

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Dan Taylor, Planning	<i>DT</i>	09-22-92		10/6/92	Council/Introduction
Division Head:				10/27/92	Council/Hearing
Dept. Head:					
Prosecutor:	<i>DG.</i>	9/29/92			
Purchasing/Budget:					
Executive:					

SUBJECT: File Ref: #01-92:CZM, Related to A.B.92-062A: An Ordinance amending the Birch Bay-Blaine Subarea Comprehensive Plan Map for 44 acres of a 146 acre parcel by changing 14 acres from Urban Reserve to Commercial-Resort and 30 acres from Urban Reserve to Light Industrial Park; and similarly amending the Official Whatcom County Zoning Map subject to a Concomitant Agreement affecting the total 146 acre parcel which is located north of Birch Point Road in the Northeast quarter of Section 23, Township 40 North, Range 1 West.

ATTACHMENTS:

- Agency Report with attached Staff Report
- Excerpts from Planning Commission Minutes from Sept 9 and Sept 16
- Draft Ordinance, with attached Concomitant Agreement (underlined to indicate changes from present agreement)

SUMMARY STATEMENT: *Please complete sections of box as appropriate & explain the item below.*

Related County contract #:	Should Clerk schedule a hearing? NO // YES /XX/ Requested date:
Amount budgeted for this item/project: \$	Is it (or will it be) within budget? YES / / NO / / (Please explain below)
Budget line item number(s):	

Ordinance 92-025 was passed on May 5, 1992, granting the Beacon Group comprehensive plan amendment and rezone. This was, subsequently, litigated. In response to some of the issues raised, the Beacon Group proposed amending the concomitant agreement. Meanwhile, in preparing a transcript for the courts, it was discovered there were enough problems with the quality of the sound that the tapes could not be used to produce a clear record. Therefore, a new hearing was scheduled before the Planning Commission to reconsider the comprehensive plan amendment and rezone. The Planning Commission, subsequently, recommended approval.

On September 22, Council voted to have a public hearing on this matter.

ORIGINATOR'S RECOMMENDED ACTION: The Director of Land Use and Economic Planning recommends Council accept the Planning Commission recommendation by adopting the proposed ordinance and entering into the contract with the Beacon Group.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

- 10/6/92: Council / Introduced
- 10/27/92: Council adopted the ordinance. 5-2 LH & VY opposed

Related File Numbers: *Ordinance or Resolution Number (this item only):* 92-078

SPONSORED BY: Consent

PROPOSED BY: Planning

INTRODUCTION DATE: 10/6/92

ORDINANCE NO. 92-078

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An Ordinance amending the Birch Bay-Blaine Subarea Comprehensive Plan Map for 44 acres of a 146 acre parcel by changing 14 acres from Urban Reserve to Commercial-Resort and 30 acres from Urban Reserve to Light Industrial Park; and similarly amending the Official Whatcom County Zoning Map subject to a Concomitant Agreement affecting the total 146 acre parcel which is located north of Birch Point Road in the Northeast quarter of Section 23, Township 40 North, Range 1 West.

WHEREAS, the Beacon Group filed an application requesting that the official Birch Bay-Blaine Comprehensive Plan Map and the Official Whatcom County Zoning Map be amended to change the URBAN RESIDENTIAL designation of a 14 acre area to RESORT COMMERCIAL and a 30 acre area to LIGHT IMPACT INDUSTRIAL subject to a concomitant agreement affecting the total 146 acre parcel located north of Birch Point Road, east of Selder Road and South of Semiahmoo Parkway in the NE quarter of Section 23, TWN 40 N, RNG 1 W; and

WHEREAS, hearings were held by both the Planning Commission and Council and the request was approved by Ordinance 92-025 and adopted on May 5, 1992; and

WHEREAS, the action by the County was subsequently litigated and because of transcription problems a complete, written record was not available for the Courts and therefore the prior ordinance was invalidated; and

WHEREAS, it was determined to re-hear the proposal; and

WHEREAS, pursuant to RCW 36.70.590, legal notice was published in the Bellingham Herald on August 27, 1992; and

WHEREAS, a Determination of Non-significance had been issued on March 5, 1992 by the Responsible Deputy SEPA Official; and

WHEREAS, the Planning Department reviewed the request and prepared a revised staff report, recommending approval of the comprehensive plan and map amendment and rezone request subject to a revised concomitant agreement; and

WHEREAS, the Planning Commission held a public hearing on the proposal on September 9, 1992 and heard all testimony; and

1 WHEREAS, the Planning Commission held a work session on September 16,
2 1992 and after due deliberation made a determination that the application be approved
3 subject to the revised concomitant agreement with an additional modification; and
4

5 WHEREAS, the Council held a public meeting on ^{October 27 D.M.W.} ~~October 13~~ to consider this
6 matter and approved the Planning Commission recommendations including the
7 language of the concomitant agreement; and
8

9 WHEREAS, the Findings that created the basis for this ordinance are contained
10 in Exhibit ~~C~~ ^D which is attached and incorporated herein by reference as if fully setforth;
11 and ^{D.M.W.}
12

13 WHEREAS, based upon the Findings of Fact contained in Exhibit D, it is
14 declared that enactment of this ordinance will promote the public health, safety, and
15 general welfare.
16

17
18 NOW THEREFORE BE IT ORDAINED BY THE WHATCOM COUNTY COUNCIL
19

20 Section 1. The Official Whatcom County Birch Bay-Blaine Subarea Comprehen-
21 sive Plan Map is hereby amended by redesignating a 14 acre area from URBAN
22 RESERVE to COMMERCIAL-RESORT; and a 30 acre area from URBAN RESERVE TO
23 LIGHT INDUSTRIAL PARK of a total 146 area parcel as shown on Exhibit A, with the
24 overall parcel described on Exhibit B.
25

26 Section 2. The Official Zoning Map of Whatcom County is hereby amended by
27 redesignating a 14 acre area from URBAN RESIDENTIAL - 4 Units per Acre (UR-4) to
28 RESORT COMMERCIAL (RC); and a 30 acre area from URBAN RESIDENTIAL - 4
29 Units per Acre (UR-4) to LIGHT IMPACT INDUSTRIAL (LII) of a total 146 area parcel
30 as shown on Exhibit A, with the overall parcel described on Exhibit B.
31

32 Section 3. The Birch Bay-Blaine Subarea Comprehensive Plan Map and Zoning
33 Map amendment and rezone of the subject areas of land shall not become effective
34 until and unless all parties have signed the concomitant agreement attached as Exhibit
35 C and the agreement has been recorded in the Whatcom County Auditor's Office.
36

37 Section 4. Adjudication of invalidity of any of the sections, clauses, or provisions
38 of this Ordinance shall not affect or impair the validity of the Ordinance as a whole or
39 any part thereof other than the part so declared to be invalid.
40
41
42

1 ADOPTED this 27th day of Oct., 1992.

2
3
4 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

5
6 Ramona Reeves
7
8 Ramona Reeves, Council Clerk

Daniel M. Warner
Daniel M. Warner, Chairman

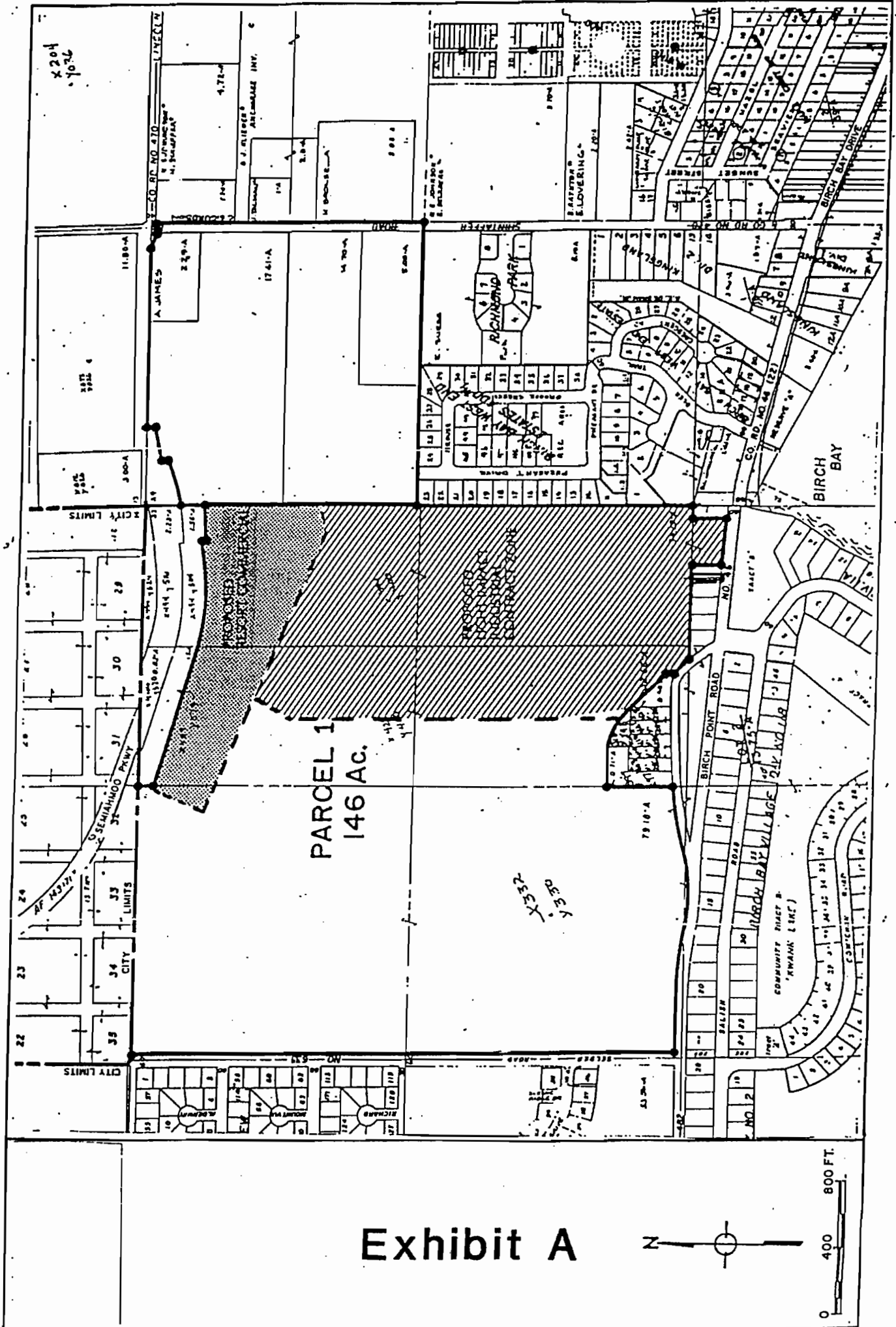
9
10 APPROVED as to form & content:

Approved Denied

11
12 Daniel L. Gibson
13
14 Daniel L. Gibson
15 Civil Deputy Prosecuting Attorney

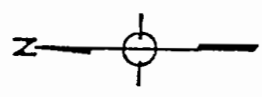
Shirley Van Zanten
Shirley Van Zanten, County Executive

16 Date: 11/5/92
17



PARCEL 1
146 AC.

Exhibit A



0 400 800 FT.

The Whatcom Group Rezone Application

EXHIBIT B

Legal Description

Parcel 1

The East 660 feet of the East half of the Northeast quarter of Section 23, Township 40 North, Range 1 West of W.M.,

ALSO the West 225 feet of the East 285 feet and the West 15 feet of the East 360 feet, of that portion of Government Lot 2, in Section 23, Township 40 North, Range 1 West of W.M., lying North of Birch Point Road.

ALSO the West 660 feet of the East half of the Northeast quarter of Section 23, Township 40 North, Range 1 West of W.M., EXCEPT Whatcom County Road No. 482, and EXCEPT the following described tract:

BEGINNING at the Southwest corner of the East half of the Northeast quarter of the said Section 23; thence North $0^{\circ}00'30''$ East, along the West line of the said East half of the Northeast quarter of Section 23, 78.8 feet to the Northerly line of Whatcom County Road No. 482 and to the True Point of Beginning; thence North $0^{\circ}00'30''$ East, along the West line of the said East half of the Northeast quarter of Section 23, 307.9 feet; thence North $87^{\circ}40'$ East, 163 feet; thence South $79^{\circ}08'$ East, 88 feet; thence South $59^{\circ}13'$ East, 89 feet; South $43^{\circ}22'22''$ East a distance of 292.03 feet; thence South 39.71 feet to an intersection with the Northerly line of Whatcom County Road No. 482, the said point of intersection being on a curve having a radius of 150 feet; the center of which curve bears South $22^{\circ}17'30''$ West, thence Westerly, along the said curve to the left and along the Northerly line of Whatcom County Road No. 482, a distance of 64.03 feet to a point of tangency; thence South $87^{\circ}50'$ West, along the Northerly line of said road, 217.36 feet to an angle point in the said Northerly line of the said road, 246.59 feet to the True Point of Beginning.

ALSO EXCEPT that portion lying South of Old County Road No. 482.

EXCEPT from the above-described tracts, a tract in the Northeast quarter of the Northeast quarter described as follows:

Beginning at the Northeast corner of said Northeast quarter, said point being the point of beginning; thence South $02^{\circ}33'36''$ West along the East line of said Northeast quarter 278.60 feet; thence Southwesterly along a curve to the right having a central angle of $09^{\circ}18'47''$ radius 1,030 feet for a distance of 167.42 feet; thence North $06^{\circ}59'55''$ West along radial line 20 feet; thence Westerly along a curve to the right having a central angle of $27^{\circ}12'05''$ radius 1,010 feet for a distance of 479.50 feet to point of tangency; thence North $69^{\circ}47'51''$ West 716.97 feet to an intersection with the West line of said Northeast quarter of the Northeast quarter; thence North $02^{\circ}50'26''$ East along said West line 65.21 feet to the Northwest corner of said Northeast quarter of the Northeast quarter; thence South $86^{\circ}44'40''$ East along the North line of said Northeast quarter 1,322.29 feet to the point of beginning.

EXCEPT

ALSO that portion of Government Lot 2, Section 23, Township 40 North, Range 1 West of W.M. lying Northerly of County Road as conveyed to Whatcom County by Deed recorded August 21, 1963, under Auditor's File No. 954062, EXCEPT the East 660 feet thereof. ALSO EXCEPT portion conveyed to Whatcom County by Deed recorded March 10, 1910, in Volume 110 of Deeds, page 586, under Auditor's File No. 138579 (County Road No. 482).

All situate in County of Whatcom, State of Washington.

The Beacon Group Rezone Application

Legal Description (Continued)

Parcel 1 (continued)

THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 23,
TOWNSHIP 40 NORTH, RANGE 1 WEST OF W.M., EXCEPT SELDER ROAD
NO. 635; AND EXCEPT THOSE PORTIONS CONVEYED TO WHATCOM COUNTY
FOR ROAD BY DEEDS RECORDED UNDER AUDITOR'S FILE NOS. 256975,
138586 AND 953447.

ALSO, THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST SOUTHEAST
QUARTER OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 1 WEST OF
W.M., LYING NORTHERLY OF COUNTY ROAD AS CONVEYED UNDER
AUDITOR'S FILE NO. 138586 AND 953447.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

. . . END OF EXHIBIT "A" . . .

EXHIBIT C**BEACON GROUP REZONE
Amended and Restated Concomitant Agreement**

Agreement Supporting Zoning Amendment (File #01-92:CZM) affecting 44 acres of a 146 acre parcel which amendment is to change 14 acres from Urban Residential to Resort Commercial and 30 acres from Urban Residential to Light Impact Industrial.

THIS IS AN AGREEMENT made and entered into by and between the undersigned owners of a certain parcel of property located in Whatcom County (hereinafter called "Owners"); the undersigned applicant for zoning amendment #01-92 (hereinafter called "Applicants") and Whatcom County (hereinafter referred to as "the County");

WITNESSETH:

I. **WHEREAS**, the undersigned parties designated **Owners** are the owners of that certain parcel of real property of approximately 146 acres (hereinafter called the "**Subject Property**") located in Whatcom County, which parcel is shown on a map and fully described in the attachments to Ordinance #92-025; and

II. **WHEREAS**, the undersigned parties designated **Applicants**, with the full knowledge and support of **Owners**, have applied for a plan redesignation and zoning reclassification on 44 acres of the subject property which would change 14 acres from **URBAN RESIDENTIAL** at four units per acre (UR-4) to **RESORT COMMERCIAL (RC)** and 30 acres from **URBAN RESIDENTIAL - four units per acre (UR-4)** to **LIGHT IMPACT INDUSTRIAL**, located as shown in the attachments to Ordinance #92-025) and

III. **WHEREAS**, the Planning Commission has recommended in favor of such reclassification with conditions; and

IV. **WHEREAS**, the County has authority to enact laws and enter into agreements to promote the health, safety and welfare of its citizens and thereby control the use and development of property within its jurisdiction; and

V. **WHEREAS, Owners and Applicants agree and the County confirms that a "Business Park" and "Film Studio", as defined in Clause I of this Agreement, are consistent with the type and range of uses currently permitted in a Light Impact Industrial zone and are therefore permitted uses in that zone subject to the other requirements of that zone (WCC 20.66); and**

VI. **WHEREAS**, both the **Applicants** and the **Owners** have voluntarily agreed to enter into this Concomitant Zoning Agreement in order to obtain the approval of the **County** for the application for reclassification of the **Subject Property**; and

- 2 -

VII. WHEREAS, the Applicants, the Owners and the County have agreed to enter into this amended and restated Concomitant Agreement (the "Agreement") to amend and restate the original Concomitant Agreement.

NOW THEREFORE, in consideration of the Council's enactment of an ordinance reclassifying 14 acres of the Subject Property from URBAN RESIDENTIAL (UR-4) to RESORT COMMERCIAL (RC) and 30 acres of the Subject Property from URBAN

RESIDENTIAL (UR-4) to LIGHT IMPACT INDUSTRIAL, both the Applicants and the Owners do hereby covenant and agree, on behalf of themselves and their successors and assigns, as follows:

1. For the purposes of this Agreement the following terms have the following meanings:

"Business Park" means office space or office space combined with either or both warehouse space and light assembly space characterized by buildings in which the office space fronts on the street and the warehouse or light assembly space is confined to the rear of the buildings. All storage and assembly areas are confined within the buildings. Sufficient landscaped buffers are provided to shield adjacent properties from all rear building and parking areas.

"Film Studio" means a complex of buildings and structures, occupying not less than 15 designated acres of the Business Park, which houses activities necessary for film, video and television production, typically with a secure perimeter and which includes, but is not limited to, one or more of the following building types and uses:

- (i) Sound stages contained in a large, windowless building, which typically has sound insulation, large free span floor areas with ceiling heights to 50 feet and may include associated dressing rooms, small workshops and storage space;
- (ii) Workshops, paint shops and warehouses;
- (iii) Screening and post production facilities contained in an office building, which typically includes acoustically treated, light industrial space, and areas suitable for the viewing of film;
- (iv) Production offices;
- (v) Commissary facilities;
- (vi) Education and training facilities;
- (vii) Theatres, cinemas, meeting rooms and related facilities and technological equipment which may be used for artistic performances, entertainment, educational and community activities and related uses, and which are open to and available to the general public.

.../3

- 3 -

"Light Impact Industrial Area" means the 30 acres of the Subject Property rezoned as Light Impact Industrial pursuant to Ordinance #92-025.

2. **Owners and Applicants** agree that if the Subject Property is not acquired by the Applicants, or a subsidiary thereof, within one (1) year of the date of this Agreement, this Agreement shall become null and void and the County will initiate proceedings to amend the comprehensive plan and zoning map to revert the area rezoned by Ordinance #92-025 to its prior zoning of Urban Residential - four units per acre (UR-4); with the approved Major Development Permit (MDP 1-82).
3. **Owners and Applicants** agree that the Subject Property shall be developed as a Planned Unit Development (PUD). The Owners and Applicants further agree that within two (2) years of the date of this Agreement, an application will be made for a Planned Unit Development, pursuant to WCC 20.85, on the entire Subject Property. If an application is not made within two years, the County will initiate proceedings to revert the area rezoned by Ordinance #92-025 to its prior zoning with the approved Major Development Permit MDP 1-82, unless the County has granted an extension. The Planned Unit Development Application shall be subject to the normal review and approval process set forth in WCC 20.85.
4. **Owners and the Applicants and the County** agree that a condition will be included in the proposed Planned Unit Development that will rescind the previously approved Bay Club Project (MDP 1-82).
5. **Owners and Applicants** agree that all weather access roads will be completed to the site prior to any industrial development requiring such roads.
6. Owners, Applicants and the County agree that the only uses permitted on the Light Impact Industrial area shall be Business Park and Film Studio.
7. Owners, Applicants and the County agree that until such time that the construction of a Film Studio is commenced on the Light Impact Industrial Area, the amount of Business Park development will be limited to 100,000 square feet of building.
8. Owners, Applicants and the County agree that if construction of components of a Film Studio on the Light Impact Industrial Area is not commenced within five years of the date of this Agreement, the County will initiate proceedings to amend the Comprehensive Plan and the Zoning Map to return the Light Impact Industrial Area to UR-4 zoning, save and except any portion of the Business Park developed to the extent permitted by clause 7 of this Agreement.
9. Owners, Applicants and the County agree that if after the Film Studio is constructed, the complex of buildings and structures constituting the Film Studio is not used for film, video or television production, for a continuous period of one year, the County will initiate proceedings to amend the Comprehensive Plan and Zoning Map to return the Film Studio designated area of the Light Impact Industrial Area to UR-4 zoning.

- 10. Owners and Applicants agree that no Light Impact Industrial uses will be permitted in the Light Impact Industrial Area other than those which are necessary for, ancillary to or required in conjunction with, and at a scale appropriate to the needs of, the Business Park, or, with respect to the Film Studio designated area, necessary for, ancillary to or required in conjunction with, and at a scale appropriate to the needs of the Film Studio.
- 11. Owners and Applicants agree that where the Light Impact Industrial Area adjoins an Urban Residential, Urban Residential Medium Density, Rural or Residential Rural District not within the Subject Property, the set back provided for in Section 20.66.550 of the Official Whatcom County Title 20 Zoning Code shall be increased to one hundred (100) feet with a minimum of fifty (50) feet landscaped consistent with the requirements of WCC 20.80.345.
- 12. This Agreement shall constitute a covenant running with the land and shall be binding upon the Owners, the Applicants, their heirs, successors, and assigns, and shall be recorded at Owners expense in the Whatcom County Auditor's Office within five days of execution.
- 13. Any amendments or modifications of this Agreement shall be valid only if agreed upon by the County Council following a public hearing and after being reduced to writing and recorded in the Whatcom County Auditor's Office.
- 14. Nothing contained in this Agreement shall be construed to restrict the authority of the County to exercise its police powers nor to prevent the County from initiating a zoning change in accordance with the applicable ordinances and regulations.

OWNERS

Executed by _____, this _____ day of _____, 1992
 David Syre, President
 on behalf of Trillium Corporation, the Owners of the Subject Property.

STATE OF WASHINGTON)
) ss.
 COUNTY OF WHATCOM)

On this day personally appeared before me David Syre to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under by hand and official seal this _____ day of _____, 1992.

 NOTARY PUBLIC in and for the
 State of Washington, residing at _____

Exhibit D

FINDINGS

1. Thirty acres of Light Industrial zoning and 14 acres of Resort Commercial zoning are being requested for location of a film studio and related activities.
2. The request includes a contract rezone which would integrate the proposed industrial and commercial uses into the overall development of a 146 acre site.
3. The proposal is within the Birch Bay Sewer and Water District and utilities are available to the site.
4. A proposal for 465 units has been approved and exists for the property at this time.
5. Water supply is an issue in the subarea. However, the recent contract between the Public Utility District and Birch Bay Water and Sewer District addresses this.
6. The proposed site is located in Fire District 13 and a fire station is located three miles from the site. There is also a fire station on Semiahmoo Parkway within the City of Blaine which could provide backup service.
7. The site characteristics are generally appropriate for development. Almost half of the site does have soils that are potentially hydric and a number of wetlands have been designated on the site. These are generally located on the west half of the site in the area not subject to the rezone. In any case, the wetlands do not preclude development, but will have to be preserved or their loss appropriately mitigated.
8. The development pattern in the subarea is shifting to a resort character on Birch Point. The proposed zoning would complement the existing and proposed development pattern for the area.
9. The rezone would allow development of commercial facilities which would be complementary to the development pattern occurring in the Birch Point area and would create the possibility of meeting some of the convenience retail needs for this area.
10. The film studio itself will have the potential for substantial economic

impact, including direct jobs, tax revenues, and indirect benefits to the surrounding community. This is in keeping with the State of Washington's emphasis on attracting the film industry to the State.

11. The proposal will provide employment opportunities which are generally lacking in the subarea except for limited retail and service jobs.
12. The required Planned Unit Development and other limits proposed by the contract rezone in addition to normal County process and requirements would insure that development allowed under the proposed zoning would be compatible with the surrounding neighborhood.
13. The site is served by existing and proposed collector streets. However, for the Birch Point area to develop to its fullest zoning potential, upgrading of the road network will be required including eventually upgrading the Birch Bay-Lynden Road interchange and possible construction of a new interchange.
14. The development as envisioned under the proposed rezone will substantially increase the vehicle trips to and from the site beyond that which would occur under the existing zoning. However, as a percent of the total trips generated by the Birch Point area, this may not be particularly significant.
15. Detailed traffic analysis will be needed at the time a specific development proposal is brought forward. At that time, detailed impacts could be more accurately analyzed and appropriate mitigation measures proposed.
16. The proposed comprehensive plan amendment and rezone are consistent with the goals of the comprehensive plan.
17. The proposed comprehensive plan amendment and rezone satisfy the five comprehensive plan amendment criteria.
18. The proposal will provide the potential for substantial benefit to the community.
19. There has been a substantial change in conditions and circumstances since 1987 when the comprehensive plan and zoning for the area were last examined and approved.

CONCLUSIONS

1. The proposed comprehensive plan amendment and rezone meet the amendment criteria for the subarea including changed conditions since adoption of the Birch Bay subarea plan in 1987. Approval of the request will allow further pursuit of a film studio in Whatcom County. The film studio is considered a desirably unique use as well as an economic asset for the Birch Bay-Blaine area, Whatcom County, and the State of Washington.
2. The site selected is appropriate in terms of its location in relation to other resort activities occurring in the Birch Point area. Impacts on adjacent properties can be mitigated by the contract rezone and normal Whatcom County processes and regulations. There are issues that will have to be overcome before development can occur, including water supply, wetlands protection, and traffic. With the exception of traffic, the issues would be the same for a residential development.
3. By approving this rezone, the County will be setting the stage for a project that will have substantial economic benefits to the county. The County will also be better served by approving a new project for the site under current development standards than by accepting the existing project which was approved in 1983. The trade off for the proposal is acceptance of increased traffic to the Birch Point area.

Note: These draft Findings are the Findings recommended by the Planning Commission with minor modifications.

**WHATCOM COUNTY
PLANNING DEPARTMENT**
284 W Kellogg Road, Suite B
Bellingham, Washington 98226

Scan: 769-6756 Fax: 738-2525
206/676-6756 206.398-1310

RECEIVED

OCT 30 1992

WHATCOM COUNTY
COUNCIL

MEMORANDUM

TO: Ramona Reeves, Clerk to the Council
FROM: Dan Taylor, Director Land Use & Economic Planning
DATE: October 29, 1992
RE: Corrections to the Beacon Ordinance

After we learned that Council had set a public hearing for October 27, we revised the second page of the Beacon Ordinance recognizing this and correcting one exhibit reference. Unfortunately this page did not get included in our submittal to your office; therefore, please correct the approved ordinance as follows:

line 5: "Council held a public meeting on October 13" should read "Council held a public hearing on October 27"

line 10: "Exhibit C" should read "Exhibit D"

I interpret these corrections as being Scrivener's errors.

cc: Council Members

**WHATCOM COUNTY
PLANNING DEPARTMENT**

284 W Kellogg Road, Suite B
Bellingham, Washington 98226

RECEIVED

MAR 19 1993

Scan: 769-6756
206/676-6756

Fax: 738-2525
206.398-1310

WHATCOM COUNTY
COUNCIL

MEMORANDUM

TO: Marge Laidlaw, Council Chair
Council Members

FROM: Dan Taylor, Director Land Use & Economic Planning

DATE: March 17, 1993

RE: Map Correction for Ordinance 92-078 Related to the Beacon Comp Plan Amendment and Rezone

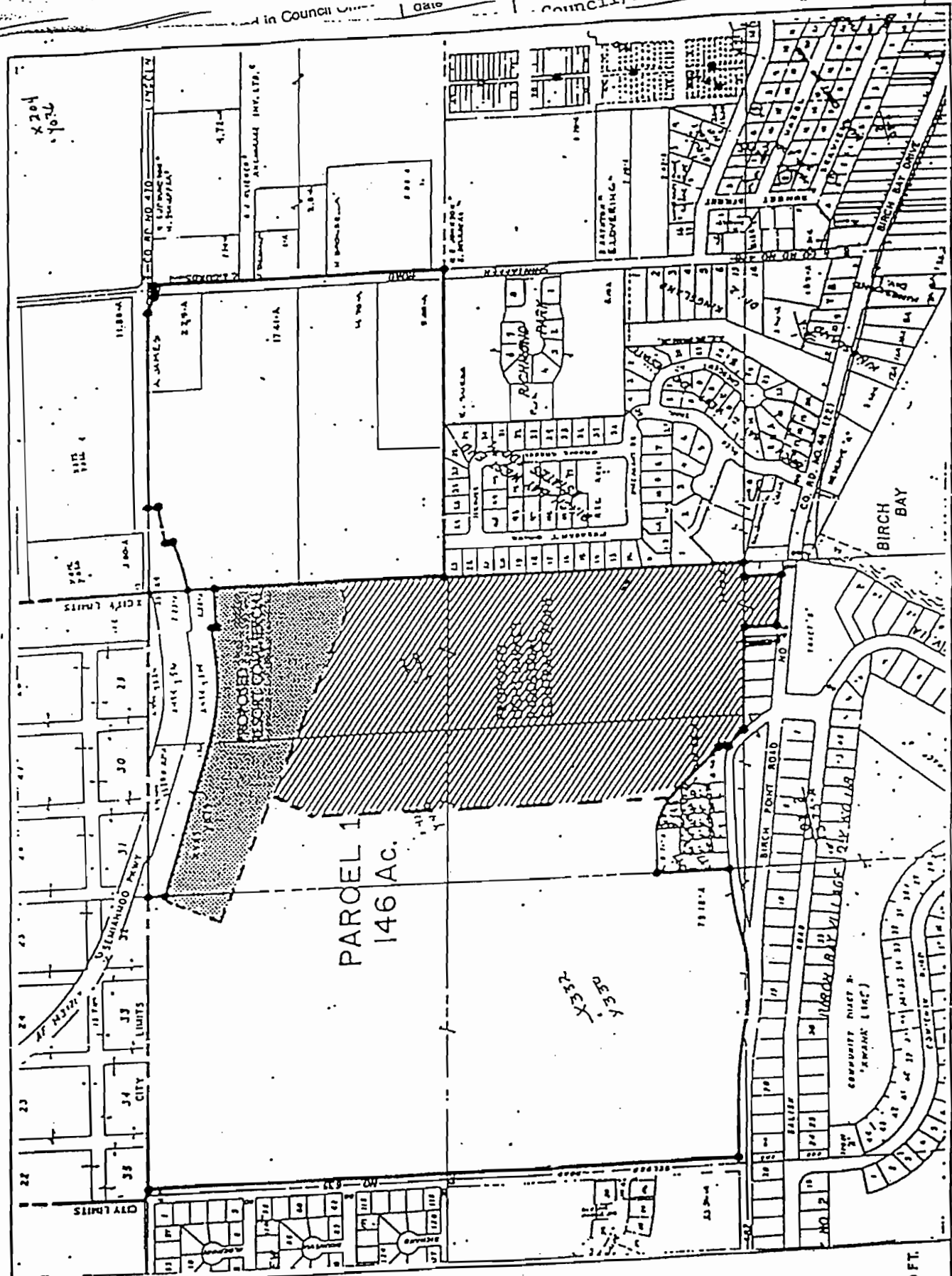
When the approved ordinance for the Beacon plan amendment and rezone was circulated, our Cartographer, Elizabeth Olsen, discovered a map error which I missed both times this was processed. It relates to the existing Neighborhood Commercial zoning at the south end of the property which was incorrectly portrayed.

Correcting the map does not substantively change the ordinance or what Council approved. Therefore, I am substituting the correct map without further action by Council unless there is an objection. If I or Council staff have not heard otherwise by March 24, we will assume this change is okay and circulate it to the appropriate parties.

Please note that Elizabeth also reduced the light industrial area, somewhat, to more accurately reflect 30 acres (the amount rezoned for Industrial). However, this is not really an issue because the concomitant agreement requires a Planned Unit Development which allows the zoning to occur anywhere on the parcel but limited to the approved acreage.

Attachments: Existing map
Proposed amended map

cc: SVZ



PARCEL 1
146 AC.

PROPOSED
RESORT COMMERCIAL
DEVELOPMENT

DEE X

800 FT.
400

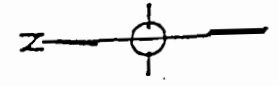


Exhibit A

INCORRECT EXHIBIT IN

