

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 98-175

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Sylvia Goodwin	SG	4/9/98	RECEIVED APR 15 1998 WHATCOM COUNTY COUNCIL	4/21/98	Introduction
Division Head: Sylvia Goodwin	SG	4/9/98		5/5/98	P & D / Council
Dept. Head: Michael Knapp	MK				
Prosecutor:	KNF	4/10/98			
Purchasing/Budget:					
Executive:	PH	4-15-98			

SUBJECT: File Reference:22-91:CZM An ordinance amending the Official Whatcom County Zoning Map from Rural Five Acres (R5A) to Urban Residential Four Units per Acre (UR4) for approximately 412 acres in the Birch Bay-Blaine Subarea.

ATTACHMENTS: Proposed Ordinance with Exhibit "A" (Location Map).
 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 Agriculture Rural Five Acres (R5A) to Urban Residential Four Units per Acre (UR4) for approximately 412 acres in the Birch Bay-Blaine 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 - 175 4/21/98: Introduced
 5/5/98: Adopted 7 - 0; Ord. #98-035

Ord. # 98-035

SPONSORED BY: Consent

PROPOSED BY: Planning

INTRODUCTION DATE: 4/21/98

ORDINANCE NO. 98-035

AN ORDINANCE AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP FROM RURAL FIVE ACRES (R5A) TO URBAN RESIDENTIAL FOUR UNITS PER ACRE (UR4) FOR APPROXIMATELY 412 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 Five Acres (R5A) to Urban Residential Four Units per Acre (UR4) for approximately 412 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 19, 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 the City of Blaine'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 412 acre area is partially developed with an 18 hole golf course, clubhouse, restaurant and existing single family residences with related

1 appurtenances.
2

- 3 4. Surrounding Uses include large lot residential uses and pasture land, California
4 Creek and the Burlington Northern Railroad right-of-way. Preliminary Plat
5 approval was granted on April 22, 1997 for a 124 lot residential subdivision and
6 golf course on 315 acres of the site and adjacent UR4 zoned property to the
7 west.
8
- 9 5. The subject properties are presently served with water and sewer service from
10 the Birch Bay Water and Sewer District.
11
- 12 6. Fire protection is provided by Whatcom County Fire Protection District Number
13 13 which has a mutual aid agreement with the City of Blaine. The nearest fire
14 station is located approximately two miles southwest of the subject property on
15 Birch Bay-Lynden Rd.
16
- 17 7. The subject property is adjacent to Blaine Road which is a State Highway and is
18 constructed to all-weather standards.
19
- 20 8. The USDA Soil Survey maps indicate Skipopa-Blainegate complex soils with 0 to
21 8 percent slopes on the site. Twenty seven wetlands, totalling 30.6 acres were
22 delineated in a report prepared for the Loomis Trail Planned Unit Development
23 EIS, which includes the majority of the proposed rezone site. The wetlands will
24 be adequately protected by the County Critical Areas Ordinance.
25
- 26 9. The Whatcom County Comprehensive Plan designation for the subject property
27 is "Urban Growth Area." This area is within the City of Blaine Short Term
28 Planning Area, which was recently found by the Growth Management Hearings
29 Board to be in compliance with the Growth Management Act. The goals and
30 policies in the Land Use and Housing Chapters of the Comprehensive Plan
31 support increased densities within Urban Growth Areas where urban services are
32 available.
33
- 34 10. An error in the present classification is the rural zoning inside an Urban Growth
35 Area.
36
- 37 11. A changed condition is Inclusion in an Urban Growth Area.
38

39 CONCLUSIONS

40
41 In view of the fact that the subject property is in Blaine's Urban Growth Area and is
42 within the Short Term Planning Area as adopted by Whatcom County, the proposed
43 rezone appears to be appropriate.

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

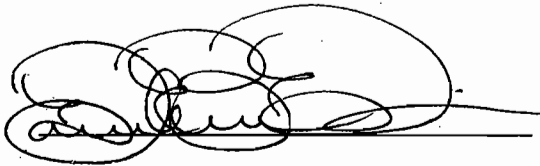
2
3 Section 1. The Official Whatcom County Zoning Map is hereby amended from Rural Five Acres
4 (R5A) to Urban Residential Four Units per Acre (UR4) for approximately 412 acres in the Birch
5 Bay-Blaine Subarea, in Section 17, T40N, R1E, as shown on Exhibit "A" (Map), Assessors
6 parcel numbers as shown on Exhibit "B".

7
8 Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this
9 Ordinance shall not affect or impair the validity of the Ordinance as a whole or any part
10 thereof other than the part so declared to be invalid.

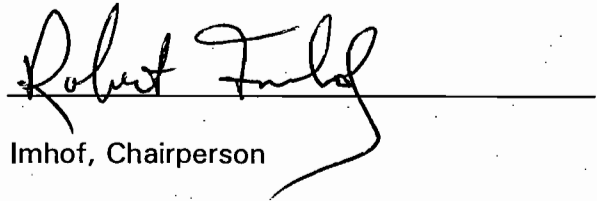
11
12
13 ADOPTED this 5 day of May, 1998.

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18 ATTEST:

 WHATCOM COUNTY COUNCIL
 WHATCOM COUNTY, WASHINGTON

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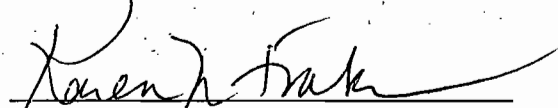
25 Dana Brown-Davis, Clerk of the Council

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27
28 

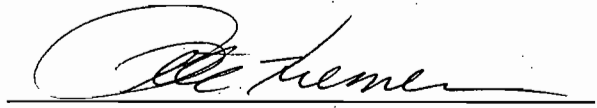
29 Robert Imhof, Chairperson

30 APPROVED as to form:

Approved Denied

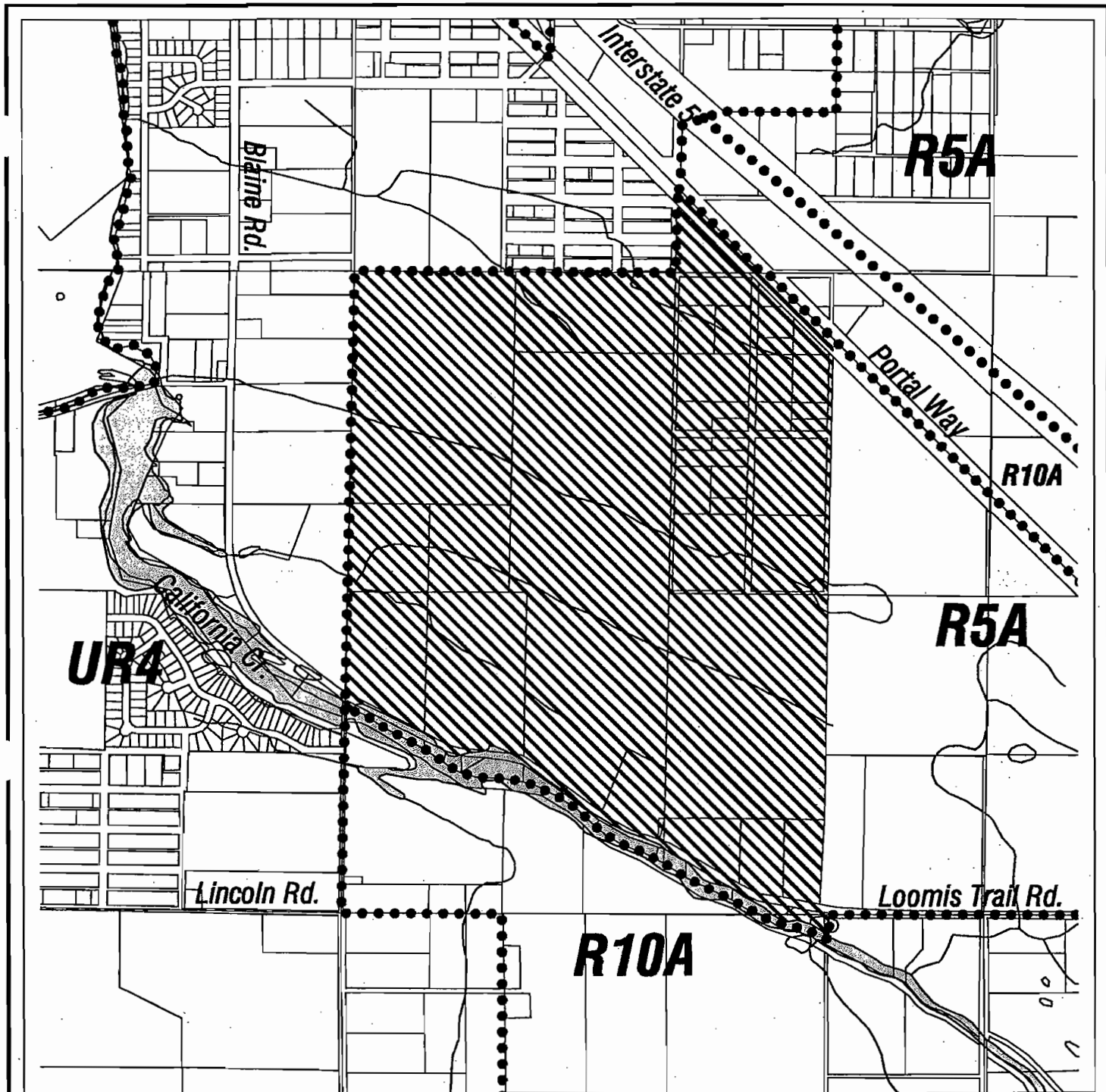
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32 

33 Karen Frakes, Civil Deputy Prosecutor

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35 Pete Kremen, Executive

36 Date: 5-7-98



**Loomis Trail 22-91:CZM
R5A to UR4**

 Subject Properties

EXHIBIT A

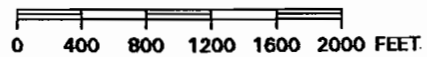


EXHIBIT B

Loomis Trail
400108278020
400117034302
400117051232
400117072423
400117074133
400117094125
400117104125
400117111191
400117200498
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400117265065
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