

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Sylvia Goodwin	SG	1/28/98	<div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">RECEIVED</div> <div style="font-size: 1.2em; font-weight: bold; margin-top: 10px;">FEB 04 1998</div> <div style="font-size: 1.2em; font-weight: bold; margin-top: 10px;">WHATCOM COUNTY COUNCIL</div>	2/10/98	Council Introduction
Originator Head: Sylvia Goodwin	SG	1/28/98		2/24/98	P & D / Council
Dept. Head: Michael Knapp	ML	1/28/98			
Prosecutor:	DG	1/30/98			
Purchasing/Budget:					
Executive:	PK	2-3-98			

SUBJECT: File Reference: 01-92:CZM An Ordinance to amend the Official Whatcom Zoning map from Light Impact Industrial (LII) to Urban Residential Four Units per Acre (UR4) for approximately 33 acres in the Birch Bay- Blaine Subarea .

- ATTACHMENTS:**
- Planning Agency Report
 - Proposed Ordinance
 - Draft 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	

request is to amend the Official Whatcom County Zoning Map from Light Impact Industrial (LII) to Urban Residential Four Units per Acre (UR4) for approximately 33 acres in the Birch Bay- Blaine Subarea . At a public hearing on January 22, 1998 the Planning Commission voted 8 to 0 in favor of the request.

ORIGINATOR'S RECOMMENDED ACTION: The Director of Planning and Development Services recommends Council adopt the Planning Commission recommendation.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1998 - 84 2/10/98: Introduced
 2/24/98: Adopted 7 - 0. Ord. 398-012

Related File Numbers: 01-92:CZM

Ordinance or Resolution Number (this item only):

Ord. #98-012

SPONSORED BY: Consent

PROPOSED BY: Consent

INTRODUCTION DATE: 2/10/98

ORDINANCE NO. 98-012

AN ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP FROM LIGHT IMPACT INDUSTRIAL (LII) TO URBAN RESIDENTIAL FOUR UNITS PER ACRE (UR4) FOR APPROXIMATELY 33 ACRES IN THE BIRCH BAY - BLAINE SUBAREA

WHEREAS, Whatcom County has requested that the Official Whatcom County Zoning Map be amended from Light Impact Industrial (LII) to Urban Residential Four Units per Acre (UR4) for approximately 33 acres in the Birch Bay - Blaine Subarea; and

WHEREAS, pursuant to RCW 36.70.590 legal notice was published in the Bellingham Herald on Monday, January 12, 1998; and

WHEREAS, SEPA requirements were met by publication of a Draft Environmental Impact Statement for the Beacon Studios at Semiahmoo on November 3, 1993, and a Final EIS on February 14, 1994, and

WHEREAS, the Planning Commission held a public hearing on the proposed amendment on January 22, 1998 and considered all testimony; and

WHEREAS, the Council held a public meeting on February 24, 1998 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 site was rezoned to Light Impact Industrial on November 5, 1992, subject to a concomitant agreement signed November 13, 1992. The concomitant agreement restricts use on the Light Impact Industrial land to uses which are

1 necessary for, ancillary to or required in conjunction with and at a scale
2 appropriate to the needs of a film studio, and provides that the County will initiate
3 a rezone to return the zoning of the Light Impact Industrial portion of the site to
4 UR4 zoning if the construction of a film studio was not commenced within five
5 years.

- 6
- 7 2. Five years have passed, and a film studio has not been built.
- 8
- 9 3. Pursuant to RCW 36.70.590 legal notice was published in the *Bellingham Herald*
10 on January 12, 1998 and a public hearing was held on January 22, 1998.
- 11
- 12 4. A Draft Environmental Impact Statement was completed for the Beacon Studios
13 at Semiahmoo on November 3, 1993, and a Final EIS was completed February
14 14, 1994. One of the alternatives considered was the reversion of the site to
15 UR4 zoning and build out at that density. No unavoidable adverse impacts were
16 identified if mitigation measures are implemented.
- 17
- 18 5. The site characteristics, including soils, topography and critical areas are
19 generally appropriate for urban level residential development.
- 20
- 21 6. Urban services, including water, sewer, fire protection and road access are
22 available.
- 23
- 24 7. The site is within the Short Term Planning Area of the Birch Bay Urban Growth
25 Area.

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27

28 CONCLUSIONS

- 29
- 30 1. The proposed rezone is consistent with the Comprehensive Plan and Subarea
31 Plan. The proposal is also consistent with applicable amendment criteria.

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

34

35 Section 1. The Official Whatcom County Zoning Map is hereby amended from Light
36 Impact Industrial (LII) to Urban Residential Four Units per Acre (UR4) for approximately
37 33 acres in the Birch Bay Blaine Subarea, Assessor parcel #s 405123-494400, 405123-
38 428400 and 405123-332330 as shown on Exhibit "A" (Map).

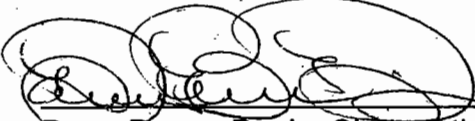
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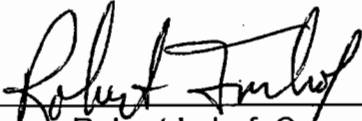
40 Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this
41 Ordinance shall not affect or impair the validity of the Ordinance as a whole or any part
42 thereof other than the part so declared to be invalid.

ADOPTED this 24 day of February, 1998.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

ATTEST:


Dana Brown-Davis, Clerk of the Council


Robert Imhof, Council Chair

APPROVED as to form

Approved Denied


Civil Deputy Prosecutor


Pete Kremen, Executive

Date: 3/3/98

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city of blaine

TWP. 40 Ra. 1W

AREA OF
PROPOSED REZONE

UR4

RC

UR4

23

24

RC

UR4

BIRCH BAY

BIRCH BAY

SEIDER ROAD

SHINTAFFER ROAD

Jan. 7, 1998

Exhibit "A"

