

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Gordon Rogers	<i>[Signature]</i>	7-13-94	RECEIVED JUL 20 1994 WHATCOM COUNTY COUNCIL	7/26/94	Council introduction
Division Head: Dan Taylor	<i>[Signature]</i>	7-13-94		8/9/94	Council
Dept. Head: Nate Brown	<i>[Signature]</i>	7-13-94			
Prosecutor:					
Purchasing/Budget:					
Executive:					

SUBJECT:

File #08-94:CZM to amend the Lynden - Nooksack Valley Subarea Comprehensive Plan Map and the Official Whatcom County Zoning Map for approximately 2.01 acres from RURAL RESIDENTIAL, Two Dwelling Units per Acre (RR2) to GENERAL COMMERCIAL (GC). The property fronts on East Pole Road at 126 E. Pole Road just east of Guide Meridian Road, Section 6, Township 39 North, Range 3 East.

ATTACHMENTS:

- Agency Report, Staff Report attached map
- Draft Planning Commission Minutes
- Proposed Ordinance

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

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

This request for rezone would add approximately 2.01 acres to land in the Guide Meridian corridor zoned General Commercial (GC). The applicant/owner also owns a similar-size parcel, currently zoned GC, at the corner of the Guide Meridian-Pole Road intersection where he operates a manufactured home sales lot. His stated intent is to somewhat expand his business; his personal residence is on the property requested for rezone, and he intends to remain. Water is obtained from an existing well, sewage treatment is by septic system, and there is no access to the business from Guide Meridian Road.

ORIGINATOR'S RECOMMENDED ACTION: The Director of Planning and Development Services recommends County Council adopt the recommendations of the Planning Commission.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

8/9/94: Council adopted the ordinance.

Related File Numbers:

Ordinance or Resolution Number (this item only):

SPONSORED BY: Consent

PROPOSED BY: Planning

INTRODUCTION DATE: 7/26/94

ORDINANCE NO. 94-048

AN ORDINANCE AMENDING THE LYNDEN-NOOKSACK VALLEY SUBAREA COMPREHENSIVE PLAN MAP AND THE OFFICIAL WHATCOM COUNTY ZONING MAP FOR APPROXIMATELY TWO ACRES FROM RURAL RESIDENTIAL, TWO DWELLING UNITS PER ACRE TO GENERAL COMMERCIAL.

WHEREAS, Don Kooy requested amending the Lynden-Nooksack Valley Subarea Comprehensive Plan Map and the Official Whatcom County Zoning Map from Rural Residential, Two Dwelling Units Per Acre to General Commercial for approximately two acres, located 200 feet east of the intersection of Guide Meridian and East Pole Road; and

WHEREAS, pursuant to RCW 36.70.590 legal notice was published in the Bellingham Herald on Thursday, May 27, 1994; and

WHEREAS, a Determination of Non-Significance was issued by the Deputy SEPA Official on March 31, 1994; and

WHEREAS, the Planning Commission held a public hearing on June 8, 1994 and considered all testimony and after due deliberation, voted unanimously to recommend approval; and

WHEREAS, the Council held a public meeting on August 2, 1994 to consider this matter and approved the Planning Commission recommendation; and

WHEREAS, the Council found the amendments in the best interest of the public health, safety, and welfare; and

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

FINDINGS

1. The location of this property is very close to the Guide Meridian - Pole Road intersection, making it highly suited to commercial use.
2. The Lynden - Nooksack Valley Subarea Background Document recognizes the commercial significance of the Guide Meridian/Pole Road intersection.
3. The subarea plan policies support local service businesses at this location.
4. The applicant has operated a recreational vehicle and manufactured home dealership on an adjacent, equal size parcel for approximately 20 years and would now like to expand the business.

- 1 5. The Washington State Department of Transportation has developed an
2 Access Management Plan calling for an emphasis on transportation
3 efficiency on the portion of Guide Meridian encompassing the Pole Road
4 intersection and an emphasis on local service access on pole Road.
5
6 6. Approval of this request is not likely to result in an additional access point
7 from Guide Meridian Road.
8
9 7. Sewage treatment on the property is by existing septic system; additional
10 sewage treatment capability is not likely to be required in the foreseeable
11 future.
12
13 8. Public water is not currently available at this site and the applicant will be
14 required to prove water availability upon application for development permits
15 depending on the nature of the development.
16

17 **CONCLUSIONS**

18
19 Approval of this rezone request would be consistent with the goals and policies of the
20 Lynden - Nooksack Valley Subarea Comprehensive Plan. The local service and mixed use
21 nature of land use enabled by a General Commercial zoning designation is appropriate to
22 the area. Additional traffic generated by any expanded use resulting from approval of this
23 request will be absorbed better at the Pole/Guide Meridian intersection than it might be at
24 any other location. Any future requests for access from Guide Meridian Road must be
25 approved by WSDOT.
26

27
28 **NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that:
29

30 Section 1. The Lynden - Nooksack Valley Subarea Comprehensive Plan Map and the
31 Official Whatcom County Zoning Map are hereby amended from Rural Residential, Two
32 Dwellings Per Acre, to General Commercial for approximately two acres (Assessor's parcel
33 number 390306 040020).
34

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

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ADOPTED this 9th day of August, 1994.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Marina McAllister Acting Clerk
Ramona Reeves, Council Clerk

Robert A. Imhof
Robert A. Imhof, Chairperson

APPROVED as to form & content:

Approved () Denied

Daniel L. Gibson
Daniel L. Gibson, Civil Deputy Prosecutor

Shirley Van Zanten
Shirley Van Zanten, Executive

Date: 8-10-94