

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Terry Gakvin	TG	9/20/96	<b>RECEIVED</b>  <b>SEP 25 1996</b>  <b>WHATCOM COUNTY COUNCIL</b>	10/1/96	Council Introduction
Division Head: Elizabeth Sjostrom	ES	9/20/96			
Dept. Head: Michael Knapp					
Prosecutor:	KNF	9/20/96			
Purchasing/Budget:					
Executive:	PK	9-23-96			

**SUBJECT:** An Ordinance Amending Lake Whatcom Subarea Comprehensive Plan Map and the Official Whatcom County Zoning Map for approximately five acres, from Rural Forestry (RF) to Rural Five Acre (R5A)

**ATTACHMENTS:** Proposed Ordinance  
 Staff Report  
 Draft Planning Commission Minutes

**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 /X/ NO / / (Please explain below) n/a
Budget line item number(s): n/a	

This request is to rezone approximately five acres northwest of Squalicum Lake from Rural Forestry to Rural Five Acre. This property does not meet the Locational Criteria for Rural Forestry but does for Rural Five Acre. The site is small and is not managed for timber. The predominate land use is residential and pasture, not forestry. The property is not in a tax deferred status. The Planning Commission recommends that the Lake Whatcom Subarea Plan and the Official Whatcom County Zoning Map be amended from Rural Forestry (RF) to Rural Five Acre (R5A) for the area requested.

**ORIGINATOR'S RECOMMENDED ACTION:** The Director of Planning and Development Services recommends Council adopt the proposed ordinance.

**COMMITTEE ACTION TAKEN:**

**COUNCIL ACTION TAKEN:**

1996 - 344 10/1/96: Introduced  
 10/15/96: Adopted 7 - 0. Ord. #96-044

e or Resolution Number (this item only):

Ord. # 96-044

SPONSORED BY: Consent

PROPOSED BY: Plan & Devel. Svcs.

INTRODUCTION DATE: 10/1/96

ORDINANCE NO. 96-044

**AN ORDINANCE AMENDING THE LAKE WHATCOM SUBAREA COMPREHENSIVE PLAN MAP AND THE OFFICIAL WHATCOM COUNTY ZONING MAP FOR APPROXIMATELY FIVE ACRES, FROM RURAL FORESTRY (RF) TO RURAL FIVE ACRE (R5A)**

**WHEREAS**, with the adoption of the Lake Whatcom Subarea Plan in 1982, the property subject to this rezone request was zoned Forestry; and

**WHEREAS**, in 1990, the South Fork Subarea Comprehensive Plan was adopted and the Forestry designation was broken into Commercial Forestry and Rural Forestry, in part, to reflect industrial versus nonindustrial owners of timber land; and

**WHEREAS**, the Lake Whatcom Subarea Comprehensive Plan map was updated in 1993 to accommodate this split, and the subject parcel was zoned Rural Forestry; and

**WHEREAS**, the owners requested the Lake Whatcom Subarea Comprehensive Plan Map and the Official Whatcom County Zoning Map be amended for approximately five acres, from Rural Forestry (RF) to Rural Five Acre (R5A); and

**WHEREAS**, the Deputy SEPA Official issued a Determination of Nonsignificance on July 7, 1995; and

**WHEREAS**, pursuant to RCW 36.70.590 legal notice was published in the *Bellingham Herald* on Thursday, August 29, 1996; and

**WHEREAS**, the Planning Commission held a public hearing on September 12, 1996 and addressed the proposed amendments and considered all testimony; and

**WHEREAS**, the Planning Commission unanimously recommended approval of the request; and

**WHEREAS**, the Council held a public meeting on October 1, 1996 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. This request is to rezone approximately 5 acres northwest of Squalicum Lake from Rural Forestry to Rural Five Acre.

- 1 2. This property does not meet the Locational Criteria for Rural Forestry.
- 2
- 3 3. Most of the Locational Criteria for Rural Five Acre are consistent with this property.
- 4
- 5 4. This property is small and is not managed for timber. The predominate land use is
- 6 residential and pasture, not forestry.
- 7
- 8 5. The property is not in a tax deferred status.
- 9
- 10 6. Public roads are readily available. Access to the property is from Mount Baker
- 11 Highway.
- 12
- 13 7. There are no physical constraints to residential development.
- 14
- 15 8. Public water and sewer are unavailable to this property; it is within a fire district.
- 16
- 17 9. The purpose statement in Title 20 for Rural Forestry is completely incompatible
- 18 with the character of this property. The Rural Five Acre purpose statement is more
- 19 consistent with the property.
- 20
- 21 10. This property fits with the character of the properties to the north and northeast in
- 22 the Rural Five Acre, which have experienced recent, rapid development.
- 23

#### 24 **CONCLUSION**

25  
26 This property meets the criteria for Rural Zoning. The Lake Whatcom Subarea Map should  
27 be re-designated from Forestry to Rural. The Official Whatcom County Zoning Map should  
28 re-designated from Rural Forestry (RF) to Rural Five Acre (R5A) for the property requested.  
29

30  
31 **NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that:

32  
33 Section 1. The Lake Whatcom Subarea Map and the Official Whatcom County Zoning  
34 Map are hereby amended from Rural Forestry to Rural Five Acre as shown on Exhibit A.  
35


36 Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this  
37 Ordinance shall not affect or impair the validity of the Ordinance as a whole or any part  
38 thereof other than the part so declared to be invalid.  
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ADOPTED this 15 day of October, 1996.

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

ATTEST:

  
Dana Brown Davis, Council Clerk

  
Ward Nelson, Chair

APPROVED as to form & content:

Approved ( ) Denied

  
Karen Frakes, Civil Deputy Prosecutor

  
Pete Kremen, Executive

Date: 10/17/96

EXHIBIT A

PROPOSED REZONE FROM  
RF TO R5A J. & G. MCGLINN  
380312 - 520475

