



**RECORD OF PROCEEDINGS OF THE
WHATCOM COUNTY PLANNING COMMISSION
September 26, 2024**

Public Hearing and Work Session

1

1 **Call to Order**

2 The meeting was called to order by Whatcom County Planning Commission Chair,
3 Kelvin Barton at 6:31 p.m.

4 **Roll Call**

5 **Present:** Kelvin Barton, Suneeta Eisenberg, Jim Hansen, Dominic Mocerri, Scott Van
6 Dalen, Atul Deshmane

7 **Absent:** Stephen Jackson, Julie Jefferson, Frank James

8 **Staff Present:** Steve Roberge, Aileen Kogut-Aguon, Garrett Smith, Amy Keenan,
9 Cliff Strong, Jacqui Sullivan

10 **Department Update**

11 Steve Roberge, Assistant Director of Planning and Development Services (PDS)
12 spoke on the next 7-year capital improvement plan that is scheduled for a public
13 hearing with the Commission on October 10. Mr. Roberge stated there was a viral
14 computer issue earlier today that prevented the dissemination of information of
15 certain public comments that were received earlier in the day.

16 **Open Session Public Comment**

17 Ryan Bowman provided public comment.

18 **Commissioner Comments**

19 Commissioner Deshmane stated he had a conversation with Mark Geri from the
20 Longshoremen's Union regarding the public hearing agenda item HII in the UGA.
21 There is a list of proposed amendments to the code which Mr. Geri had suggestions
22 on the transshipment section that will be talked about later in the meeting.
23 Commissioner Deshmane also mentioned he will be leaving the meeting between 7
24 and 8 and will return afterward.

25 Commissioner Hansen noted communication with Council Chairman Buchanan as a
26 private citizen on the UGA issues as a way to determine how much flexibility we
27 might have if we "colored outside the lines" on this issue.

28 Commissioner Mocerri asked staff if it would be possible to have staff presentations
29 made available for following along during recordings. Staff responded stating they
30 will upload the presentations to the Planning Commission website.

31 **Approval of Meeting Minutes**

32 **Timestamp: 18:43**

33 **1 Commissioner Atul moved to approve the meeting minutes from September**
34 **12th, 2024**

35 **Commissioner Van Dalen seconded.**

36 **Roll Call Vote: Ayes- Van Dalen, Hansen, Eisenberg, Deshmane, Barton**

37 **Abstain- Mocerri (Ayes-5; Nays-0; Abstain-1). The motion carried.**

38



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1 **Heavy Impact Industrial in the Bellingham UGA**

2 **Timestamp: 18:47**

3 Cliff Strong, PDS Senior Planner, provided a PowerPoint presentation with the
4 timeline of when the HII in UGA was on the docket from Council, along with all of
5 the Commission work sessions since then. Mr. Strong presented a list of the public
6 comments that were given, along with the discussion and requests Commissioners
7 have had during each work session the HII was presented.

8 **a) Public Hearing and Work Session Regarding Heavy Impact Industrial**
9 **in the Bellingham UGA**

10 **Timestamp: 18:52**

11 Lisa Adam, Katie Robison, Ryan Bowman, Mark Geri, Brian Sarni, David Parsons,
12 David Toyer, Peter Condyles, Dan Tucker, and Perry Eskridge provided public
13 comment.

14 **Title 22 SSB 5290**

15 **Timestamp: 19:27**

16 Amy Keenan, PDS Special Projects Manager, provided information on proposed
17 amendments to WCC Title 22 regarding the permit processing and timeline changes
18 required by SSB 5290. Ms. Keenan presented the code changes that will be needed,
19 along with internal process improvements PDS. is undergoing to improve and work
20 more efficiently to meet the required timelines.

21 **b) Public Hearing and Work Session Regarding Title 22 SSB 5290**

22 **Timestamp: 19:37**

23 Ryan Bowman and Perry Eskridge provided public comment.

24 **SSB 5290 Work Session**

25 Due to the late arrival of the BIAWC's written comments just before the meeting,
26 Mr. Roberge requested to postpone the work session for the SSB 5290 until their
27 next meeting on October 10th so that staff could analyze and respond to them.

28 **HII in the UGA Work Session**

29 **Timestamp: 19:46**

30 **2Commissioner Deshmane moved** to reintroduce battery energy storage to the
31 *excluded uses list greater than 20 megawatts that runs for a duration of four hours*
32 *or greater.*

33 **Commissioner Eisenberg seconded.**

34 **Roll Call Vote: Ayes- Deshmane, Eisenberg, Hansen, Van Dalen, Barton**

35 **Abstain- Mocerri (Ayes- 5; Nays- 0; Abstain- 1). The motion carried.**

36 **Timestamp: 20:41**

37 **3Commissioner Deshmane moved** to amend item H in "excluded lists" to add
38 *before semi-colon: "except fully enclosed containers".*



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1 **Commissioner Van Dalen seconded.**

2 **Roll Call Vote: Ayes- Eisenberg, Van Dalen, Deshmane, Mocerri, Hansen,**
3 **Barton**

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

5 **Timestamp: 20:43**

6 **4Commissioner Deshmane moved** to adopt the proposal with the finding of
7 **facts.**

8 **Commissioner Eisenberg seconded.**

9 **Roll Call Vote: Ayes- Deshmane, Van Dalen, Eisenberg, Barton**

10 **Nays- Mocerri**

11 **Abstain- Hansen (Ayes- 4; Nays- 1; Abstain- 1). The motion fails.**

12 **Timestamp: 20:55**

13 **5Commissioner Hansen moved** to submit recommendation to council to impose
14 **a moratorium for new developments and permitting pending a resolution during the**
15 **Comprehensive Plan update.**

16 **Commissioner Eisenberg seconded.**

17 **Roll Call Vote: Ayes- Mocerri, Van Dalen, Eisenberg, Hansen, Barton**

18 **Abstain- Deshmane (Ayes- 5; Nays- 0; Abstain- 1). The motion carried.**

19 **Adjournment**

20 **Timestamp: 20:56**

21 The meeting was adjourned at 8:57 p.m.

22 Minutes prepared by Aileen Kogut-Aguon.

23 WHATCOM COUNTY PLANNING COMMISSION ATTEST:

24 

25 Kelvin Barton, Chair



Aileen Kogut-Aguon, Secretary