

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Carl Batchelor	CB	9/26/97	RECEIVED OCT 01 1997 WHATCOM COUNTY COUNCIL	10/7/97	Council Introduction
Division Head: Sylvia Goodwin	SG	9/26/97		10/21/97	P&D / Council
Dept. Head: Michael Knapp	MK	9/26/97			
Prosecutor:	KAF	9/29/97			
Purchasing/Budget:					
Executive:	PK	9-30-97			

SUBJECT: An Ordinance to amend the Official Whatcom County Zoning Map from Urban Residential Three Dwellings Per Acre (UR3) to Urban Residential Four Dwellings Per Acre (UR4) for approximately 141 acres and from Rural Residential Two Dwellings Per Acre (RR2) to UR4 for approximately 4 acres in the Chuckanut Lake Samish Subarea.

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 amend the Official Whatcom County Zoning Map from Urban Residential Three Dwellings Per Acre (UR3) to Urban Residential Four Dwellings Per Acre (UR4) for approximately 141 acres and from Rural Residential Two Dwellings Per Acre (RR2) to UR4 for approximately 4 acres in the Chuckanut Lake Samish Subarea. At a public hearing on September 25, 1997 the Planning Commission voted 7 to 0 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 rezone.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1997 - 343 10/7/97: Introduced
 10/21/97: Adopted 7 - 0. Ord. #97-058

Finance or Resolution Number (this item only):

Ord. 97-058

SPONSORED BY: Consent

PROPOSED BY: Planning

INTRODUCTION DATE: 10/7/97

ORDINANCE NO. 97-058

AN ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP FROM URBAN RESIDENTIAL THREE DWELLINGS PER ACRE (UR3) TO URBAN RESIDENTIAL FOUR DWELLINGS PER ACRE (UR4) FOR APPROXIMATELY 141 ACRES AND FROM RESIDENTIAL RURAL, TWO DWELLINGS PER ACRE (RR2) TO URBAN RESIDENTIAL, 4 DWELLINGS PER ACRE (UR4) FOR APPROXIMATELY 4 ACRES

WHEREAS, Frank Muljat Jr., Gary and Tawna Baxter, Hillside Associates, Palmer Road Associates, Yew Street Associates, Palmer Road Company, Clarence Coye, Jon Dunham, and Leonard Calvin have requested that the Official Whatcom County Zoning Map be amended from Urban Residential Three Dwellings Per Acre (UR3) to Urban Residential Four Dwellings Per Acre (UR4) for approximately 141 acres and from Rural Residential Two Dwellings Per Acre (RR2) to UR4 for approximately 4 acres in the Chuckanut Lake Samish Subarea; and

WHEREAS, pursuant to RCW 36.70.590 legal notice was published in the Bellingham Herald on Thursday, September 11, 1997; and

WHEREAS, the Deputy SEPA Official issued a Determination of Nonsignificance on August 18, 1997; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments on September 25, 1997 and considered all testimony; and

WHEREAS, the Council held a public meeting on October 21, 1997 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 designated in the Whatcom County Comprehensive Plan as part of the Urban Growth Area (UGA) for the City of Bellingham and is designated as

1 being within the Short-Term Planning for Bellingham's UGA.
2

- 3 2. The proposed UR4 zoning is an appropriate zoning designation for an Urban Growth
4 Area, whereas the present RR2 zoning is not and the present UR3 zoning may not be
5 the most efficient in terms of meeting housing needs.
6
- 7 3. The property is presently characterized by a combination of vacant, forested, and
8 recently logged land with five residences. Surrounding uses include some vacant and
9 forested land; a radio station broadcast facility; 16+ homes on lots ranging from 1/4
10 acre to 2.3 acres; and a number of recently approved subdivisions and preliminary
11 subdivisions. Adjacent city zoning to the west is Residential Single 20,000 square feet
12 per lot.
13
- 14 4. The property is in Bellingham's Water Service Area. Future development may be
15 required to participate in system upgrades to assure adequate service. Bellingham has
16 approved a Water and Sewer Service Zone Extension to 103 acres of the subject
17 property and the 16 acre Henifin property for 300 to 659 lots. Future urban
18 development of the subject property would also require an additional extension of
19 Bellingham sewer and water services to the 42 acres that were not included in the
20 service zone extension.
21
- 22 5. Fire protection is provided by Fire Protection District No. 10. Hydrants and
23 impact/mitigation fees may be required for development.
24
- 25 6. Access to the property is from Governor Road via Samish Way and from Palmer Road
26 via Yew Street Road.
27
- 28 7. The proposal is consistent with the Whatcom County Comprehensive Plan and with the
29 locational criteria for the UR4 zone density in the Chuckanut-Lake Samish Subarea
30 Comprehensive Plan.
31
- 32 8. The present zoning is in error because it does not efficiently provide for affordable
33 housing needs.
34
- 35 9. Changed conditions include continuing development and service zone extensions and
36 the adoption of the Whatcom County Comprehensive Plan.
37

38 CONCLUSIONS

39
40 The proposed rezone is consistent with the subarea plan, the Growth Management Act, and the
41 adopted Urban Growth Areas whereas the present plan designation and zoning are not. The
42 proposal is also consistent with applicable amendment criteria.
43

16-96:CZM

Exhibit "A"

RR2

UR4

UR3




City of Bellingham

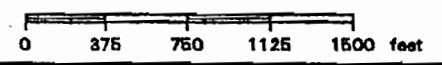
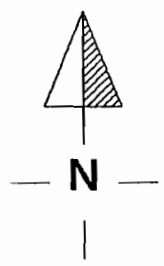
Governor Rd.

Yew St. Rd.

16-96:CZM - Frank Muljat et al.

UR3/RR2 to UR4

-  Subject Properties
-  City of Bellingham
-  Zoning Boundary



OWNERS LIST - MULJAT ET AL

PARCEL MULJAT ET. AL.

Tax Parcel #370308361475

Address 2583 N. Shore Rd., Bellingham, WA 98226

Lot 4A, Amended Muljat Short Plat, according to the Plat thereof, recorded in volume 32 of Short Plats, Pages 52-53, in the Auditors Office of Whatcom County, Washington.

PARCEL HILLSIDE ASSOCIATES:

Tax Parcel #37030533607

Address 510 Lakeway Dr., Bellingham, WA 98225

West half of southwest quarter of the southeast quarter, Section 5, Township 37 North, Range 3 East, WM, Whatcom County, Washington, together with a road easement over the northerly 30 feet of the east half of the southwest quarter of the southeast quarter.

PARCEL BAXTER AND BAXTER:

Tax Parcel # 370305397065

Address 723 17th St., Bellingham, WA 98225

East half of the southwest quarter of the southeast quarter, except the west 200 feet of the north 435 feet, Section 5, Township 37 North, Range 3 East, WM, Whatcom County, Washington. Subject to Easement AF#1118042.

PARCEL PALMER ROAD ASSOCIATES:

Tax Parcel # 370305377118

Address 510 Lakeway Dr., Bellingham, WA 98225

West 200 feet of the north 435 feet of the east half of the southwest quarter of the southeast quarter, Section 5, township 37 North, Range 3 East, WM, Whatcom County, Washington. Subject to right-of-way easement over the northern 30 feet.

PARCEL YEW STREET ASSOCIATES:

Tax Parcel # 370305479036

Address 510 Lakeway Dr., Bellingham, WA 98225

South half of the southeast quarter of the southeast quarter, Section 5, Township 37 North, Range 3 East, WM, Whatcom County, Washington.

PALMER ROAD COMPANY LLC

Tax Parcel # 370305441101

Address 33 Strawberry Pt., Bellingham, WA 98226

The west half of the northwest quarter of the southeast quarter of the southeast quarter of section 5, Township 37 North, Range 3 East, WM, in Whatcom County, Washington, less 30 feet on the north and 20 feet of the east of said tract for Public Roads. Subject to easements AF#1471410 and AF#940927143.

COYE CLARENCE M.

Tax Parcel # 370308410449

Address 2005 Governor Rd., Bellingham, WA 98226

The south 350 feet of the east 360 feet of the northwest quarter of the northeast quarter of Section 8, Township 37 North, Range 3 East of W.M., EXCEPT ROAD.

DUNHAM, JON E.

Tax Parcel # 370308486520

Address 2006 Governor Rd., Bellingham, WA 98226

The northeast quarter of the northeast quarter, except the East half of the southwest quarter of the northeast quarter of the northeast quarter of Section 8, Township 37 North, Range 3 East of W.M., LESS ROADS. SITUATE IN COUNTY OF WHATCOM, STATE OF WASHINGTON.

CALVIN, LENORD L.

Tax Parcel # 370308474468

Address 2010 Governor Rd., Bellingham, WA 98226

The East half of the Southwest quarter of the Northeast quarter of the Northeast quarter of Section 8, Township 37 North, Range 3 East of W.M., reserving an easement for ingress and egress over and across the South 30 feet hereof, LESS roads, situate in Whatcom County, Washington.