

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Elizabeth K. Olsen	EKO	3/9/98	RECEIVED MAR 18 1998 WHATCOM COUNTY COUNCIL	3/24/98	Introduction
Division Head: Sylvia Goodwin	SG	3/13/98		4/7/98	P & D / Council
Dept. Head: Michael Knapp	MK	3/3/98			
Prosecutor:	KJE	3/16/98			
Purchasing/Budget:					
Executive:	PK	3/16/98			

SUBJECT: File Reference: 06-98 ZM: An Ordinance to amend the Official Whatcom County Zoning Map from Rural Forestry (RF) to Rural Five Acres (R5A) for approximately 20.44 acres in the Foothills Subarea and to bring the Official Whatcom County Zoning Map into compliance with the adopted Whatcom County Comprehensive Plan map designations.

ATTACHMENTS: Whatcom County Planning Department Agency Report
Proposed Ordinance with Attachment "1"

Excerpt from Draft Planning Commission minutes, March 12, 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 the Official Whatcom County Zoning Map from Rural Forestry (RF) to Rural Five Acres (R5A) for approximately 20.44 acres in the Foothills Subarea, as per the Whatcom County Comprehensive Plan map designation.

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

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1998 - 136 3/24/98: Introduced
4/7/98: Adopted 6 - 1, Hoag opposed. Ord. #98-027

SPONSORED BY: Consent

PROPOSED BY: Consent

INTRODUCTION DATE: 3/24/98

ORDINANCE NO. 98-027

AN ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP FROM RURAL FORESTRY (RF) TO RURAL FIVE ACRE (R5A) FOR APPROXIMATELY 20.44 ACRES IN THE FOOTHILLS SUBAREA

WHEREAS, The Whatcom County Planning and Development Services Department has requested that the Official Whatcom County Zoning Map be amended from Rural Forestry (RF) to Rural Five Acre (R5A) for approximately 20.44 acres in the Foothills Subarea; and

WHEREAS, pursuant to RCW 36.70.590 legal notice was published in the Bellingham Herald on Thursday, February 26, 1998; and

WHEREAS, the Deputy SEPA Official determined in a memorandum dated March 3, 1998 that SEPA requirements have been met by the Draft and Final Environmental Impact Statements prepared in conjunction with the adoption of the Whatcom County Comprehensive Plan in 1997 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 March 12, 1998 and considered all testimony; and

WHEREAS, the Council held a public meeting on April 7, 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 subject 20.44 acre property is in the South Fork Valley Subarea, in a rural locale.
2. The Whatcom County Council requested that the Planning and Development Services

1 Department initiate rezones of parcels that were approved for comprehensive plan map
2 changes to make the zoning consistent with the Whatcom County Comprehensive Plan.
3

4 3. The subject property is presently undeveloped and forested.
5

6 4. Surrounding uses are commercial forest land to the east; undeveloped rural forest land
7 to the south; a Boy Scout Camp to the north; recreational dwellings to the west and
8 southwest.
9

10 5. The existing zoning to the south and west is Rural, R5A.
11

12 6. The property is assessed as "Classified Forest" land, and was placed there by the
13 owner's knowledge and consent. This classification defines the land as being "devoted
14 to the legal growth and harvest of wood fibre for a commercial use". In June, 1992, a
15 geomorphic review was written in conjunction with a Forest Practice Application,
16 #1916412 which has since lapsed. If and when the 20.44 acre parcel is short-platted,
17 the Classified Forest designation will be rescinded and option of transferring into the
18 Open Space program will be provided.
19

20 7. The State Growth Management Act defines rural lands as those that are "located
21 outside urban growth areas and which do not include designated agriculture, forestry,
22 or mineral resource lands of long-term commercial significance".
23

24 8. Public water and sewer are unavailable to the subject property therefore private wells
25 and septic systems would be utilized.
26

27 9. If further short-platting and development is under consideration, the existing privately
28 maintained roadway will have to be up-graded for fire apparatus and equipment access.
29

30 10. Discussion has been held regarding rezoning the 20.44 acre subject property from
31 Rural Forestry to R10A or to R5A zoning, with concerns held about the severity of the
32 terrain and in the constraints in the development of it. Arguments both pro and con
33 were voiced on July 21, 1993, at the regular meeting of the Whatcom County Planning
34 Commission.
35

36 11. The only changes in this area have been a slight increase in the County population and
37 some increase in demand for recreational access and development.
38

39 12. The Whatcom County Council has changed the Official Whatcom County
40 Comprehensive Plan Map from the Rural Forest designation to the Rural designation
41 in the adoption of the 1997 Whatcom County Comprehensive Plan.
42

43 13. The Rural designation in the Comprehensive Plan Designations Map describes the

1 definition of Rural as: "Allows one dwelling unit per two, five, or ten acres, but
2 encouraging ten acre development;..... "
3

4 **CONCLUSIONS**

5
6 R5A or R10A zoning would be consistent with the Comprehensive Plan designation of
7 "Rural".
8


9 **NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that:
10 Section 1. The Official Whatcom County Zoning Map is hereby amended from Rural Forestry
11 (RF) to Rural Five Acre (R5A) for approximately 20.44 acres in the Foothills Subarea as
12 shown on Attachment 1 (Assessor's Parcel #400608-096455).
13

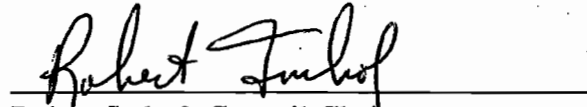
14 Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this
15 Ordinance shall not affect or impair the validity of the Ordinance as a whole or any part
16 thereof other than the part so declared to be invalid.
17

18
19 ADOPTED this 7 day of April, 1998.
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21

22
23
24 ATTEST:


WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

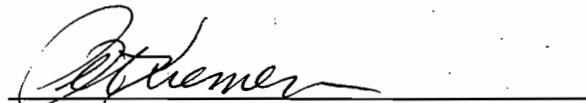
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27 
28 Dana Brown-Davis, Clerk of the Council

29 
30 Robert Imhof, Council Chair

31
32
33 APPROVED as to form

() Approved () Denied

34
35 
36 Karen Frakes, Civil Deputy Prosecutor

37 
38 Pete Kremen, Executive

39 Date: 4-13-98
40

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