

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Amy C. de Vera	<i>AC</i>	3/27/98	RECEIVED APR 1 1998 WHATCOM COUNTY COUNCIL	4/1/98	Introduction
Division Head: Sylvia Goodwin	<i>SG</i>	3/27/98		4/21/98	P & D / Council
Dept. Head: Michael Knapp	<i>MK</i>	3/27/98			
Prosecutor: Karen Frakes	<i>KAF</i>	3/28/98			
Purchasing/Budget:					
Executive:	<i>PK</i>	3/31/98			

SUBJECT: File Reference: 12-94:CZM An Ordinance to amend the Official Whatcom County Zoning Map from Rural Ten Acres (R10A) to Urban Residential Medium Six Units per Acre (URM6) for approximately 39.4 acres in the Birch Bay-Blaine Subarea.

ATTACHMENTS: Proposed Ordinance
 Agency Report with attached Staff Report
 Excerpt from March 26, 1998 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 <input checked="" type="checkbox"/> / YES <input type="checkbox"/> / Requested date:
Amount budgeted for this item/project: \$ n/a	Is it (or will it be) within budget? YES <input checked="" type="checkbox"/> / NO <input type="checkbox"/> / (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 Urban Residential Medium Six Units per Acre (URM6) for approximately 39.4 acres in the Birch Bay-Blaine; consistent with the Comprehensive Plan designation of Urban Growth Area.

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

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1998 - 152 4/7/98: Introduced
 4/21/98: Adopted 7 - 0. Ord. #98-031

SPONSORED BY: Consent

PROPOSED BY: Planning

INTRODUCTION DATE: 4/7/98

ORDINANCE NO. 98-031

AN ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP FROM RURAL TEN ACRES (R10A) TO URBAN RESIDENTIAL MEDIUM DENSITY SIX UNITS PER ACRE (URM6) FOR APPROXIMATELY 39.4 ACRES IN THE BIRCH BAY-BLAINE SUBAREA.

WHEREAS, The Whatcom County Planning and Development Services Department has requested that the Official Whatcom County Zoning Map be amended from Rural Ten Acres (R10A) to Urban Residential Medium Density Six Units per Acre (URM6) for approximately 39.4 acres in the Birch Bay-Blaine 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 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 for the rezone; 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. The subject property is in Birch Bay's Urban Growth Area and is within the Short Term Planning Area.
2. The Whatcom County Council requested that the Planning and Development Services Department initiate rezones of parcels that were approved for comprehensive plan map changes to make the zoning consistent with the Whatcom County Comprehensive Plan.
3. The subject 38.3 acre parcel is currently vacant pasture and the subject 1.1 acre parcel contains an existing single family residence with related appurtenances.

- 1 4. Surrounding uses include a number of large acre vacant, pasture and wooded lots; a
2 County park; several single family residences on large acre lots; and several housing
3 subdivisions.
- 4
- 5 5. The subject parcels are within the Birch Bay Water and Sewer District, however, the
6 subject properties are presently served with public water and private septic
7 systems.
- 8
- 9 6. Fire protection is provided by Whatcom County Fire Protection District Number 13
10 which has a mutual aid agreement with the city of Blaine. The nearest fire station is
11 located approximately one and three quarter miles north of the property on Birch
12 Bay-Lynden Road.
- 13
- 14 7. The subject property is adjacent to Blaine Road which is a State Highway and is
15 constructed to all-weather standards.
- 16
- 17 8. The USDA Soil Survey maps indicate Labounty, Birch Bay and Whatcom-Labounty
18 silt loams on the site. The Labounty and Whatcom-Labounty soils, when drained, are
19 category 2 Prime soils and the Whatcom-Labounty soils are a LESA class IV. The
20 Birch Bay soil is a category 1 Prime and LESA class 1 soil.
- 21
- 22 9. The site is characterized as flat to gently rolling.
- 23
- 24 10. Whatcom County Comprehensive Plan policies address consideration of locational
25 and market factors and required quantities of land; sufficient and appropriately
26 located residential, commercial, and industrial lands; channeling growth to areas
27 where adequate services can be provided; preventing sprawl and promoting phased
28 development from the urban core outward; distinguishing areas where final plans for
29 urban services are not yet in place; and assuring that adequate capacity in public
30 facilities exists or is projected within ten years to serve the urban growth areas.
- 31
- 32 11. An error in the present classification is the rural zoning inside an Urban Growth
33 Area.
- 34
- 35 12. A changed condition is inclusion in an Urban Growth Area.
- 36

37
38 **CONCLUSION**

39
40 In view of the fact that the subject property is in Birch Bay's Urban Growth Area and is within
41 the Short Term Planning Area as adopted by Whatcom County, URM6 zoning would be
42 consistent.

43
44
45 **NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that:

46
47 Section 1. The Official Whatcom County Zoning Map is hereby amended from Rural Ten Acres


1 (R10A) to Urban Residential Medium Density Six Units per Acre (URM6) for approximately 39.4
2 acres in the Birch Bay-Blaine Subarea, in Section 31, T40N, R1E, as shown on Exhibit "A"
3 (Map), Assessors parcel numbers 400131-466205 and 400131-518210.
4

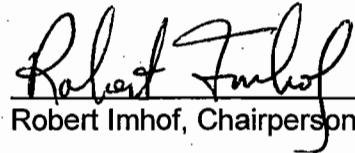
5 Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this
6 Ordinance shall not affect or impair the validity of the Ordinance as a whole or any part thereof
7 other than the part so declared to be invalid.
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9
10 ADOPTED this 21 day of April, 1998.
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15 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

16
17 
18
19 Dana Brown-Davis, Clerk of the Council

20 
21 Robert Imhof, Chairperson

22
23
24 APPROVED as to form ~~attached~~

() Approved () Denied

25
26 
27 Karen Frakes, Civil Deputy Prosecutor

28 
29 Pete Kremen, Executive

30 Date: 4-23-98
31