

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Planning gwr	<i>DWP</i>	07-29-92		7/28/92	Council
Division Head:					
Dept. Head: Dan Taylor	<i>DWT</i>	07-29-92			
Prosecutor:					
Purchasing/Budget:					
Executive:					

SUBJECT: File Reference 5-91:CZM. An emergency ordinance extending the moratorium on Commercial Development between Wisner Lake and Bartlett Road and adjacent land, and declaring that an emergency exists.

ATTACHMENTS: Proposed Ordinance

SUMMARY STATEMENT: The existing moratorium is being extended to allow sufficient time for perfecting concomitant agreements between affected property owners and the County. This emergency ordinance is to be in effect until September 26, or until regulations are adopted which address the issues, whichever comes first. This moratorium extension is being imposed as an emergency, making it possible for the Council to act on the rezone ordinance during the August 11 meeting without concern for the August 4 expiration of the existing moratorium.

ORIGINATOR'S RECOMMENDED ACTION:

The Planning Department recommends adoption of the ordinance.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

7/28/92: Council adopted the emergency ordinance.

EMERGENCY ORDINANCE NO. 92-051

**AN ORDINANCE EXTENDING A MORATORIUM ON
COMMERCIAL DEVELOPMENT BETWEEN WISER LAKE AND BARTLETT ROAD
AND ADJACENT LAND, AND DECLARING THAT AN EMERGENCY EXISTS**

WHEREAS, Title 20, the official Whatcom County Zoning Ordinance, in the Lynden - Nooksack Valley Subarea plan, a component of the Whatcom County Comprehensive Use Plan, allows for commercial development in the General Commercial zone between Wisser Lake and Bartlett Road; and

WHEREAS, Ordinance No. 91-012 established a moratorium in this area disallowing commercial development and acceptance of any building permit applications until August 5, 1992, or until new regulations are in place, whichever came first, pending a study of the zoning designation for this area ; and

WHEREAS, the Planning Commission held public hearings June 23, 1991, December 17, 1991, and April 21, 1992, and work sessions September 17, 1991, October 15, 1991, May 5, 1992, and June 10, 1992 on the proposed zoning change and considered all testimony; and

WHEREAS, the Planning Commission made recommendations on this matter which involved limited zoning reclassification as well as particular conditions upon various parcels in the area; and

WHEREAS, this requires a contractual arrangement between the County and the individual property owners and those contracts have not been executed as yet; and

WHEREAS, the moratorium established by Ordinance 91-012 expires on August 4, 1992, prior to another meeting on this matter; and


WHEREAS, as soon as the concomitant agreements are signed by all parties, the Council's intention is to adopt the underlying ordinance.

NOW THEREFORE BE IT ORDAINED BY THE WHATCOM COUNTY COUNCIL:

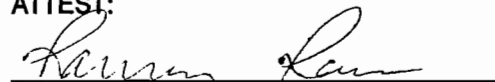
1. The moratorium imposed by Ordinance 91-012 is extended until September 26, 1992 or until regulations are adopted which address the issues, whichever comes first.
2. This extension of the moratorium is being imposed on an emergency basis in order to protect the public health, safety, and welfare and will take effect immediately upon passage.

ADOPTED this 28TH day of July, 1992


WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Daniel Warner, Chairperson

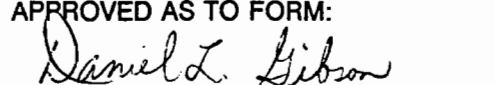
ATTEST:


Clerk of the Council

APPROVED VETOED


Shirley Van Zanten, County Executive

APPROVED AS TO FORM:


Civil Deputy Prosecuting Attorney

Date 8-4-92