

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Planning/G. Rogers	<i>DR</i>	10/20/92	RECEIVED OCT 20 1992 WHATCOM COUNTY COUNCIL	10/27/92	Council/Intro
Division Head:				12/08/92	P&D/Council
Dept. Head: Dan Taylor	<i>DT</i>	10/20/92		1/12/93	Council
Prosecutor:					
Purchasing/Budget:					
Executive:					

SUBJECT: File Ref:17-91:CZM (SFR Farms) A request to amend the Cherry Point - Ferndale Subarea Comprehensive Plan and the Official Whatcom County Zoning Map for approximately 14 acres in section 5, township 39 north, range 2 east, from Rural Five Acre to General Commercial.

ATTACHMENTS: Agency Report with attached Staff Report
 Excerpts from Planning Commission minutes dated July 8, 1992

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

Related County contract #:	Should Clerk schedule a hearing? NO /XX/ YES / / 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):	

The applicant's stated intent for this property is to develop a hotel/restaurant at the site to serve the industrial community to the west (Cherry Point area). Lack of existing public water and sewer on the site and sustained unsuccessful marketing of a similar, adjoining property detract from the advisability of approving this request.

ORIGINATOR'S RECOMMENDED ACTION: The Director of Land Use and Economic Planning recommends Council accept the Planning Commission recommendation to deny the request.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

- 10/27/92: Introduction
- 12/08/92: Planning will draft an ordinance for council consideration.
- 1/12/93: Council approved the request.

SPONSORED BY: Consent

PROPOSED BY: Planning

INTRODUCTION DATE: 10/27/92

ORDINANCE NO. 93-008

AN ORDINANCE AMENDING THE CHERRY POINT - FERNDAL SUBAREA COMPREHENSIVE PLAN MAP AND THE OFFICIAL WHATCOM COUNTY ZONING MAP FOR APPROXIMATELY 14 ACRES FROM RURAL FIVE ACRE (R5A) TO GENERAL COMMERCIAL (GC)

WHEREAS, SFR Farms Inc. filed an application to amend the Cherry Point - Ferndale Subarea Comprehensive Plan Map and the Official Whatcom County Zoning Map for approximately 14 acres from RURAL FIVE ACRE (R5A) to GENERAL COMMERCIAL (GC); and

WHEREAS, pursuant to RCW 36.70.590, legal notice was published in the Bellingham Herald on June 25, 1992; and

WHEREAS, a Determination of Non-Significance had been issued on April 2, 1992 by the responsible Deputy SEPA Official; and

WHEREAS, the Planning Commission held a hearing on the proposal on July 8, 1992 and heard all testimony; and

WHEREAS, the Planning Commission made a determination that the application should be denied; and

WHEREAS, the Council held a public meeting on December 8, 1992 to consider this matter and disapproved the Planning Commission recommendation, and

WHEREAS, the Council has adopted the following Findings and Conclusions:

FINDINGS

1. The property affected by this rezone request was included as part of the 1981 Cherry Point - Ferndale Comprehensive Plan land use description of the area known as the Grandview Interchange and was considered for General Commercial zoning at the time the subarea plan was written. When this consideration was made, the owner opted to remain R5A.

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2. The Cherry Point - Ferndale Background Document recognized the importance of the I-5/Grandview Interchange as a resource to be used carefully for commercial or industrial access to the freeway.
3. The applicant's desire to develop a motel and restaurant is consistent with the subarea Comp Plan policy of mixed use and would serve to provide for service needs of the industrial areas to the west.
4. Lack of public water and sewer services to this property does not prevent the owner from development and potential does exist for future provision of those services.

CONCLUSIONS

The proposal meets the comprehensive plan amendment criteria for the Cherry Point-Ferndale Subarea Plan and normal rezone criteria.

All of the above paragraphs represent Findings of Fact and Conclusions by the Whatcom County Council. Based upon these Findings of Fact and Conclusions, it is declared that enactment of this ordinance will promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that:

Section 1. The Cherry Point - Ferndale Subarea Comprehensive Plan Map and the Official Whatcom County Zoning Map is hereby amended from RURAL FIVE ACRE (R5A) to GENERAL COMMERCIAL (GC) for approximately 14 acres, one eighth mile east of the I-5/Grandview Road Interchange, Section 5, Township 39 North, Range 2 East.

Section 2. The Official Whatcom County Zoning Map is hereby amended from RURAL FIVE ACRE (R5A) to GENERAL COMMERCIAL (GC) for approximately 14 acres, one eighth mile east of the I-5/Grandview Road Interchange, Section 5, Township 39 North, Range 2 East.

1 Section 3. Adjudication of invalidity of any of the sections, clauses, or
2 provisions of this Ordinance shall not affect or impair the validity of the Ordinance as a
3 whole or any part thereof other than the part declared to be invalid.
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7 ADOPTED this 12th day of Jan., 1993.
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9 WHATCOM COUNTY COUNCIL
10 WHATCOM COUNTY, WASHINGTON

11 ATTEST:

12 Barbara Maher
13 for Ramona Reeves, Council Clerk
14

15 Marge Laidlaw
16 Marge Laidlaw, Council Chair

17 APPROVED as to form & content:

18 (Approved) () Denied

19 Karen N. Frakes
20 Karen Frakes
21 Civil Deputy Prosecutor

22 Shirley Van Zanten
23 Shirley Van Zanten, Executive
24 Date: 2-16-93