

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Planning & Development Services, Elizabeth K. Olsen	EKO	10/9/97	RECEIVED OCT 15 1997 WHATCOM COUNTY COUNCIL	10/21/97	Introduction
Commission Head: Sylvia Goodwin	SG	10/10/97		11/18/97	P & D / Council
Dept. Head: Michael T. Knapp	MK	10/10/97			
Prosecutor:	KAF	10/9/97			
Purchasing/Budget:					
Executive:	PK	10-14-97			

SUBJECT: An Ordinance to amend the Whatcom County Zoning Map in the Foothills Subarea from Commercial Forestry (CF) to Rural Forestry (RF) for approximately 42.78 acres, located in the 8700 block of Paradise Valley Road (Section 17, T40N, R5E).

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
Get line item number(s): n/a	

The request is to amend the Official Whatcom County Zoning Map from Commercial Forestry (CF) to Rural Forestry (RF) for approximately 42.78 acres, in the Foothills Subarea. At the public hearing on September 11, 1997, the Planning Commission voted unanimously in favor of the request.

ORIGINATOR'S RECOMMENDED ACTION: The Director of Planning & Development Services recommends the Council uphold the Planning Commission recommendations as described in the attached Ordinance.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1997 - 356 10/21/97: Introduced
 11/18/97: Adopted 7 - 0. Ord. #97-063

Related File Numbers:

Ordinance or Resolution Number (this item only):

Ord #97-063

SPONSORED BY: Consent

PROPOSED BY: Planning

INTRODUCTION DATE: 10/21/97

ORDINANCE NO. 97-063

AN ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP FROM COMMERCIAL FORESTRY (CF) TO RURAL FORESTRY (RF) FOR APPROXIMATELY 42.78 ACRES IN THE FOOTHILLS SUBAREA

WHEREAS, Richard C. Ballinger has requested that Official Whatcom County Zoning Map be amended from Commercial Forestry (CF) to Rural Forestry (RF) for approximately 42.78 acres in the Foothills 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 April 11, 1997; and

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

WHEREAS, the Council held a public meeting on November 18, 1997 to consider this matter and approved the Planning Commission recommendation; and

WHEREAS, the Council found the amendment 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 site is currently forested with no residences. Surrounding uses are forest/scrub/pasture with a residence to the north, vacant rural forestry land to the northwest, three residences and vacation cabins to the southwest, forested land to the south and logged forestry land to the east.
2. The site is comprised of well drained, deep soils found on mountainsides and foothills, except for a thin strip of hydric soil on the north boundary. The slopes are greater than 15 percent to the north, with marginal stability; the east and southeast portion of the site, adjacent to the county road, is a slightly rolling, hilly benchland.

- 1 3. The site is in Fire District #14. There are no public services.
2
3 4. Nielsen Bros. sold the property to Richard Ballinger, a private landowner, in
4 November 1989, having since logged their approximately 37 acres directly east of the
5 subject properties.
6
7 5. The subject properties meet six of the seven Rural Forestry zoning criteria through a)
8 parcel size b) ownership status c) access d) infrastructure e) environmental
9 constraints and f) land use.
10
11
12

13 **CONCLUSIONS**

14
15 Although the properties have necessary criteria for Commercial Forestry zoning, there are
16 more criteria for Rural Forestry zoning.
17

18 **NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that:
19

20 Section 1. The Official Whatcom County Zoning Map is hereby amended from Commercial
21 Forestry (CF) to Rural Forestry (RF) for approximately 42.78 acres in the Foothills Subarea.
22 Exhibit "A" (Map and Assessor's Parcel Numbers) and Exhibit "B" (Aerial photo).
23

24 Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this
25 Ordinance shall not affect or impair the validity of the Ordinance as a whole or any part
26 thereof other than the part so declared to be invalid.
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31 ADOPTED this 18 day of November, 1997.
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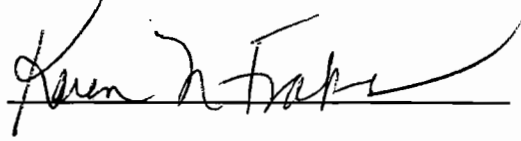
35
36 ATTEST:

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WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


41 Dana Brown-Davis, Clerk of the Council | 
42 Ward Nelson, Council Chair
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APPROVED as to form



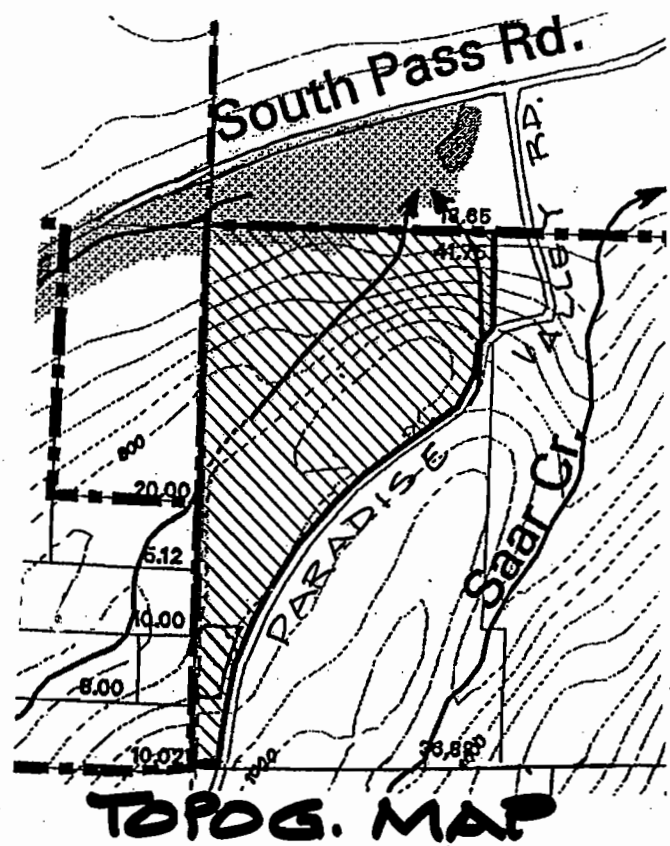
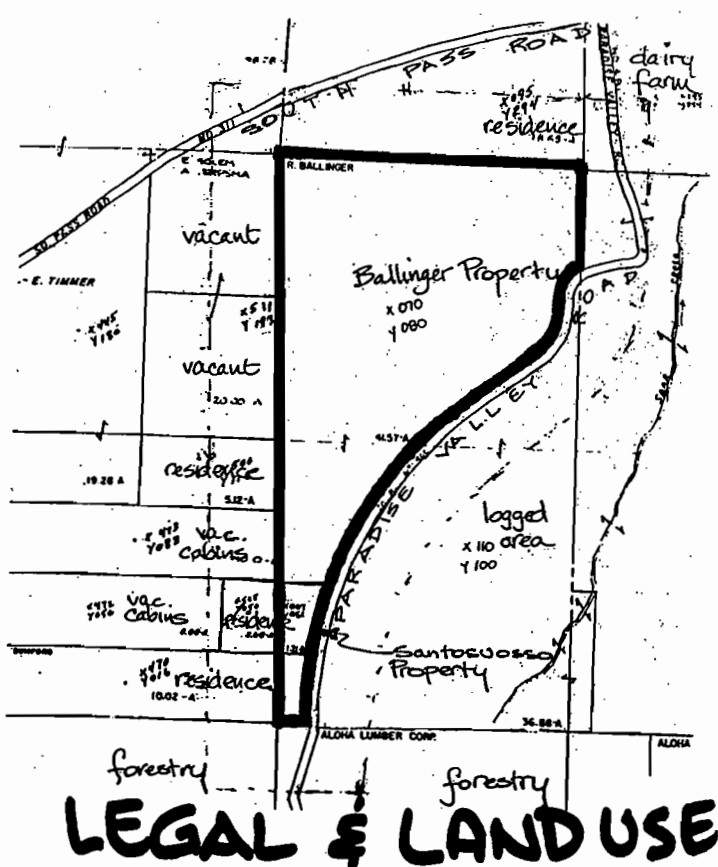
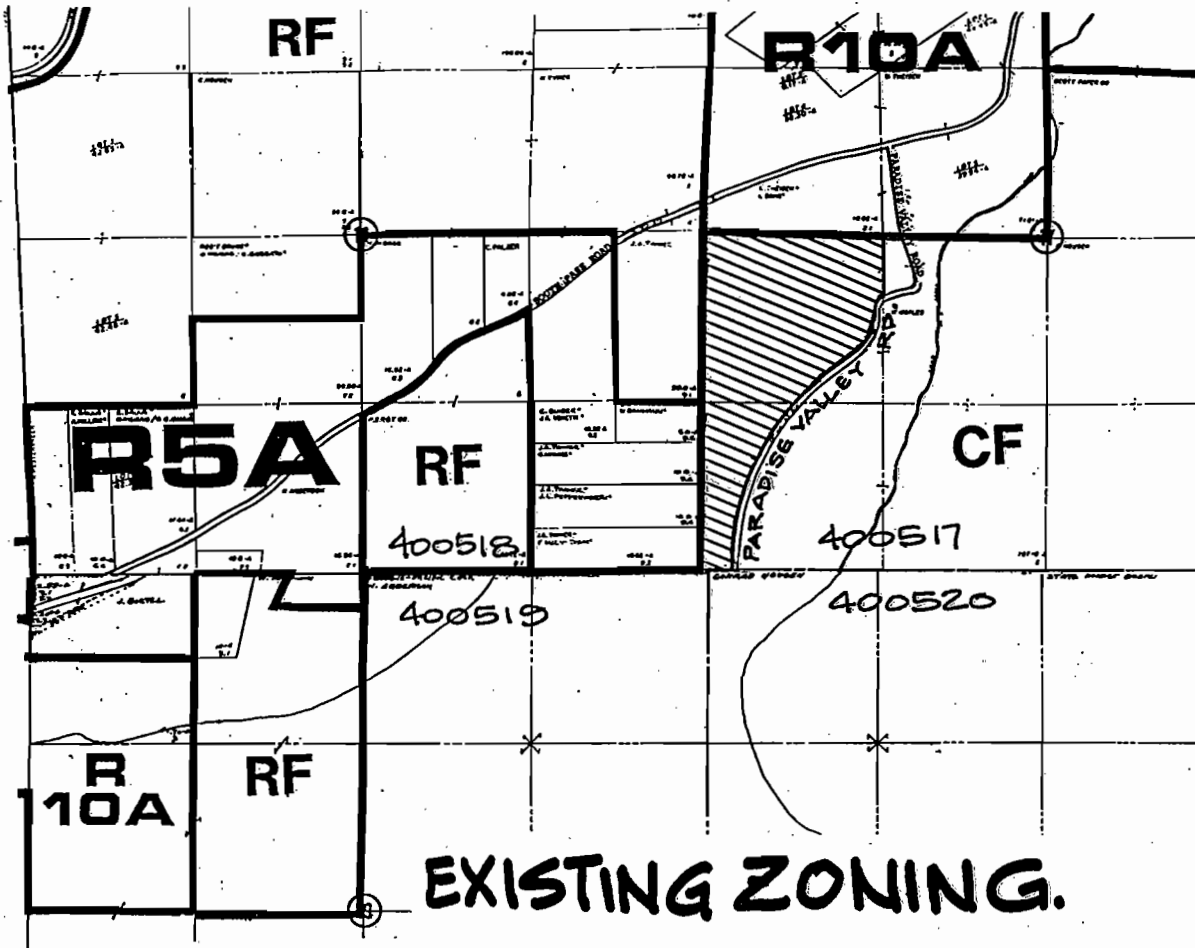
Civil Deputy Prosecutor

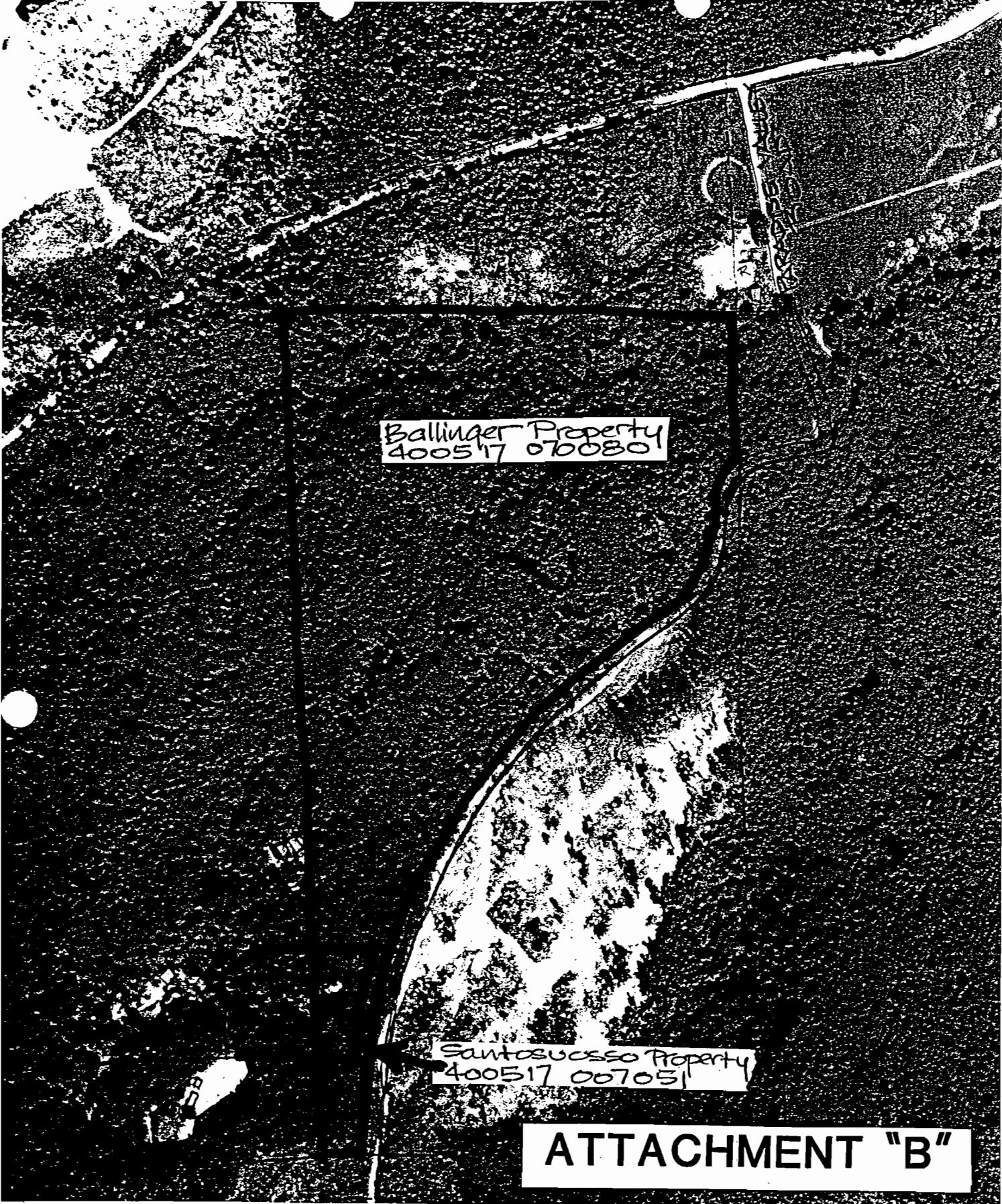
Approved Denied



Pete Kremen, Executive

Date: 11-24-97





Ballinger Property
400517 070080

Santosucasso Property
400517 007051

ATTACHMENT "B"

BALLINGER REZONE #02-97ZM
FROM COMMERCIAL FORESTRY TO RURAL FORESTRY