

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Dan Taylor		06/27/94	RECEIVED JUL 5 1994 WHATCOM COUNTY COUNCIL	7/12	Council - intro
Division Head: Dan Taylor	DJT	6/29/94		7/26/94	Planning/Council
Dept. Head: Nate Brown	NWB	7/5/94			
Prosecutor: Dan Gibson	DG	7/1/94			
Purchasing/Budget:					
Executive: Shirley Van Zanten					

SUBJECT: File Ref: #18-94IZO(2): An Ordinance Adopting Comprehensive Plan Designations and Zoning Classifications Under Title 20 for Property Owned by Seattle City Light within the Confines of North Cascades National Park.

ATTACHMENTS: Proposed Ordinance
 Agency Report with Attached Staff Report (see A.B. , File Ref: 18-94IZO)
 Draft Planning Commission Minutes (see A.B. , File Ref: 18-94IZO)

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

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

Whatcom County's Interim Zoning Ordinance, Chapter 2.24A, was adopted in July 1972. Included within its jurisdiction is 420 acres of property owned by Seattle City Light within the North Cascades National Park. Seattle City Light's current land use pattern and future plans have provided the basis for the limited planning effort which was used to establish the proposed plan designations and zoning districts. Because these properties are in one ownership with the National Park as the only neighbor, no additional analysis or process is required.

ORIGINATOR'S RECOMMENDED ACTION: The Director of Planning and Development Services recommends Council accept the Planning Commission recommendation and adopt the attached ordinance.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

7/12/94: Introduction
 7/26/94: Council adopted the ordinance.

Related File Numbers:

Ordinance or Resolution Number (this item only): 094-043

SPONSORED BY: Consent

PROPOSED BY: Planning

INTRODUCTION DATE: 7/12/94

ORDINANCE NO. 94-043

AN ORDINANCE ADOPTING COMPREHENSIVE PLAN DESIGNATIONS AND ZONING CLASSIFICATIONS UNDER TITLE 20 FOR PROPERTY OWNED BY SEATTLE CITY LIGHT WITHIN THE CONFINES OF NORTH CASCADES NATIONAL PARK.

WHEREAS, pursuant to RCW 36.70.790, Whatcom County adopted an Interim Zoning Ordinance on July 6, 1972; and

WHEREAS, the County has established permanent zoning in ten subareas and on Eliza Island since 1972, which leaves only three areas of the county still under interim zoning; and

WHEREAS, the Planning Division working with Seattle City Light proposed comprehensive plan designations and permanent zoning for Seattle City Light property; and

WHEREAS, Determination of Non-Significance was issued by the Deputy SEPA Official on June 17, 1994;

WHEREAS, pursuant to RCW 36.70.590 legal notice was published in the Bellingham Herald on Thursday, June 9, 1994; and

WHEREAS, the Planning Commission held a public hearing on June 22, 1994 and considered all testimony; and

WHEREAS, the Council at a public meeting on July 26, 1994, reviewed the Planning Commission recommendation and found the proposed extension in the best interest of the public health, safety, and welfare; and

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

Findings

1. Pursuant to RCW 36.70.790, Whatcom County adopted an Interim Zoning Ordinance in July 1972.
2. The County has established permanent zoning, which replaces the Interim Zoning in ten geographic subareas, plus Eliza Island.

- 1 3. Areas under the present jurisdiction of the Interim Zoning Ordinance include fee
2 lands within the Lummi Indian Reservation, private property exclaves within the
3 National Forest, and Seattle City Light property within the National Park.
- 4 4. The Seattle City Light property is being addressed as part of this proposal.
- 5 5. Seattle City Light owns approximately 420 acres of property within the North
6 Cascades National Park located in three clusters along Highway 20, including
7 the towns of Newhalem and Diablo.
- 8 6. These properties have been developed over a number of years in an appropriate
9 manner to serve the power generating needs of Seattle City Light.
- 10 7. No major new development is anticipated. Minor redevelopment, however,
11 including some new structures and demolition and relocation of existing
12 structures, is anticipated.
- 13 8. The General Protection zoning on the properties has the inherent flexibility to
14 provide for the present and anticipated uses, but does require the conditional
15 use process for new uses.
- 16 9. Forestry, Residential, Commercial, and Industrial Plan Designations and zones
17 generally reflect the existing uses and would allow anticipated uses without
18 requiring a conditional use permit.

19 Conclusion

20 Seattle City Light's current land use pattern and future plans provide the basis for the
21 limited planning effort which was used to establish the proposed plan designations and
22 zoning districts. As these properties are in one ownership with the National Park as
23 the only neighbor, no additional analysis or process is required.

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

25 Section 1. The plan designations and zoning districts be adopted for the Seattle City
26 Light property as described by the attached maps and legal descriptions. (Attachments
27 A through D).

28 Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of
29 this Ordinance shall not affect or impair the validity of the Ordinance as a whole or any
30 part thereof other than the part so declared to be invalid.

1 ADOPTED this 26th day of July, 1994.

2 WHATCOM COUNTY COUNCIL
3 ATTEST: WHATCOM COUNTY, WASHINGTON

4 Marena McAllister, Acting Clerk Robert A. Imhof
5 Ramona Reeves, Council Clerk Robert A. Imhof, Council Chair

6 APPROVED AS TO FORM: Approved () Denied

7 Daniel L. Gibson
8 Daniel L. Gibson
9 Civil Deputy Prosecutor

Shirley Van Zanten
Shirley Van Zanten, Executive
Date: 7-27-94

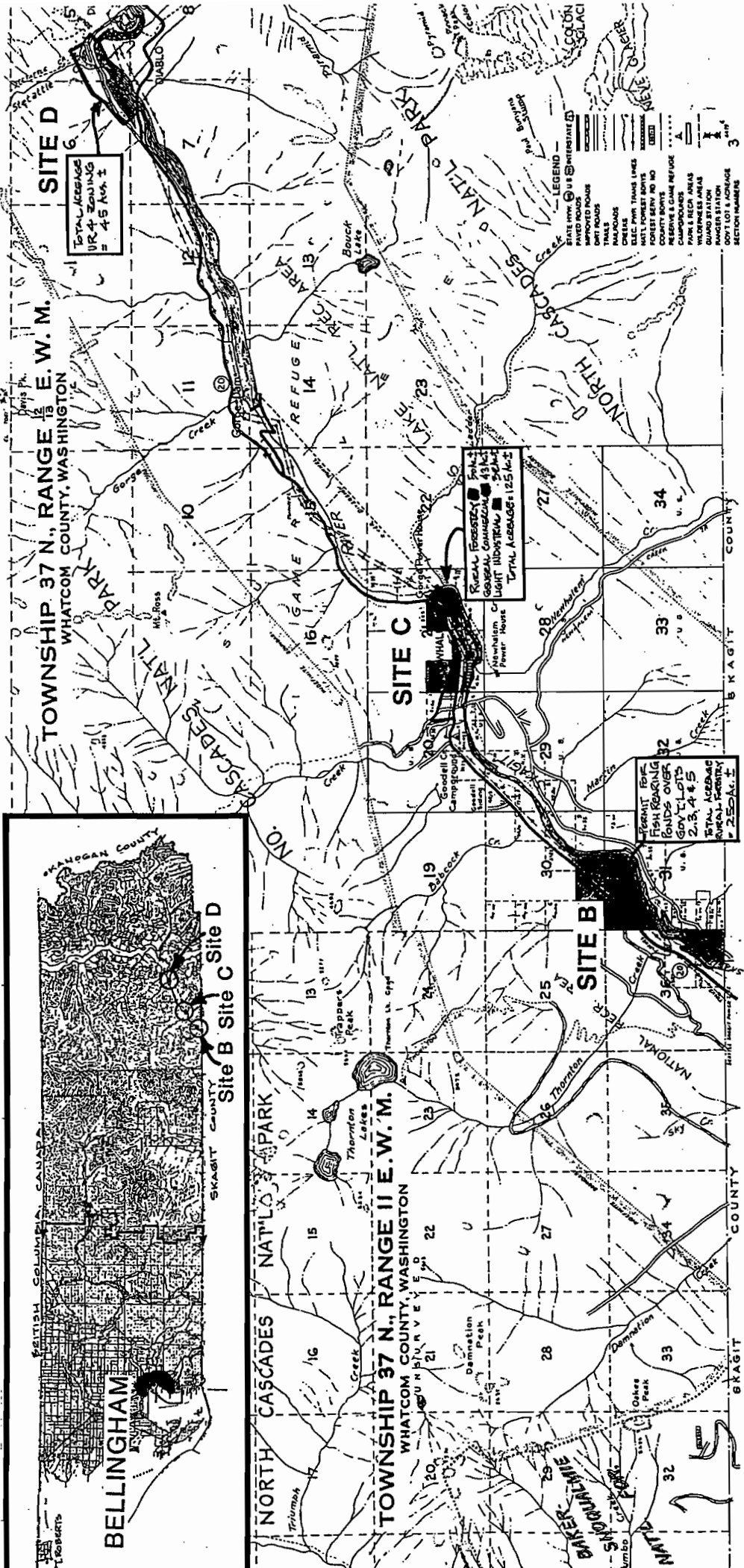
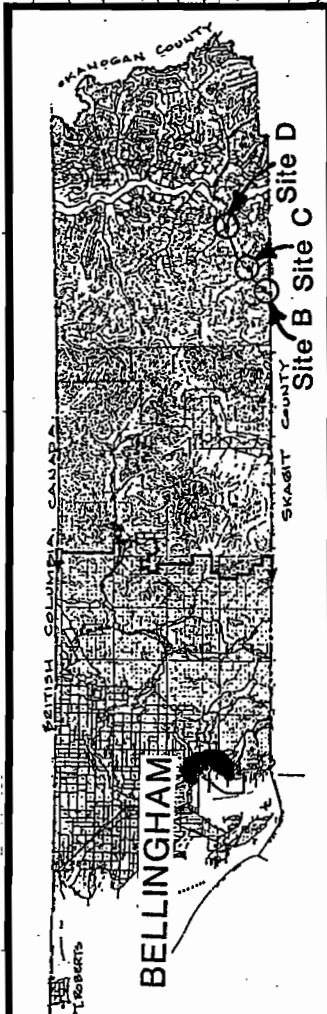


EXHIBIT A

EXHIBIT B

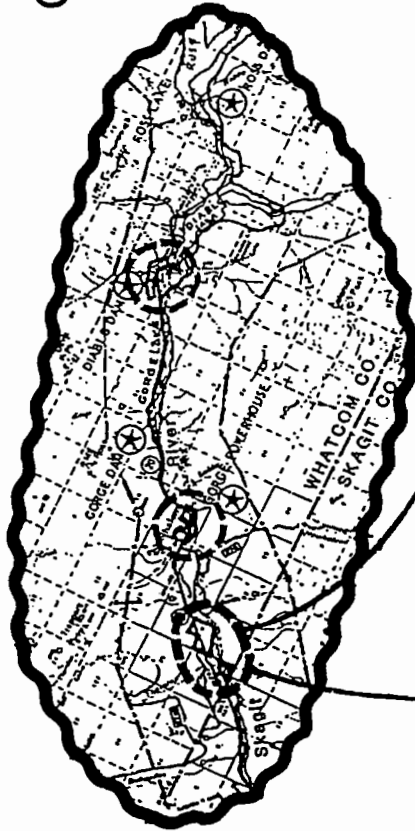
All of the following parcels:

Gov't. Lot 3 -- Sect. 36 - Twp. 37 - Ra. 11E

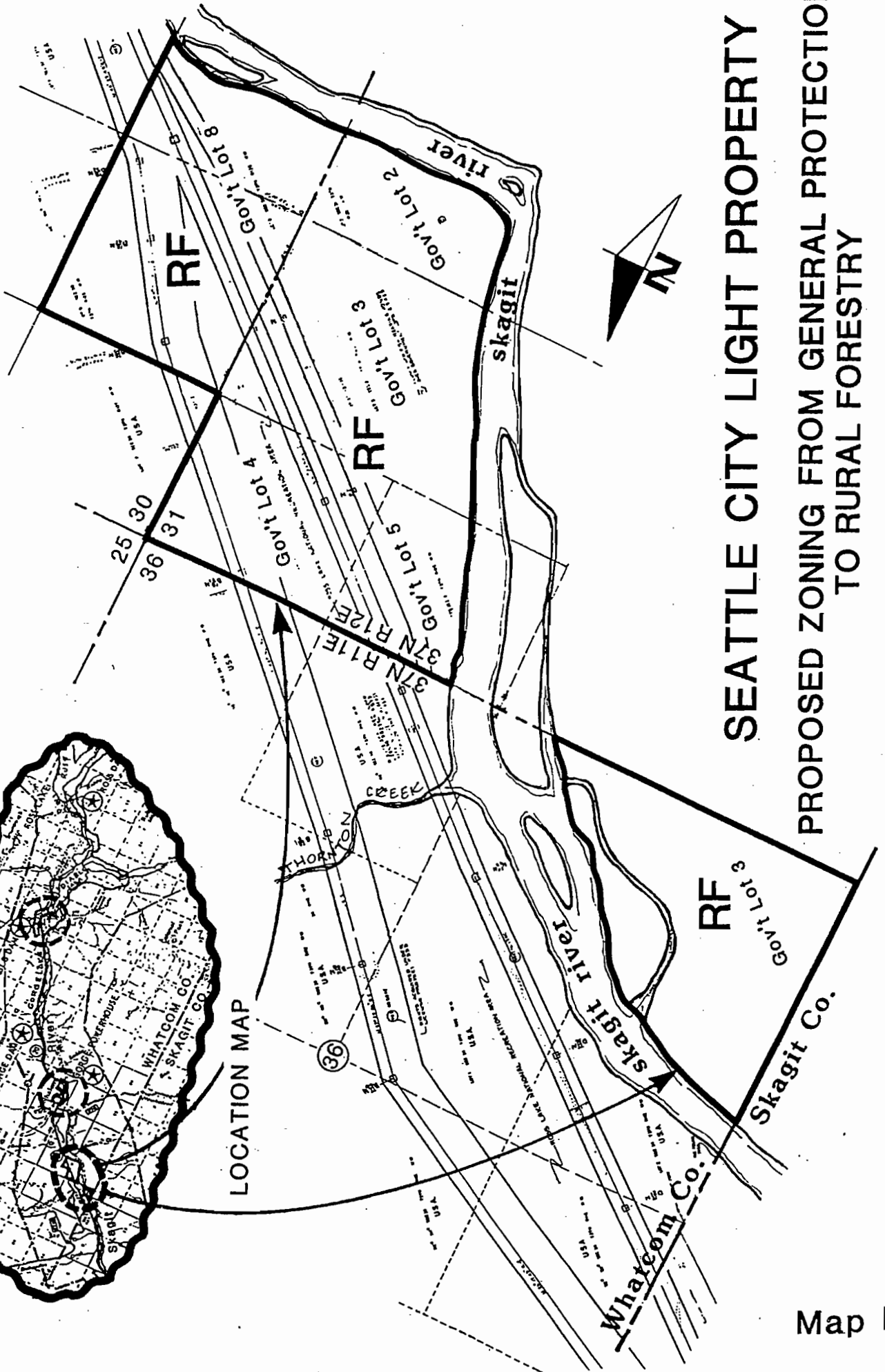
Gov't. Lot 8 -- Sect. 30 - Twp. 37 - Ra. 12E

Gov't. Lots 2,3,4,5 -- Sect. 31 - Twp. 37 - Ra. 12E

COMP. PLAN DESIGNATION FORESTRY



LOCATION MAP



SEATTLE CITY LIGHT PROPERTY

PROPOSED ZONING FROM GENERAL PROTECTION
TO RURAL FORESTRY

Map B

EXHIBIT "C"

RURAL STRY ZONE

A Parcel of land situate in Whatcom County, Washington in Section 21, Township 37 North, Range 12 East W.M. described as follows:
All of the N.W. 1/4 of the S.W. 1/4 of said section 21 lying north of the following described line:
Commencing at the 1/4 corner common to sections 20 and 21 of said township,
Thence S 0 23' 37" W 710 ft. along the section line to the True Point of Beginning;
Thence S 64 56' 00" E 1454.62 ft. to the S.E. corner of the N.W. 1/4 of the S.W. 1/4 of said section 21 and the terminus of this line.
Basis of bearing is the Seattle City Light Copper Creek Coordinate Grid.

A parcel of land situate in Whatcom County, Washington in Section 21, Township 37 North, Range 12 East W.M. described as follows:
Beginning at the center of said section 21,
Thence S 0 24' 07" W 1111.6 ft. along the north-south centerline of said section to the City of Seattle Lighting Department Project no. 553 boundary as shown on sheet 101 of Exhibit K, Skagit River Project F.P.C. no. 553 also being drawing no. D-27742, Records of Seattle City Light;
Thence N 64 51' 21" E 1240.95 ft. along said boundary;
Thence N 27 10' 40" E 400 ft. more or less to the line of ordinary high water of the Skagit River;
Thence North-Northwesterly along said line of ordinary high water to the intersection of the east-west centerline of said section 21;
Thence Westerly along said east-west centerline to the center of said section 21 and the Point of Beginning.
Basis of bearing is the Seattle City Light Copper Creek Coordinate Grid.

GENERAL COMMERCIAL ZONE

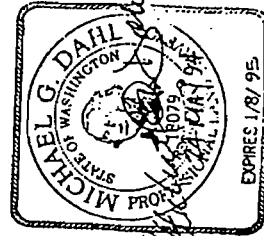
A parcel of land situate in Whatcom County, Washington in Section 21, Township 37 North, Range 12 East W.M. described as follows:
Commencing at the 1/4 corner common to sections 20 and 21 of said township,
Thence S 0 23' 37" W 1295.87 ft. along the section line to the intersection of the City of Seattle Lighting Department Project no. 553 boundary as shown on sheet 101 of Exhibit K, Skagit River Project F.P.C. no. 553, also being drawing no. D-27742, Records of Seattle City Light;
Thence S 80 50' 00" E 1337.46 ft. along said project boundary to the intersection of the west line of the S.E. 1/4 of the S.W. 1/4 of said section 21;
Thence N 0 23' 52" E 182.64 ft. along said line to the N.W. corner of said S.E. 1/4 of the S.W. 1/4 of said section 21;
Thence S 89 37' 27" E 1321.82 ft. along the east-west centerline of the S.W. 1/4 to the north-south centerline of said section 21;
Thence N 0 24' 07" E 208.40 ft. along said north-south centerline to the intersection of said Project no. 553 boundary;
Thence N 64 51' 21" E 1240.95 along said boundary;
Thence N 27 10' 40" E 312 ft. more or less, continuing along said boundary to the intersection of the east margin of State highway SR-20;
Thence Southerly and Westerly along said SR-20 margin to a point which bears N 76 10' 06" E 540.00 ft. from the N.E. corner of the S.E. 1/4 of the S.W. 1/4 of said section 21;

Thence S 17 22' 21" E 480 ft. more or less to a point on the line of ordinary high water of the Skagit River, said point bears N 34 20' 30" E 1200.00 ft. from the 1/4 corner common to sections 21 and 28 of said township;
Thence Westerly along said line of ordinary high water to the intersection of the line common to sections 20 and 21 of said township;
Thence N 0 23' 37" E 447.70 along said section line to the True Point of Beginning.
Basis of bearing is the Seattle City Light Copper Creek Coordinate Grid.

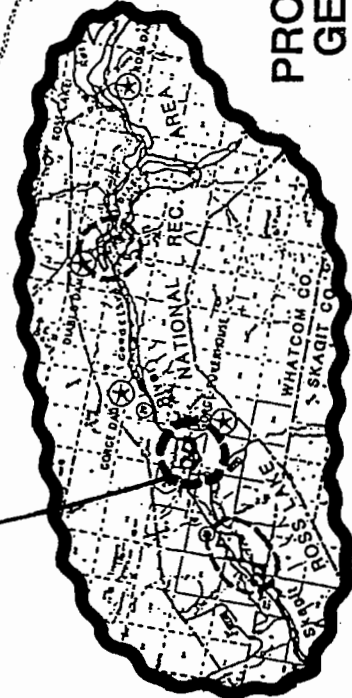
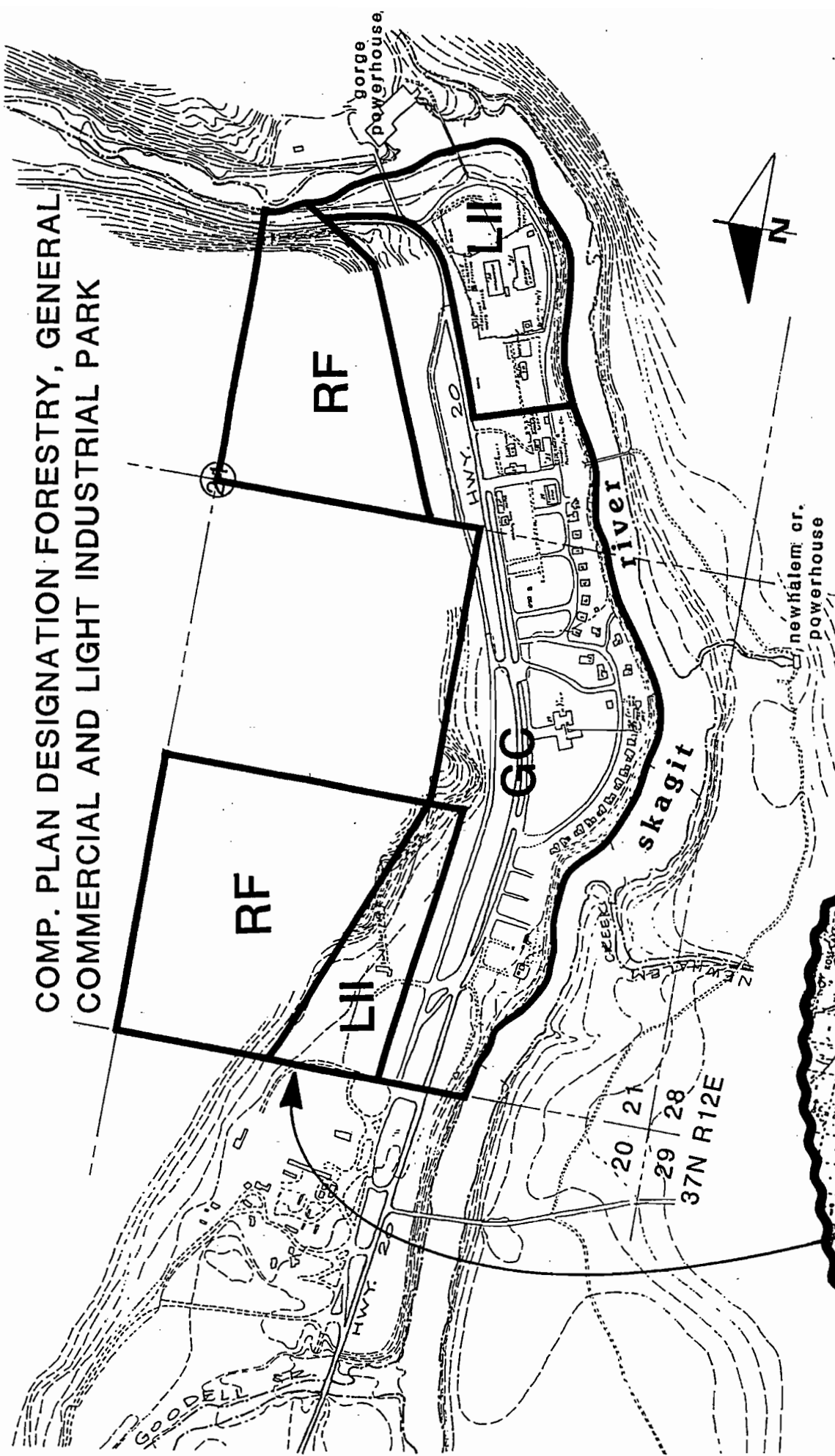
LIGHT IMPACT INDUSTRIAL ZONE

A parcel of land situate in Whatcom County, Washington in Section 21, Township 37 North, Range 12 East W.M. described as follows:
Commencing at the 1/4 corner common to sections 20 and 21 of said township,
Thence S 0 23' 37" W 710.00 ft. along the section line, to the True Point of Beginning;
Thence S 64 56' 00" E 1454.62 ft. to the N.E. corner of the S.W. 1/4 of the S.W. 1/4 of said section 21;
Thence S 0 23' 52" W 182.64 ft. along the east line of the S.W. 1/4 of the S.W. 1/4 of said section 21;
Thence N 80 50' 00" W 1337.46 ft. to the west line of said section 21;
Thence N 0 23' 37" E 585.87 ft. along said section line to the Point of Beginning.
Basis of bearing is the Seattle City Light Copper Creek Coordinate Grid.

A parcel of land situate in Whatcom County, Washington in Section 21, Township 37, Range 12 East W.M. described as follows:
Commencing at the 1/4 corner common to section 21 and 28 of said township,
Thence N 34 20' 30" E 1200.00 ft. to a point on the line of ordinary high water of the Skagit River and the True Point of Beginning;
Thence N 17 22' 21" W 480 ft. more or less to the south margin of State highway SR-20;
Thence Easterly and Northerly along said SR-20 margin to the intersection of the City of Seattle Lighting Department Project no. 553 boundary as shown on sheet 101 of Exhibit K, Skagit River Project F.P.C. no. 553, also being drawing no. D-27742, Records of Seattle City Light;
Thence N 27 10' 40" E 88 ft. more or less along said project boundary to the line of ordinary high water of the Skagit River;
Thence Southerly and Westerly along said line of ordinary high water to the True Point of Beginning.
Basis of bearing is the Seattle City Light Copper Creek Coordinate Grid.



COMP. PLAN DESIGNATION FORESTRY, GENERAL
COMMERCIAL AND LIGHT INDUSTRIAL PARK



LOCATION MAP

NEWHALEM

PROPOSED ZONING FROM GENERAL PROTECTION TO
GENERAL COMMERCIAL, LIGHT IMPACT INDUSTRIAL
AND RURAL FORESTRY

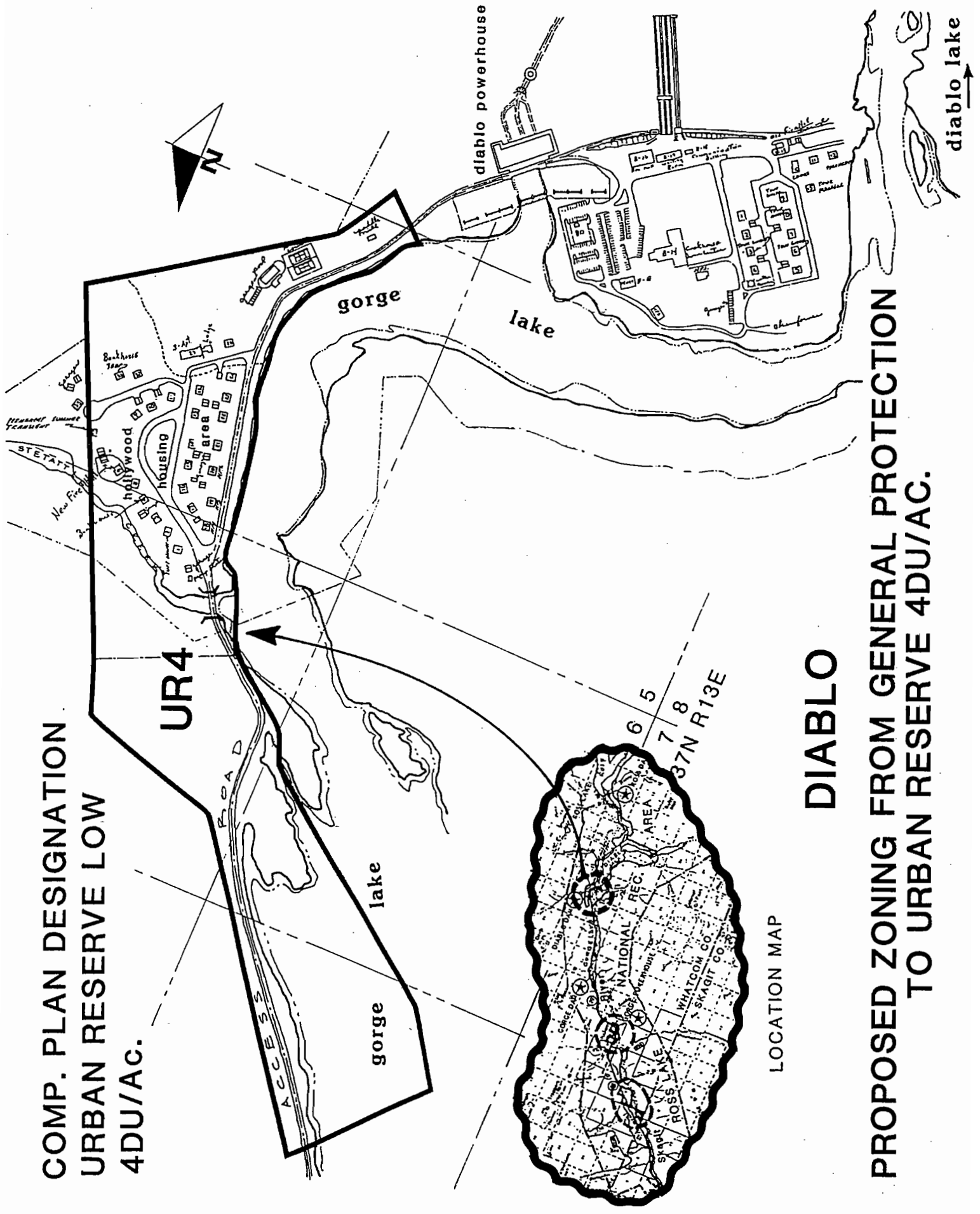
This is the legal description for the City of Seattle, City Light Department fee-owned property in the vicinity of Diablo, Washington.

EXHIBIT "D"

The following described real estate situated and being in Whatcom County, Washington, to-wit:

Beginning at a corner No. 1 situated on right bank of Skagit River, from which United States Location Monument No. 124 bears North 36° 10' 20" East 32 3/10 chains distant, thence north forty five degrees ten minutes West 9 and Thirty-two hundredths chains to corner No. 2; thence North fifty-six degrees fifteen minutes East Twenty and twenty-eight hundredths chains to corner No. 3, thence north eighteen degrees forty-eight minutes east nine and five-tenths chains to corner No.4; thence north sixty-eight degrees twenty minutes east twenty-four and seventeen-hundredths chains to corner No. 5, thence south thirty-two degrees thirty six minutes east fifteen and seven-hundredths chains to corner No. 6, thence south fifty-seven degrees forty-five minutes east three and ninety-six hundredths chains to corner No. 7; thence South Forty degrees West one and ninety seven hundredths chains to corner No. 8 situated on said right bank of Skagit River; thence meandering said right bank of Skagit River, North Thirty-eight degrees forty-five minutes west seven and eight-tenths chains, south eighty-three degrees West ten chains, south seventy-three degrees thirty minutes west ten chains, south forty-eight degrees thirty minutes west fourteen chains, south fifty-seven degrees sixteen minutes west four and sixty-two hundredths chains to corner No. 1, the place of beginning; containing 43 and fifty-six-hundredths acres,

**COMP. PLAN DESIGNATION
URBAN RESERVE LOW
4DU/AC.**



**DIABLO
PROPOSED ZONING FROM GENERAL PROTECTION
TO URBAN RESERVE 4DU/AC.**

LOCATION MAP