

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Dan Taylor		09-07-94	<b>RECEIVED</b>  <b>SEP 7 1994</b>  <b>WHATCOM COUNTY COUNCIL</b>	9-13-94	Council Introduction
Division Head: Dan Taylor	DJT	9/1/94		9-27-94	P&D/Council
Dept. Head: Nate Brown	NWB	9/7/94			
Prosecutor:					
Purchasing/Budget:					
Executive:	sz/pal				

**SUBJECT:**

An Ordinance Amending Ordinance 94-033 Adopting Interim Urban Growth Areas to correct the City of Ferndale's Interim Urban Growth Area Boundaries

**ATTACHMENTS:**

Draft Ordinance

**SUMMARY STATEMENT:**

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

Related County contract #:	Should Clerk schedule a hearing? NO <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> Requested date: 9/27/94
Amount budgeted for this item/project: \$	Is it (or will it be) within budget? YES / / NO / / (Please explain below)
Budget line item number(s):	

When the Interim Urban Growth Area Ordinance was adopted, a determination was made to delete the rural residential area east of the freeway from Ferndale's proposed Urban Growth Area boundaries. In doing this, everything east of the freeway and south of the Nooksack River was deleted. This eliminated several small areas which had urban zoning and urban levels of service or the immediate ability to obtain those services.

One individual in particular had a proposed subdivision financed by the Farm Home Administration ready for approval. Based on Ordinance 94-033 which excludes his property, he has appealed the Interim Urban Growth Areas.

**ORIGINATOR'S RECOMMENDED ACTION:** The Director of Planning and Development Services recommends Council adopt the proposed ordinance correcting Ferndale's Interim Urban Growth Area boundaries.

**COMMITTEE ACTION TAKEN:**

**COUNCIL ACTION TAKEN:**

- 9/13/94: Council Introduction
- 9/27/94: Council adopted the ordinance. 5-2 with Nelson and Brenner opposed.

**Related File Numbers:**

**Ordinance or Resolution Number (this item only):** Ord 94-054

SPONSORED BY: Consent

PROPOSED BY: Planning

INTRODUCTION DATE: 9/13/94

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ORDINANCE NO. 94-054

AN ORDINANCE AMENDING ORDINANCE 94-033 ADOPTING INTERIM URBAN GROWTH AREAS TO CORRECT THE CITY OF FERNDALE'S INTERIM URBAN GROWTH AREA BOUNDARIES

WHEREAS, on April 21, 1994, the Whatcom County Council held a public hearing in Ferndale to discuss Interim Urban Growth Area boundaries, including those around Ferndale; and

WHEREAS, on May 24, 1994, the Council adopted Ordinance 94-033 that included a map of the Ferndale area excluding everything east of Interstate-5 and south of the Nooksack River from the City of Ferndale's Interim Urban Growth Area boundary; and

WHEREAS, this excluded several areas which are presently zoned Urban Residential, General Commercial, and Light Impact Industrial which are urban in character or have urban levels of service available; and

WHEREAS, the Council held a duly advertised public hearing on September 27, 1994, to reconsider this matter; and

WHEREAS, Council determined that Ferndale's Interim Urban Growth Area was incorrectly indicated on the map depicting the Ferndale area.

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

Section 1. The map attached to Ordinance 94-033 be corrected to include all areas zoned Commercial, Industrial, or Urban Residential east of I-5 and north of Slater Road that were in the Interim Urban Growth Area as originally proposed by Ferndale.

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

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ADOPTED this 27th day of Sept., 1994.

ATTEST:

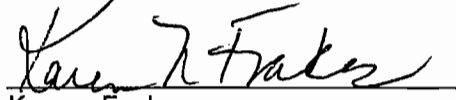
WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

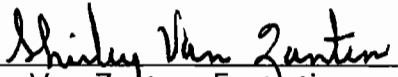
  
Ramona Reeves, Council Clerk

  
Robert A. Imhof, Council Chair

APPROVED AS TO FORM:

Approved ( ) Denied

  
Karen Frakes  
Civil Deputy Prosecutor

  
Shirley Van Zanten, Executive

Date: 9-28-94