



**RECORD OF PROCEEDINGS OF THE  
WHATCOM COUNTY PLANNING COMMISSION  
August 22, 2024**

Work Session

1

1 **Call to Order**

2 The meeting was called to order by Whatcom County Planning Commission Chair,  
3 Kelvin Barton at 6:34 p.m.

4 **Roll Call**

5 **Present:** Kelvin Barton, Suneeta Eisenberg, Atul Deshmane, Dominic Mocerri, Stephen  
6 Jackson, Frank James

7 **Absent:** Jim Hansen, Scott Van Dalen, and Julie Jefferson

8 **Staff Present:** Steve Roberge, Cliff Strong, Jacqui Sullivan and Aileen Kogut-Aguon

9 **Department Update**

10 Steve Roberge, Assistant Director of Planning and Development Services (PDS),  
11 provided the Commission with the topic for the next meeting, which will be on 5290.

12 **Open Session Public Comment**

13 Tyler Schroder, Dan Tucker, Coleman Hoyt, Elliot Smith and Tom Day provided public  
14 comment.

15 **Commissioner Comments**

16 Commissioner Deshmane spoke on those that made a public comment, stating that  
17 when deciding on how the Commission wants to proceed with the HII, the Commission  
18 should take the example from the Cherry Point UGA and think about the scope of the  
19 moratorium.

20 Commissioner Mocerri stated that he had a conversation with Dan Tucker from the  
21 Waterfront Coalition.

22 **Approval of Meeting Minutes**

23 **Timestamp: 00:22:49**

24 **1 Commissioner Deshmane moved** to approve the meeting minutes from August 8,  
25 2024

26 **Commissioner Mocerri seconded.**

27 **Roll Call Vote: Ayes-** Frank James, Dominic Mocerri, Suneeta Eisenberg, Atul  
28 Deshmane, Kelvin Barton

29 **Abstain-** Jackson (Ayes-5; Nays-; Abstain-1). The motion carried.

30 **Heavy Impact Industrial Work Session – Resolution Proposal**

31 **Timestamp: 00:23:42**

32 Cliff Strong, Senior Planner presented a drafted resolution for the Commission based  
33 on the previous meeting with the recommendations given from the Commissioners. Mr.  
34 Strong reiterated that the proposed resolution does not call for a moratorium because  
35 the Planning Commission cannot pass it. There is a suggestion for Council to do that  
36 however.

37 Commissioner Deshmane suggested adding a clause to the excluded uses part of the  
38 resolution that ensured current business owners in the Bellingham UGA are not  
39 affected if Council agrees to a moratorium.



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2

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- 1 Commissioner Mocerri clarified there are two different recommendations that need to be  
2 made; one regarding the excluded uses list and one for the moratorium.
- 3 Commissioner Deshmane responded with an updated recommendation stating that the  
4 idea of a moratorium should exclude existing businesses and have restrictions to new  
5 businesses as it relates to specific categories.
- 6 Commissioner Mocerri asked Mr. Strong if it was possible to have restrictions to new  
7 businesses if a moratorium was to be in place.
- 8 Mr. Strong reminded the Commission that the request is similar to what Council  
9 originally gave to them in regards to having an excluded list for the zone. He added  
10 that Council already declined having a moratorium, so the idea of having one is  
11 unlikely.
- 12 Commissioner Chair Barton asked Mr. Strong if this topic can be part of the 2025  
13 Comprehensive Plan update as this is a larger topic to discuss.
- 14 Commissioner Eisenberg stated in terms of the Heal Act, a moratorium would benefit  
15 homeowners and business owners in the UGA zone, until the Comprehensive Plan  
16 update. In addition, Ms. Eisenberg agreed there should be limitations and compromises  
17 that will allow opportunities for new and current industries to keep their jobs and go  
18 through a just transition so they are able to provide job opportunities for people that  
19 live within the area.
- 20 Commissioner James added that he is in favor of the recommended resolution provided  
21 by staff, with the additions given tonight
- 22 Commissioner Deshmane stated he agrees with Commissioner James in that a  
23 temporary moratorium is recommended while it goes through the Comprehensive Plan  
24 Update.
- 25 Commissioner Chair Barton asked Mr. Strong if there is a timeline for this docket item,  
26 or if the Commission can hold off until the 2025 Com Plan Update.
- 27 Mr. Strong restated what was in the resolution memo and said that if the resolution  
28 moves forward to Council, they will probably act on the code amendments themselves.
- 29 Mr. Roberge responded to Commissioner Chair Barton that the resolution document is  
30 more of a communication between the Commission and Council.
- 31 Commissioner Jackson agreed with Commissioner Chair Barton that there should be a  
32 recommendation given for a temporary moratorium that has a hard deadline on it.
- 33 Commissioner James asked if the information given from the business owners and  
34 homeowners were presented to Council, would that sway them to consider a  
35 moratorium?
- 36 Mr. Strong responded that it would probably be Council taking the existing code and  
37 amending the excluded uses list, rather than moving forward with a moratorium.
- 38 Commissioner Mocerri agreed to pass this resolution presented by staff in order to bring  
39 it back to Council.



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3

1 Commissioner Eisenberg agreed with the resolution being recommended and moved to  
2 council. She recommended adding wording of the Heal Act into the resolution.

3 **Timestamp: 00:48:29**

4 **2Commissioner Deshmane moved** to adopt the amended proposal in section two as  
5 previously stated, that the moratorium expire at a reasonable time.

6 **Commissioner Mocerri seconded.**

7 **Roll Call Vote: Ayes- Frank James, Dominic Mocerri, Suneeta Eisenberg, Atul**  
8 **Deshmane, Kelvin Barton, Stephen Jackson**

9 **Abstain- (Ayes-6; Nays-0; Abstain-0). The motion carried.**

10 **Timestamp: 00:51:53**

11 **3Commissioner Mocerri moved** to recommend the resolution and the finding of facts  
12 as amended.

13 **Commissioner Eisenberg seconded.**

14 **Roll Call Vote: Ayes- Mocerri, Eisenberg**

15 **Nays- Jackson**

16 **Abstain- James, Deshmane, Barton (Ayes-2; Nays-1; Abstain-3). The motion**  
17 **fails.**

18 Commissioner Deshmane explained that Council may make their own changes and  
19 decline the moratorium even if the proposed resolution presented is sent to them.

20 Commissioner Chair Barton requested that staff break up the proposal from Council  
21 into sections in order to tackle them in smaller bulks.

22 Mr. Strong stated that a decision from the Commission needs to be made on what  
23 direction they would like to go with this and take it to Council. He then continued by  
24 showing the list of proposals from Council that were given at the prior meeting.

25 The Commissioners discussed the proposed amendments and chose which sections to  
26 speak on at the next meeting.

27 **Adjournment**

28 **Timestamp: 01:29:31**

29 The meeting was adjourned at 8:03 p.m.

30 Minutes prepared by Aileen Kogut-Aguon.

31 WHATCOM COUNTY PLANNING COMMISSION ATTEST:

32 

33 Kelvin Barton, Chair



Aileen Kogut-Aguon, Secretary