

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Elizabeth K. Olsen	EKO	3/19/98	<b>RECEIVED</b>  <b>APR 1 1998</b>  <b>WHATCOM COUNTY COUNCIL</b>	4/7/98	Introduction
Division Head: Sylvia Goodwin	SG	3/27/98		4/21/98	P & D / Council
Dept. Head: Michael Knapp	MR				
Prosecutor:	DNF	3/28/98			
Purchasing/Budget:					
Executive:	PK	3/31/98			

**SUBJECT:** File Reference: 08-98 ZM: An Ordinance to amend the Official Whatcom County Zoning Map from Rural Ten Acres (R10A) to Rural Five Acres (R5A) for approximately 29.34 acres in the Foothills Subarea.

**ATTACHMENTS:** Proposed Ordinance with Attachment "1"  
 Whatcom County Planning Department Agency Report with attached Staff Report  
 Excerpt from Draft Planning Commission minutes, March 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 the Official Whatcom County Zoning Map from Rural Ten Acres (R10A) to Rural Five Acres (R5A) for approximately 29.34 acres in the Foothills Subarea.

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

**COMMITTEE ACTION TAKEN:**

**COUNCIL ACTION TAKEN:**

1998 - 151 4/7/98: Introduced  
 4/21/98: Adopted 6 - 0, Brown abstained. Ord. #98-030

**Related File Numbers: #08-98:ZM**

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

*Ord. # 98-030*

SPONSORED BY: Consent

PROPOSED BY: Planning

INTRODUCTION DATE: 4/7/98

ORDINANCE NO. 98-030

AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP FROM RURAL (R10A) TO RURAL (R5A) FOR APPROXIMATELY 29.34 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 (R10A) to Rural (R5A) for approximately 29.34 acres in the Foothills Subarea; and

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

WHEREAS, the Deputy SEPA Official issued a Determination of Nonsignificance on October 27, 1992; and

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

WHEREAS, the Council held a public meeting on April 21, 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. Mr. Feathers has requested a rezone of 29.34 acres from R10A to R5A in the Foothills Subarea.
2. The current use of the property is residential and Christmas tree farming.
3. The subject property is partly wooded and partly cleared, in Agriculture Open Space

1 taxation and includes a single family residence with outbuildings near.  
2

- 3 4. Surrounding uses include mostly residential, marginal pasture land in Agriculture  
4 Open Space, and forestry.  
5  
6 5. The area is presently served by individual wells and septic systems.  
7  
8 6. Fire protection is provided by Whatcom County Fire Protection District # 14. The  
9 nearest fire station is approximately one mile west at Kendall at the intersection of Mt.  
10 Baker Highway (SR.542) and Kendall Road (SR547).  
11  
12 7. The subject property has approximately 1,000 feet of frontage on Mt. Baker Highway,  
13 which is a State Highway.  
14  
15 8. Whatcom County Comprehensive Plan goals and policies provide general support for  
16 Rural Ten Acre or Rural Five Acre zoning on the subject site.  
17

18 **CONCLUSIONS**  
19

20 In view of the fact that the subject property is designated as Rural in the Whatcom  
21 County Comprehensive Plan, has highway frontage, stable, well drained soils and  
22 access to rural fire services, the proposed rezone appears to be appropriate.  
23

24 **NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that:  
25

26 Section 1. The Official Whatcom County Zoning Map is hereby amended from Rural Ten  
27 Acre (R10A) to Rural Five Acre (R5A) for approximately 29.34 acres in the Foothills  
28 Subarea as shown on Attachment 1 (Assessor's Parcel #400535-468480).  
29

30 Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this  
31 Ordinance shall not affect or impair the validity of the Ordinance as a whole or any part  
32 thereof other than the part so declared to be invalid.  
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38 ADOPTED this 21 day of April, 1998.  
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43

WHATCOM COUNTY COUNCIL

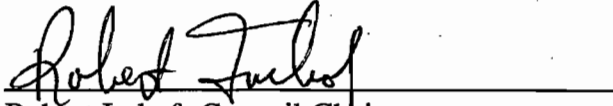
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ATTEST:

WHATCOM COUNTY, WASHINGTON



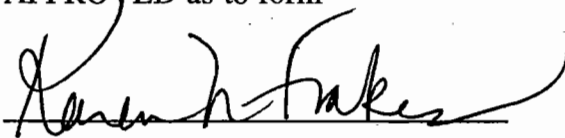
Dana Brown-Davis,  
Clerk of the Council



Robert Imhof, Council Chair

APPROVED as to form

Approved  Denied



Karen Frakes, Civil Deputy Prosecutor



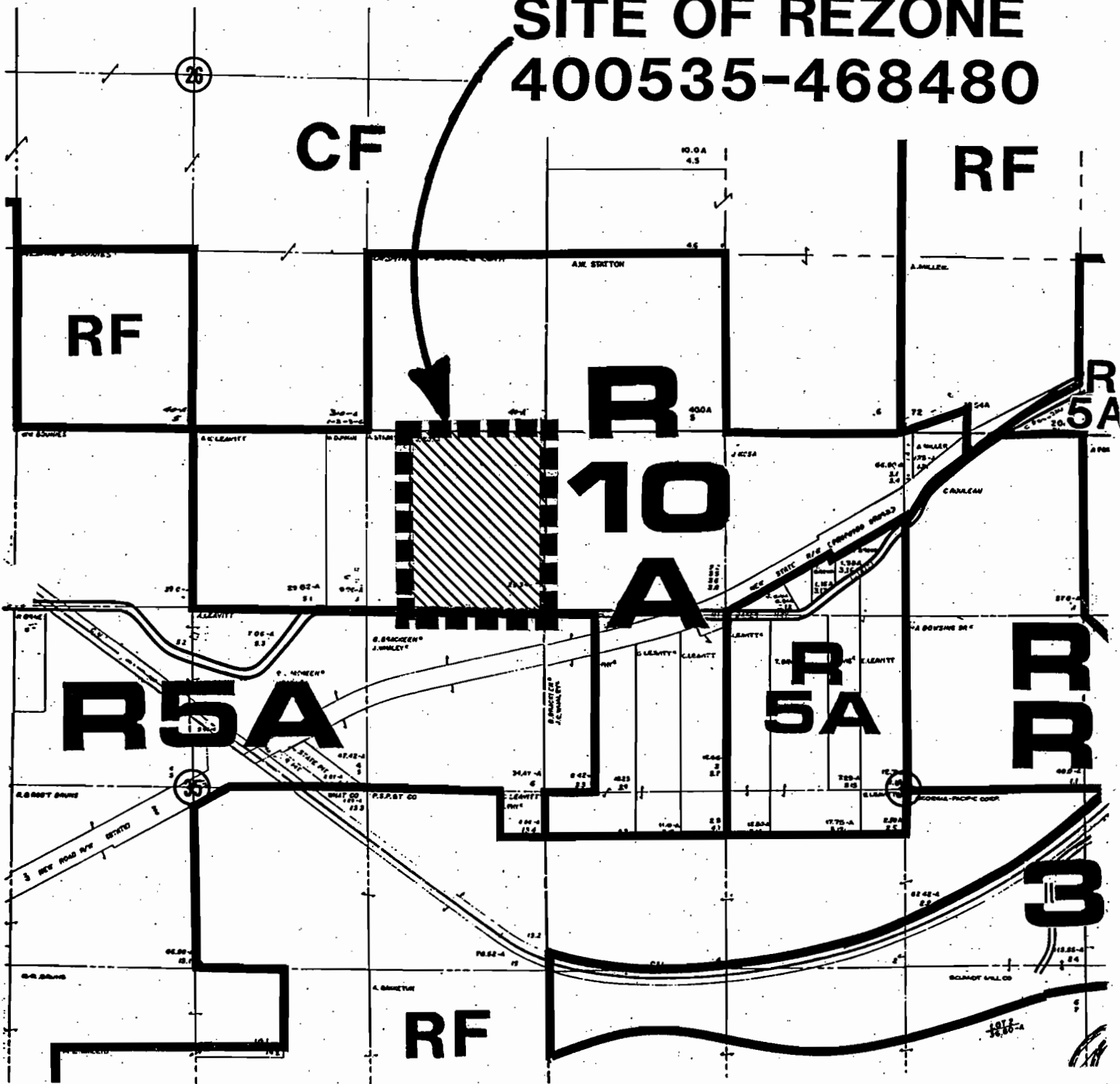
Pete Kremen, Executive

Date: 4-23-98

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# ATTACHMENT "1"

## SITE OF REZONE 400535-468480



08-98:ZM (D. Feathers #2)  
Rezone 29.34 acres from R10A to R5A