

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Carl Batchelor	CB	10/2/96	RECEIVED OCT 9 1996 WHATCOM COUNTY COUNCIL	10/15/96	Council Introduction
Division Head: Elizabeth Sjostrom	ES	10/2/96		10/29/96	P & D / Council
Dept. Head: Michael Knapp	MK	10/2/96			
Prosecutor:	MF	10/2/96			
Purchasing/Budget:					
Executive:	PI	10-7-96			

SUBJECT: An Ordinance to amend the Chuckanut-Lake Samish Subarea Comprehensive Plan Map from Residential Rural to Urban Residential and the Official Whatcom County Zoning Map from Rural Residential Two Units Per Two Acres (RR2) to Urban Residential, four dwellings per acre (UR4) for approximately sixteen acres.

ATTACHMENTS: Proposed Ordinance
 Agency Report with attached 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 / / NO / / (Please explain below) n/a
Budget line item number(s): n/a	

The request is to to amend the Chuckanut-Lake Samish Subarea Comprehensive Plan Map from Residential Rural to Urban Residential and the Official Whatcom County Zoning Map from Rural Residential Two Units Per Acre (RR2) to Urban Residential, four dwellings per acre (UR4) for approximately sixteen acres. At a public hearing on September 26, 1996 the Planning Commisison voted 5 to 3 in favor of the request.

ORIGINATOR'S RECOMMENDED ACTION: The Director of Planning and Development Services recommends Council accept this recommendation of the Planning Commission and approve the requested comprehensive plan amendment and rezone.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1996.- 358 10/15/96: Introduction
 10/29/96: Adopted 7 - 0. Ord. #96-047

Ordinance or Resolution Number (this item only):

Ord. # 96-047

SPONSORED BY: Consent

PROPOSED BY: Plan & Devel. Svcs

INTRODUCTION DATE: 10/15/96

ORDINANCE NO. 96-047

AN ORDINANCE AMENDING THE CHUCKANUT LAKE SAMISH SUBAREA COMPREHENSIVE PLAN MAP FROM RESIDENTIAL RURAL TO GENERAL COMMERCIAL AND THE OFFICIAL WHATCOM COUNTY ZONING MAP FROM RURAL RESIDENTIAL TWO UNITS PER ACRE (RR2) TO URBAN RESIDENTIAL FOUR DWELLINGS PER ACRE (UR4) FOR APPROXIMATELY SIXTEEN ACRES

WHEREAS, Glenda E. Henifin has requested that the Chuckanut-Lake Samish Subarea Comprehensive Plan Map be amended from Residential Rural to Urban Residential and the Official Whatcom County Zoning Map be amended from Rural Two Units per Acre (RR2) to Urban Residential, four dwellings per acre (UR4) for approximately sixteen acres; and

WHEREAS, pursuant to RCW 36.70.590 legal notice was published in the Bellingham Herald on Thursday, September 12, 1996; and

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

WHEREAS, the Planning Commission held a public hearing on the proposed amendments on September 26, 1996 and considered all testimony; and

WHEREAS, the Council held a public meeting on October 29, 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. The subject property is adjacent to UR3 zoning and is in the adopted Interim Urban Growth Area for the City of Bellingham.
2. The proposed UR4 zoning is an appropriate zoning designation for an Urban Growth Area, whereas the present RR2 zoning is not.
3. The property is presently undeveloped forest land bordering on an approved mobile home park, vacant land, low density residential development and a volunteer fire station.

- 1 4. Public sewer and water service are very near and are potentially available to the site from the City
2 of Bellingham.
- 3
- 4 5. Fire protection is provided by Fire Protection District No. 10.
- 5
- 6 6. Access to the property is from the west side of Yew Street Road, a County collector arterial.
- 7
- 8 7. The proposal is consistent with the goals, rationale, and locational criteria for the Urban Reserve
9 designation of the Chuckanut-Lake Samish Subarea Comprehensive Plan and the UR4 zone.
- 10
- 11 8. There is no conflict with existing and planned surrounding land uses.
- 12
- 13 9. No unmitigated adverse impacts on transportation systems are identified.
- 14
- 15 10. No uncompensated burdens upon existing or planned service capabilities are identified.
- 16
- 17 11. There is a need to provide appropriate plan and zoning designations consistent with the Growth
18 Management Act, County adopted IUGA's and the Bellingham Comprehensive Plan.
- 19
- 20 12. The present classification is in error because it is a rural designation with suburban type densities
21 utilizing a partial range of urban services in an area that is planned for urban growth.
- 22
- 23 13. Changed conditions include approval of expansion of the adjacent mobile home park in 1988,
24 approval of a water and sewer service zone extension to the mobile home park from the City of
25 Bellingham in 1992, adoption of the Growth Management Act with it's requirements for adopting
26 Interim Urban Growth Areas and the subsequent adoption of Bellingham's IUGA to include the
27 subject property.
- 28

29 CONCLUSIONS

30
31 The proposed comprehensive plan amendment and rezone are consistent with the subarea plan, the Growth
32 Management Act, and the adopted Interim Urban Growth Areas whereas the present plan designation and
33 zoning are not. The proposal is also consistent with applicable amendment criteria.

34
35 **NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that:

36
37 Section 1. The Chuckanut-Lake Samish Subarea Comprehensive Plan Map is hereby amended from
38 Residential Rural to Urban Residential and the Official Whatcom County Zoning Map is hereby amended
39 from Rural Residential Two Units per Acre (RR2) to Urban Residential Four Dwellings per Acre (UR4)
40 for approximately sixteen acres per Exhibit "A" (Map) and Exhibit "B" (Assessor's Parcel Numbers and
41 legal descriptions).

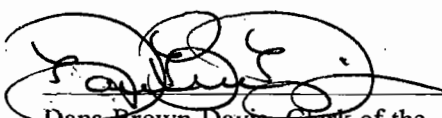
42
43 Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this Ordinance shall
44 not affect or impair the validity of the Ordinance as a whole or any part thereof other than the part so
45 declared to be invalid.

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ADOPTED this 29 day of October, 1996.

ATTEST:

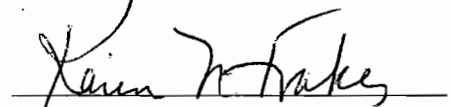
WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

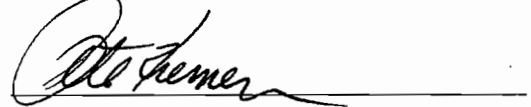

Dana Brown-Davis, Clerk of the Council


Ward Nelson, Council Chair

APPROVED as to form

Approved Denied


Civil Deputy Prosecutor


Pete Kremen, Executive

Date: 10-31-96

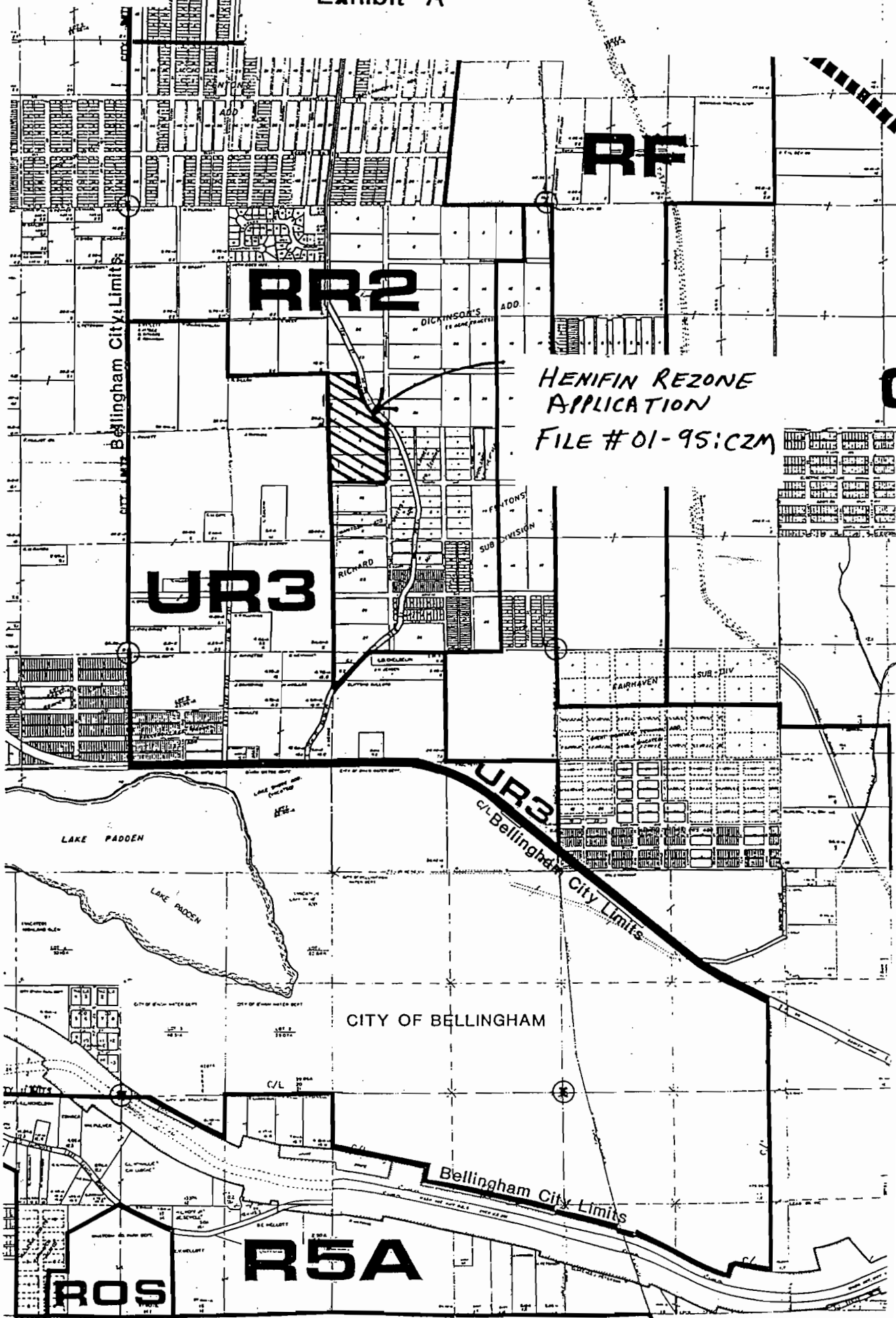


EXHIBIT "B"

File Reference: 01-95:CZM

Parcel Numbers and Legal Description

Assessor's Parcel No. 370304 025017

Being a portion of Dickinson's Addition described as follows: -Blocks 26 and 27 except for that portion lying easterly of Yew Street right of way, and except the north 30 feet of Block 26 for county road (desc. AF. 1110876) and together with that portion of vacated Spring Valley Avenue abutting Block 27 lying southerly of Yew Street as vacated AF. 940316175.

AND

Assessor's Parcel No. 370309 032504

Being a portion of Richard Fenton's Subdivision described as follows: -Block 6 and ~~7~~ together with the vacated west half of Spring Valley Avenue abutting (AF. 940316175),
comprising of an area of 16.03 acres in total.