

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Carl Batchelor	CB	11/14/97	<b>RECEIVED</b>  <b>NOV 19 1997</b>  <b>WHATCOM COUNTY COUNCIL</b>	11/25/97	Council Introduction
Division Head: Sylvia Goodwin	SG	11/14/97		12/9/97	Council
Dept. Head: Michael Knapp	MK	11/14/97			
Prosecutor:	KAF	11/14/97			
Purchasing/Budget:					
Executive:	PK	11-17-97			

**SUBJECT:** File Reference: 08-93:CZM An Ordinance to amend the Official Whatcom County Zoning Map from Rural Five Acres (R5A) to Light Impact Industrial (LII) for approximately 92 acres in the Cherry Point-Ferndale 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 Rural Five Acres (R5A) to Light Impact Industrial (LII) for approximately 92 acres in the Cherry Point-Ferndale Subarea. At a public hearing on November 13, 1997 the Planning Commission voted 6 to 1 in favor of the request subject to receiving additional information regarding future sewer and water service from the City of Ferndale.

**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 - 401 11/25/97: Introduced  
 12/9/97: Adopted 7 - 0. Ord. #97-074

**Related File Numbers: 08-93:CZM**

**Ordinance or Resolution Number (this item only):**

*Ord. # 97-074*

SPONSORED BY: Consent

PROPOSED BY: Consent

INTRODUCTION DATE: 11/25/97

ORDINANCE NO. 97-074

AN ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP FROM RURAL FIVE ACRES (R5A) TO LIGHT IMPACT INDUSTRIAL (LII) FOR APPROXIMATELY 92 ACRES IN THE CHERRY POINT-FERNDALE SUBAREA

**WHEREAS**, Robert and Myrna Brandt have requested that the Official Whatcom County Zoning Map be amended from Rural Five Acres (R5A) to Light Impact Industrial (LII) for approximately 92 acres in the Cherry Point-Ferndale Subarea; and

**WHEREAS**, pursuant to RCW 36.70.590 legal notice was published in the Bellingham Herald on Thursday, October 9, 1997; and

**WHEREAS**, the Deputy SEPA Official issued a Determination of Nonsignificance on August 2, 1995; and

**WHEREAS**, the Planning Commission held a public hearing on the proposed amendment on November 13, 1997 and considered all testimony; and

**WHEREAS**, the Council held a public meeting on December 9, 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 in Ferndale's Urban Growth Area and is within the Short Term Planning Area. Ferndale's plan designates the property for industrial use.
2. Existing uses of the subject property include vacant, undeveloped agricultural land; two single family residences; a grange hall; and some wooded area.

- 1 3. Surrounding Uses include single family residences, a mobile home park, a partially  
2 developed industrial park, vacant land, small scale agriculture, and a power substation.  
3
- 4 4. The area is presently served by individual wells and septic systems, with the potential  
5 for limited quantities of industrial consumptive water and potable water provided by  
6 Whatcom County Public Utility District No. 1. Ferndale's Comprehensive Plan  
7 assumes that the area will be served by City utilities within the planning period (by  
8 2015) although Ferndale's six year capital facilities plan does not include any project to  
9 extend utilities to this area.  
10
- 11 5. Fire protection is provided by Whatcom County Fire Protection District Number 7 and  
12 the nearest fire station is approximately one mile east, at Grandview and Enterprise  
13 Roads.  
14
- 15 6. The subject property is located approximately 5,000 feet west of the Grandview  
16 Road/Interstate 5 interchange. The Washington Department of Transportation has  
17 identified the need for mitigating future impacts on the interchange as development  
18 occurs. A preliminary traffic study for the site recommends primary access from Delta  
19 Line Road and Vista Drive with improvements to county standards and WSDOT  
20 permits.  
21
- 22 7. Approximately 94% of the site is comprised of LESA Class 1 through 3 agricultural  
23 soils; 87% is agricultural capability class 2 and 3; and 96% is prime agricultural class 1  
24 through 4.  
25
- 26 8. The site is in the Drayton Harbor watershed and is traversed by California Creek.  
27 About 15% of the site is palustrine scrub and shrub type wetlands. California Creek  
28 and the associated "accessible wetlands" are anadromous fish habitat for cutthroat. The  
29 site is fairly flat, sloping very gently to the west.  
30
- 31 9. Whatcom County Comprehensive Plan goals and policies address consideration of  
32 locational and market factors and required quantities of land; sufficient and  
33 appropriately located residential, commercial, and industrial lands; increasing light  
34 industrial uses along the Interstate-5 corridor; channeling growth to areas where  
35 adequate services can be provided; encouraging provision of serviced industrial sites by  
36 cities; ensuring adequate land supply to accommodate twenty years of growth within  
37 urban areas; preventing sprawl and promoting phased development from the urban core  
38 outward; distinguishing areas where final plans for urban services are not yet in place;  
39 assuring that adequate capacity in public facilities exists or is projected within ten years  
40 to serve the urban growth areas; and the need to provide serviced industrial land in  
41 Ferndale's Urban Growth Area.  
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- 43 10. An error in the present classification is the rural zoning inside an Urban Growth Area.

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11. A changed condition is the inclusion in an Urban Growth Area and designation as Industrial in Ferndale's Comprehensive Plan.

**CONCLUSIONS**

- 1. In view of the fact that the subject property is in Ferndale's Urban Growth Area and is within the Short Term Planning Area as adopted by Whatcom County, the proposed rezone appears to be appropriate. Further support for this proposal is provided by the goals and policies in the Whatcom County Comprehensive Plan that emphasize providing adequate serviced land for industrial development. Ferndale's Comprehensive Plan provides a land needs analysis to justify including this area as industrial land.
- 2. The Whatcom County Council has received from the City of Ferndale sufficient information as to the anticipated level of sewer and water service for the area, who will provide those services and how those services will eventually be funded. Ferndale has provided a projection of adequate capacity to serve development within ten years.

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

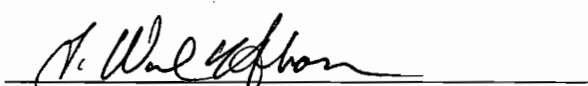
Section 1. The Official Whatcom County Zoning Map is hereby amended from Rural Five Acres (R5A) to Light Impact Industrial (LII) for approximately 92 acres in the Cherry Point-Ferndale Subarea Exhibit "A" (Map) and Exhibit "B" (Assessor's Parcel Numbers and legal descriptions).

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

ADOPTED this 9 day of December, 1997.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON




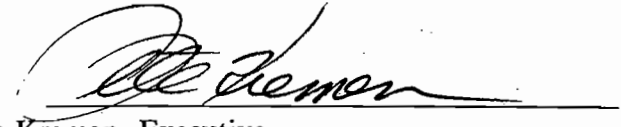
Dana Brown-Davis, Clerk of the Council    Ward Nelson, Council Chair

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APPROVED as to form

Approved ( ) Denied

  
Civil Deputy Prosecutor

  
Pete Kremen, Executive

Date: 12-11-97

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R10A

AG

DELTA LINE ROAD

HARKSELL ROAD

R5A

R5A

Proposed Rezone  
from R5A to LII

VISTA DRIVE

FOX ROAD

OLSON ROAD

GRANDVIEW ROAD

LII

TC

GC

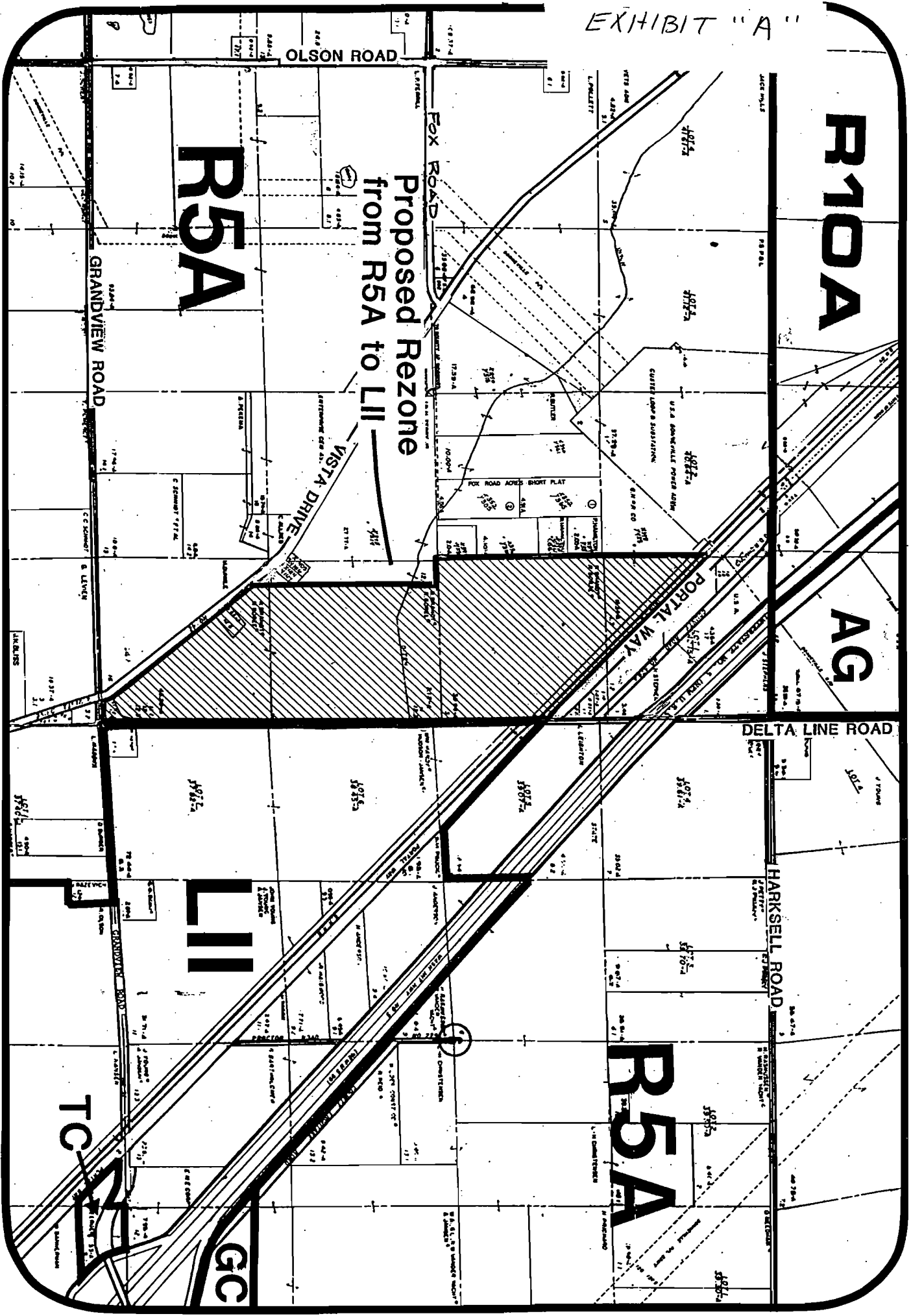


Exhibit "B"

Assessor's Parcel Numbers:

<u>Parcel #</u>	<u>Acres</u>	<u>Owner</u>
390101472334	30.94 ac.	R. Brandt
390101480254	7.12 ac.	R. Brandt
390101486144	45.20 ac.	R. Brandt
390101398428 (east portion)	8 ac. (approx.)	Great Northern Railway
390101454104	0.63	John May Trust and Dorothy May Trust
390101526008	0.37 ac.	Orchard Grange
390102489398		Burlington Norther Railroad