipeline companies to take property rights from private landowners for use in oil and gas pipelines in Whatcom County (AB2017-233)  
   (Please note: If this resolution is approved, Council will appoint committees later this evening to prepare pro and con statements for the local voters’ pamphlet, see “other items” number six below)  
   Pages 290 - 293

OPEN SESSION (20 MINUTES)
During open session, audience members can speak to the council on any issue not scheduled for public hearing. Each speaker should state his or her name for the record and will be given three minutes to address the council. Council staff will keep track of time limits and inform speakers when they have thirty seconds left to conclude their comments.

OTHER ITEMS

(From Finance and Administrative Services Committee)

1. Ordinance amending the 2017 Whatcom County Budget, eighth request, in the amount of $851,061 (AB2017-222)  
   Pages 68 - 95

2. Resolution amending the 2017 Flood Control Zone District and Subzones Budgets, third request, in the amount of $15,000 (Council acting as the Whatcom County Flood Control Zone District Board of Supervisors) (AB2017-199B) Pages 96 – 99
3. Ordinance ordering an election to determine the formation of the Lummi Island Park and Recreation District (AB2017-200A) 
   **Pages 294 - 297**

4. Appointment of members to serve on the pro and con statement writing committees for the sales and use tax for public safety purposes proposition (**to volunteer for a committee, please call the County Council Office by 4:30 p.m. on Monday, July 24, 2017, at (360) 778-5010, or email the office at council@co.whatcom.wa.us** (AB2017-194B) 
   **Pages 298 - 299**

5. Appointment of members to serve on the pro and con statement writing committees for the proposal to form the Lummi Island Park and Recreation District (**to volunteer for a committee, please call the County Council Office by 4:30 p.m. on Monday, July 24, 2017, at (360) 778-5010, or email the office at council@co.whatcom.wa.us** (AB2017-200B) 
   **Pages 300 - 301**

6. Appointment of members to serve on the pro and con statement writing committees for the proposition regarding the use of eminent domain by pipeline companies to take property rights from private landowners for use in oil and gas pipelines in Whatcom County (AB2017-233) (**to volunteer for a committee, please call the County Council Office by 4:30 p.m. on Monday, July 24, 2017, at (360) 778-5010, or email the office at council@co.whatcom.wa.us** (AB2017-233A) 
   **Pages 302 - 303**

**EXECUTIVE APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES**

Per Whatcom County Code 2.03.070(B), the council must confirm or reject executive appointments within 30 days of submission to the council. County code deems the appointee confirmed if council does not take action within this time.

1. County Executive requests confirmation of appointments to the new Behavioral Health Advisory Committee (AB2017-228) 
   **Pages 304 - 313**

**INTRODUCTION ITEMS**

Council action will not be taken. The council may accept these items for introduction (no action) in a single motion. Changes, in terms of committee assignment for example, may be made at this time.

1. Receipt of applications for the Whatcom County Board of Equalization (BOE), representing District 2, term ending 1/31/2020, applicant: John Bruton (the BOE ensures all properties are valued at fair market value) (application deadline for any other applicants to this vacancy is 10 a.m. on August 1, 2017) (AB2017-224) 
   **Pages 314 - 318**

2. Ordinance amending the Whatcom County Budget, ninth request, in the amount of $148,625 (AB2017-229) 
   **Pages 319 - 325**

3. Ordinance adopting amendments to Whatcom County Code Title 20 Zoning, exempting public community facilities and community centers from lot coverage limits in the Residential Rural (RR), Rural (R), and Point Roberts Transitional Zone (TZ) districts (AB2017-230) 
   **Pages 173 - 182**

**COMMITTEE REPORTS, OTHER ITEMS, AND COUNCILMEMBER UPDATES**

**ADJOURN**

The next regular council meeting is scheduled for 7 p.m. August 8, 2017, in the Council Chambers, 311 Grand Avenue.
AGENDA REVISION NOTICE  
FOR JULY 25, 2017  
(DISTRIBUTED AT 11:05 A.M. ON JULY 25, 2017)

THE FOLLOWING ITEM HAS BEEN REMOVED FROM THE PLANNING AND DEVELOPMENT COMMITTEE AGENDA:

Committee Discussion

2. Discussion of a proposed ordinance adopting amendments to Whatcom County Code Title 20 Zoning, exempting public community facilities and community centers from lot coverage limits in the Residential Rural (RR), Rural (R), and Point Roberts Transitional Zone (TZ) districts (ordinance scheduled for introduction this evening) (AB2017-230)  
Pages 173 - 182

THE FOLLOWING ITEM HAS BEEN REMOVED FROM THE COUNCIL AGENDA, INTRODUCTION:

3. Ordinance adopting amendments to Whatcom County Code Title 20 Zoning, exempting public community facilities and community centers from lot coverage limits in the Residential Rural (RR), Rural (R), and Point Roberts Transitional Zone (TZ) districts (AB2017-230)  
Pages 173 - 182