

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Carl Batchelor	CB	2/27/98	<b>RECEIVED</b>  <b>MAR 04 1998</b>  <b>WHATCOM COUNTY COUNCIL</b>	3/10/98	Council Introduction
Division Head: Sylvia Goodwin	SG	2/27/98		3/24/98	P & D / Council
Dept. Head: Michael Knapp	MK	2/27/98			
Prosecutor:	KMF	2/27/98			
Purchasing/Budget:					
Executive:	PK	3/3/98			

**SUBJECT:** File Reference: 01-98:ZM An Ordinance amending the Official Whatcom county map from Rural Five Acres (R5A) to Light Impact Industrial (LII) for approximately 24 acres and from Rural Five Acres (R5A) to General Commercial for approximately 23 acres in the Urban Fringe Subarea plus an area of I-5 right-of-way east of the initial proposal in the Cherry Point-Ferndale Subarea.

**ATTACHMENTS:** Proposed Ordinance with Exhibit "A" (Map) and Exhibit "B" (Assessor's Parcel Numbers). Excerpt from Draft Planning Commission minutes, February 26, 1998

**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	

The request is to amend Official Whatcom County Zoning Map from Rural Five Acres (R5A) to Light Impact Industrial (LII) for approximately 24 acres and from Rural Five Acres (R5A) to General Commercial for approximately 23 acres in the Urban Fringe Subarea plus an area of I-5 right-of-way east of the initial proposal in the Cherry Point-Ferndale Subarea; consistent with the Comprehensive Plan designation of Urban Growth Area and consistent with Ferndale's Comprehensive Plan.

**ORIGINATOR'S RECOMMENDED ACTION:** The Director of Planning and Development Services recommends Council adopt the proposed ordinance.

**COMMITTEE ACTION TAKEN:**

**COUNCIL ACTION TAKEN:**

1998 - 113 3/10/98: Introduced  
 3/24/98: Adopted 7 - 0. Ord. #98-021

SPONSORED BY: Consent

PROPOSED BY: Planning

INTRODUCTION DATE: 3/10/98

ORDINANCE NO. 98-021

AN ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP FROM RURAL FIVE ACRES (R5A) TO LIGHT IMPACT INDUSTRIAL (LII) FOR APPROXIMATELY 24 ACRES AND FROM RURAL FIVE ACRES (R5A) TO GENERAL COMMERCIAL (GC) FOR APPROXIMATELY 23 ACRES IN THE URBAN FRINGE SUBAREA PLUS AN ADJACENT AREA OF INTERSTATE 5 RIGHT-OF-WAY IN THE CHERRY POINT-FERNDALÉ SUBAREA

**WHEREAS**, The Whatcom County Planning and Development Services Department has requested that the Official Whatcom County Zoning Map be amended from Rural Five Acres (R5A) to Light Impact Industrial (LII) for approximately 24 acres and from Rural Five Acres (R5A) to General Commercial (GC) for approximately 23 acres in the Urban Fringe Subarea; and

**WHEREAS**, pursuant to RCW 36.70.590 legal notice was published in the Bellingham Herald on Thursday, February 12, 1998; and

**WHEREAS**, the Deputy SEPA Official determined in a memorandum dated February 10, 1998 that SEPA requirements have been met by the Draft and Final Environmental Impact Statements prepared in conjunction with the City of Ferndale's adoption of a Comprehensive Plan in 1996 and that no further SEPA review is required by Whatcom County; and

**WHEREAS**, the Planning Commission held a public hearing on the proposed amendment on February 26, 1998 and considered all testimony; and

**WHEREAS**, the Council held a public meeting on March 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:

1 **FINDINGS**

- 2
- 3 1. The subject property is in Ferndale's Urban Growth Area and is within the Short Term  
4 Planning Area. Ferndale's plan designates the property, except the Interstate 5 right-  
5 of-way, for industrial and commercial use.  
6
- 7 2. Existing uses of the subject property include vacant, undeveloped land; 11 single  
8 family residences; a natural gas utility; and some agricultural land.  
9
- 10 3. Surrounding Uses include partially developed commercial and industrial land inside the  
11 Ferndale City Limits to the north; commercial uses to the east; vacant industrially  
12 zoned property in Bellingham's UGA to the southeast; single family residences on  
13 parcels of one to ten acres in the Rural zone to the south; and a beverage distributor  
14 and rendering plant in the industrial zone to the west.  
15
- 16 4. The area is presently served by individual wells and septic systems, with the potential  
17 for Ferndale water and sewer service subject to annexation. Ferndale's Comprehensive  
18 Plan assumes that the area will be served by City utilities within the planning period  
19 (by 2015) although Ferndale's six year capital facilities plan does not include any  
20 project to extend utilities to this area.  
21
- 22 5. Fire protection is provided by Whatcom County Fire Protection District Number 8 and  
23 the nearest fire station is approximately one mile south on Curtis Road.  
24
- 25 6. The subject property has approximately 1,400 feet of frontage on Kope Road to the east  
26 which abuts the I-5 northbound on-ramp from Slater road. To the north, the property  
27 has approximately 1,700 feet of frontage on Slater Road, a rural major collector. Both  
28 Slater Road and Kope Road are constructed to all-weather standards.  
29
- 30 7. A portion of the state right-of-way between the subject property and the east side of I-5  
31 was included by the County in Ferndale's Urban Growth Area but was not included in  
32 the proposed rezone. The area is also not mapped in Ferndale's Comprehensive Plan.  
33 Logically this area should be included in the General Commercial zone to prevent  
34 leaving an isolated fragment of UGA with Rural zoning.  
35
- 36 8. Site soils are generally not useful for agricultural purposes.  
37
- 38 9. The site is in the Silver Creek watershed, is adjacent to Silver Creek, and has a  
39 tributary running through it. About six acres of the site are palustrine emergent  
40 wetlands. Silver Creek and the associated "accessible wetlands" are anadromous fish  
41 habitat. The site is fairly flat, sloping gently to the west. The Silver Creek corridor is  
42 a 100-year floodplain.  
43

1 10 Whatcom County Comprehensive Plan goals and policies address consideration of  
2 locational and market factors and required quantities of land; sufficient and  
3 appropriately located residential, commercial, and industrial lands; increasing light  
4 industrial uses along the Interstate-5 corridor; channeling growth to areas where  
5 adequate services can be provided; encouraging provision of serviced industrial sites by  
6 cities; ensuring adequate land supply to accommodate twenty years of growth within  
7 urban areas; preventing sprawl and promoting phased development from the urban core  
8 outward; distinguishing areas where final plans for urban services are not yet in place;  
9 assuring that adequate capacity in public facilities exists or is projected within ten years  
10 to serve the urban growth areas; and the need to provide serviced industrial land in  
11 Ferndale's Urban Growth Area.

12  
13 11. An error in the present classification is the rural zoning inside an Urban Growth Area.

14  
15 12. Changed conditions are inclusion in an Urban Growth Area; designation as Industrial  
16 and Commercial in Ferndale's Comprehensive Plan; and adoption of the Urban Fringe  
17 Subarea Plan.

18  
19 **CONCLUSIONS**

20  
21 1. In view of the fact that the subject property is in Ferndale's Urban Growth Area and is  
22 within the Short Term Planning Area as adopted by Whatcom County, the proposed  
23 rezone appears to be appropriate. Further support for this proposal is provided by the  
24 goals and policies in the Whatcom County Comprehensive Plan that emphasize  
25 providing adequate serviced land for industrial development. Ferndale's  
26 Comprehensive Plan provides a land needs analysis to justify including this area as  
27 industrial and commercial land. Future development utilizing Ferndale sewer and  
28 water services will require annexation to the City of Ferndale. An area of I-5 right-of-  
29 way east of the initial proposal should also be included in the General Commercial zone  
30 to prevent leaving an isolated fragment of UGA with Rural zoning.

31  
32  
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 Rural Five  
36 Acres (R5A) to Light Impact Industrial (LII) for approximately 24 acres and from Rural Five  
37 Acres (R5A) to General Commercial for approximately 23 acres in the Urban Fringe Subarea  
38 plus an area of I-5 right-of-way east of the initial proposal in the Cherry Point-Ferndale  
39 Subarea as shown on Exhibit "A" (Map) and Exhibit "B" (Assessor's Parcel Numbers).


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

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ADOPTED this 24 day of March, 1998.

ATTEST:

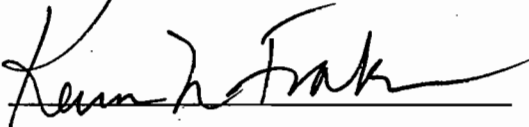
WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

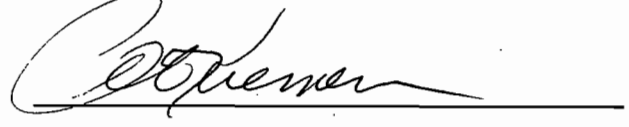
  
Dana Brown-Davis, Clerk of the Council

  
Robert Imhof, Council Chair

APPROVED as to form

Approved  Denied

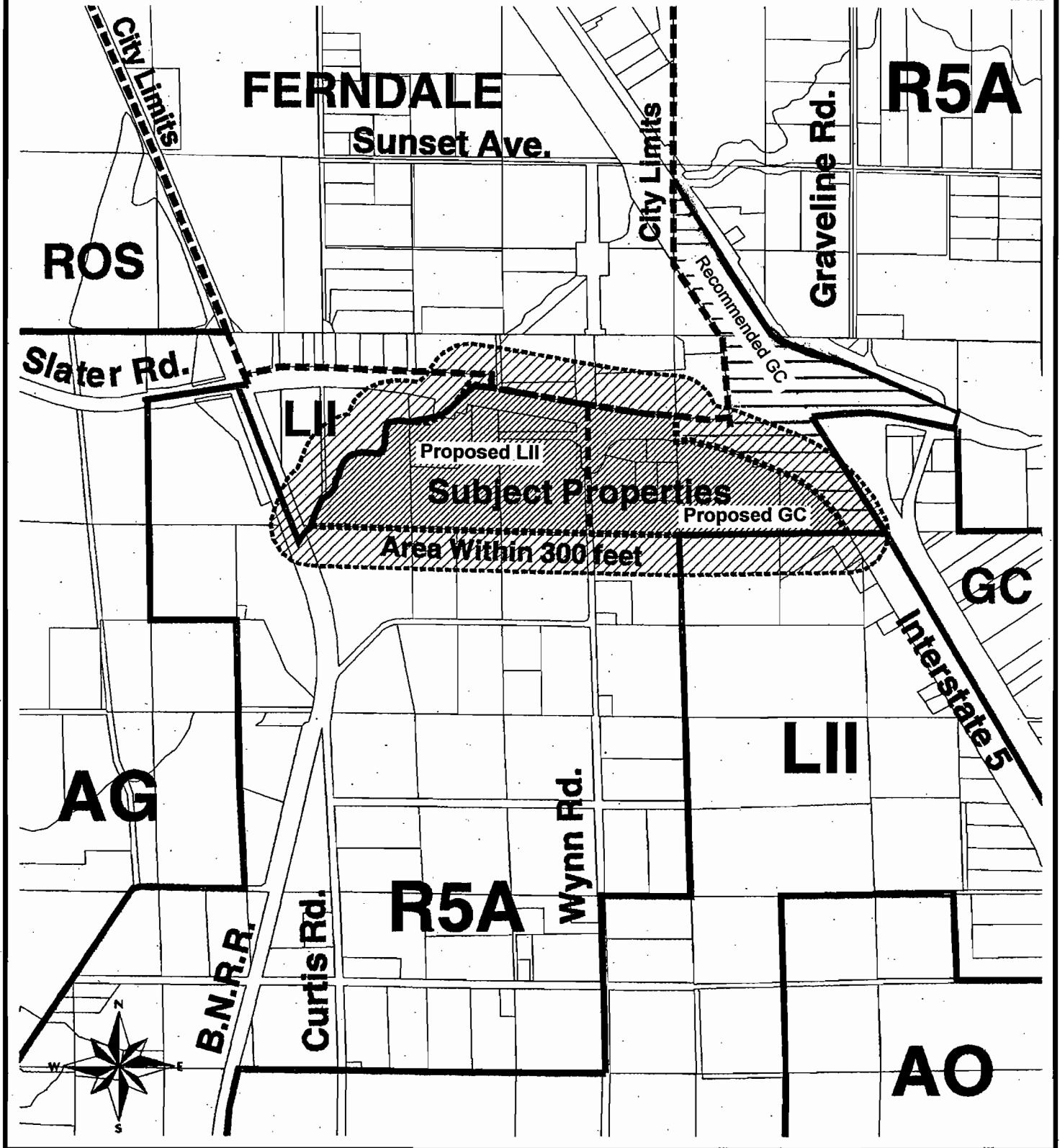
  
Karen Frakes, Civil Deputy Prosecutor

  
Pete Kremen, Executive

Date: 3-30-98

# SLATER ROAD REZONE #ZM:01-98

## PROPOSED CHANGE FROM R5A TO LII & GC



**Exhibit "B"**

**Assessor's parcel numbers:**

**R5A to GC:**

380203-048455  
380203-025442  
380203-086420  
380204-523443  
380204-523463  
380204-506443  
380204-496463  
380204-486442

**R5A to LII**

380203-461405  
380203-432443  
380203-408483  
380203-387480  
380204-360428  
380203-355467  
380204-298375 (north half)