

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Jeff Griffin	JG	10/10/97	RECEIVED OCT 15 1997 WHATCOM COUNTY COUNCIL	10/21/97	Council Introduction
Division Head: Sylvia Goodwin	SG	10/10/97		11/18/97	P & D / Council
Dept. Head: Michael T. Knapp	MK	10/10/97			
Prosecutor: Karen Frakes	KF	10/10/97			
Purchasing/Budget:					
Executive: Pete Kremen	PK	10-14-97			

SUBJECT: AN ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING ORDINANCE, TITLE 20, CONCERNING SCREENING AND ACCESSORY STRUCTURE REQUIREMENTS FOR LOTS WITHIN RECREATIONAL SUBDIVISIONS.

ATTACHMENTS: Agency Report
 Proposed Ordinance
 Planning Commission Minutes
 Staff Report

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 proposed ordinance responds to a private request to exempt RV users at the Glen at Maple Falls from meeting screening requirements and accessory structure limitations. The Planning Commission viewed the exemption from screening requirements as unnecessary, but recommended to approve an increase in the size of accessory structures.

ORIGINATOR'S RECOMMENDED ACTION: The Director of Planning & Development Services recommends approval of the proposed ordinance.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1997-355 10/21/97: Introduced
 11/18/97: Adopted 7 - 0. Ord. #97-063

Related File Numbers:

Ordinance or Resolution Number (this item only):

Ord. #97-062

SPONSORED BY: Planning

PROPOSED BY: Council

INTRODUCTION DATE: 10/21/97

ORDINANCE NO. 97-062

**AN ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING
ORDINANCE, TITLE 20, CONCERNING SCREENING AND ACCESSORY STRUCTURE
REQUIREMENTS FOR LOTS WITHIN RECREATIONAL SUBDIVISIONS.**

WHEREAS, an application was submitted to amend the text of the official Whatcom county zoning ordinance, title 20, decreasing screening and increasing accessory structure size limitation requirements for lots within recreational subdivisions; and

WHEREAS, pursuant to RCW 36.70.590 legal notice was published in the Bellingham Herald on Thursday, August 28, 1997; and

WHEREAS, a Determination of Non-Significance had been issued on August 29, 1996, by the responsible Deputy SEPA Official; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments on September 11, 1997, and considered all testimony.

WHEREAS, the Council reviewed the Planning Commission recommendation at a regular meeting on November 18, 1997 and after due deliberation approved the matter; 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. A 1993 text amendment established recreational vehicles as a permitted use within recreational subdivisions in both the Rural Residential and Urban Residential zones in the Foothills Subarea. The action included the Glen at Maple Falls and created general conformance between recreational land uses there and county zoning regulations.
2. The Glen at Maple Falls seeks to further refine Title 20 language for greater consistency with their establishment. Unlike other recreational subdivisions The Glen primarily serves RVs.
3. The 1993 text amendment was originally drafted in order to acknowledge a pre-existing land use and to mitigate impacts from RVs to neighboring cabin or home owners. This situation does not apply where the use is strictly RVs.

1 4. The existing limitation on accessory structures was adopted in order to avoid misuse and the
2 gradual dilapidation or unsafe extensions that tends to occur without controls. The limitation
3 may be too restrictive, however, especially when RV-ports are counted as part of the 200 square
4 foot limitation.
5

6 **CONCLUSIONS**
7

8 The 1993 amendment to allow recreational vehicles within recreational subdivisions recognized a pre-
9 existing land use. The amendment included minimum standards to mitigate conflict between cabin
10 owners and RV owners. The standards also addressed the problems concerning a gradual proliferation of
11 accessory uses on RV lots. The current request makes certain exceptions from these general rules, for
12 areas where RVs are the primary use. The screening requirement was established to mitigate for multi-
13 use recreational subdivisions, whereas the accessory structure size limitation was enacted to curb a
14 proliferation of accessory uses.
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17 **NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that:
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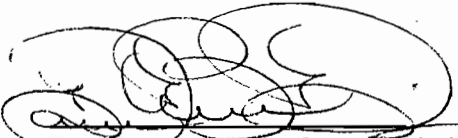
19 Section 1. The Official Whatcom County Zoning Ordinance, Title 20, is hereby amended as shown in
20 the attached Exhibit A.
21

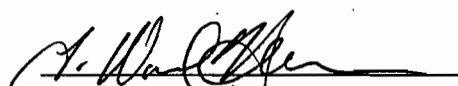
22 Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this Ordinance shall
23 not affect or impair the validity of the Ordinance as a whole or any part thereof other than the part so
24 declared to be invalid.
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28 ADOPTED this 18 day of November, 1997.
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32 ATTEST:

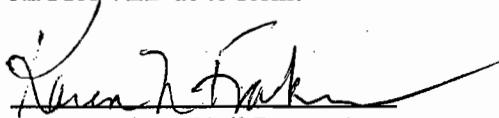
33 WHATCOM COUNTY COUNCIL
34 WHATCOM COUNTY, WASHINGTON


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37 Dana Brown-Davis, Council Clerk

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39 L. Ward Nelson, Chairperson

40 APPROVED as to form:

41 Approved Denied

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44 Karen Frakes, Civil Deputy Prosecutor

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46 Pete Kremen, Executive
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Date: 11-24-97

EXHIBIT A

The Official Whatcom County Zoning Ordinance, Title 20, s hereby amended as follows:

20.20.050 Permitted uses.

20.32.050 Permitted uses.

.056 One private, noncommercial, recreational vehicle or mobile home per lot within pre-existing recreational subdivisions of the Foothills Subarea; provided that on-site recreational amenities are present and that the following minimum requirements and standards are met and/or followed:

- (1) All recreational vehicles and subdivisions shall comply with health department regulations, including approved sewage disposal systems.
- (2) Maximum length of stay in a recreational vehicle shall not exceed 120 days for any one-year time period.
- (3) All recreational vehicles shall be screened from either neighboring properties not using RVs or the roads in the subdivision. Existing trees and natural vegetation shall be maintained in all side and rear setback areas.
- (4) Lots shall not be leased or rented out on a daily or overnight basis for recreational use.
- (5) Accessory structures shall be limited to storage, shop, garage, carport and/or similar personal use only and shall not exceed a total of 200 square feet in floor area per lot, provided that the 200 square foot limitation shall not apply to that portion of a carport covering the RV.
- (6) The location of parked RVs shall observe normal building setback standards for a single-family residence.
- (7) All recreational vehicles shall be supported by their own chassis and/or wheels, and not be fastened to accessory structures.
- (8) The lot does not have a single-family residence; provided that the storage of one unoccupied recreational vehicle is permitted.