

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Clerk		11/16		11/22/94	Council - Intro
Division Head:				12/13/94	Council (no committee review needed)
Dept. Head:					
Prosecutor:					
Purchasing/Budget:					
Executive:					

SUBJECT:

Ordinance amending Ordinance 94-067 (the Storteboom contract rezone)

ATTACHMENTS:

Ordinance

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:
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The Council adopted the Storteboom contract rezone on November 8, 1994. However, amendments made at the Planning and Development Committee level were not adopted by the full Council. This ordinance corrects that oversight and makes the amendments.

CLERK'S RECOMMENDED MOTION (for final action):

"I move that the Council adopt the ordinance."

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

11/22/94: Council introduced.

12/13/94:

12/6/94: Adopted 7-0 Ord. #94-076

Related File Numbers:

Ordinance or Resolution Number (this item only):

ORDINANCE NO. 94-076

AMENDING ORDINANCE 94-067

(THE STORTEBOOM CONTRACT REZONE)

WHEREAS, the Whatcom County Council unanimously adopted Ordinance 94-067, which amended the Lynden-Nooksack Valley Subarea Comprehensive Plan Map and the Official Whatcom County Zoning Map from R5A to General Commercial, and which also was referred to as the Storteboom contract rezone; and

WHEREAS, in the Council's Planning and Development Committee meeting just prior to Council consideration, the following action was taken:

" Harris moved to amend the ordinance as follows: On page 2 of the ordinance, line 44, strike "not," page 3 of the ordinance, line 1, strike "not", and line 3 strike "not".

Motion to amend carried unanimously."

WHEREAS, the amendments were not forwarded to the Council for consideration prior to adoption of the ordinance; and

WHEREAS, the effect was that the ordinance was adopted without the amendments; and

WHEREAS, the proponent's representative and the County's Planning Division Manager, Dan Taylor, agree that the amendments should be made;

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

1 Ordinance 94-067 is hereby amended as follows, in compliance with action taken by the
2 Council's Planning and Development Committee on November 8, 1994:

3
4 1. On page 2 of the ordinance, under the "Findings" section, Finding Number
5 7 will be amended to read as follows:

6
7 "7. The request does ~~not~~ correct a previously unknown informational
8 error."

9
10 2. On page 3 of the ordinance, under the "Findings" section, Finding Number
11 8 will be amended to read as follows:

12
13 "8. The request is ~~not~~ consistent with the goal of utilizing previously
14 committed land areas and existing facility investments before committing
15 new areas for development. It is also ~~not~~ consistent with the goal of
16 providing adequate community and neighborhood commercial facilities in
17 appropriate locations while avoiding the proliferation of unnecessary new
18 commercial uses."

19
20 ADOPTED this 6th day of December, 1994.

21
22
23 ATTEST:

24
25 
26 _____
27 Ramona Reeves, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

28
29 
30 _____
31 Robert Imhof, Chair

32 APPROVED as to form:

33 
34 _____
35 Civil Deputy Prosecutor

() Approved () Vetoed

*

Shirley Van Zanten, Executive
Date: _____

* Clerk's Note: The Executive declined to sign this ordinance on 12/19/94 because she disagrees with it, according to an informal, handwritten note initialed sz, which states, "I decline to sign this ordinance. According to Whatcom County Home rule Charter Section 2.30 states, in part: "If the Executive does not either sign or veto an ordinance within ten (10) days, Saturdays, Sundays, and holidays excepted, after presentation of the ordinance by the Council, it shall become law without the Executive's signature." This ordinance was adopted 12/6/94; therefore it takes effect 12/16/94.

A handwritten signature in black ink, appearing to read "Dana Brown-Davis", written over a horizontal line.

Dana Brown-Davis
Acting Council Clerk

dated 12/20/94