

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Elizabeth K. Olsen	EKO	7/14/98		8/11/98	P & D / Council
Division Head: Sylvia Goodwin	SG	7/14/98			
Dept. Head: Michael Knapp	MK	7/14/98			
Prosecutor	DMG	7-31-98			
Purchasing/Budget:					
Executive:	PR	8-4-98			

SUBJECT:

File Reference: 08:98B ZM: An Ordinance to amend the Official Whatcom County Zoning Map from Rural Ten Acres (R10A) to Rural Five Acres (R5A) for approximately 240 acres in the Foothills Subarea. (Substitute)

ATTACHMENTS:

**Proposed Ordinance with Attachment "1"
 Whatcom County Planning Department Agency Report with attached Staff Report and Supplemental Staff Report
 Excerpt from Planning Commission minutes, April 23, 1998 and draft minutes, July 9, 1998**

Related County Contract #: _____ Should Clerk schedule a hearing: NO / X / YES / ___ / Requested Date: _____

SUMMARY STATEMENT:

The request is to amend the Official Whatcom County Zoning Map from Rural Ten Acres (R10A) to Rural Five Acres (R5A) for approximately 240 acres in the Foothills Subarea.

ORIGINATOR'S RECOMMENDED ACTION:

The Director of Planning and Development Services recommends Council adopt the proposed ordinance.

COUNCIL ACTION TAKEN:

1998 - 212 A 8/11/98: Adopted 5 - 1, Hoag opposed, Brown abstained, Ord. #98-050

Distribution Request
 Indicate those who should receive a copy after Council action.
 List specific names to the right.

ADS Facilities Management	
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Juvenile	
Parks	
Planning	
Prosecutor	
Public Works	
Sheriff	
Superior Court	
Treasurer	
Other	

Re

**Ordinance or Resolution Number
 (this item): **ORD #98-050****

SPONSORED BY: Consent

PROPOSED BY: Planning

INTRODUCTION DATE: 8/11/98

ORDINANCE NO. 98-050

AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP FROM RURAL (R10A) TO RURAL (R5A) FOR APPROXIMATELY 240 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 240 acres in the Foothills Subarea; and

WHEREAS, pursuant to RCW 36.70.590 legal notice was published in the Bellingham Herald on Thursday, April 9, 1998; and

WHEREAS, the Deputy SEPA Official issued a Determination of Nonsignificance on April 14, 1998; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendment on April 23, 1998, considered all testimony and recommended approval; and

WHEREAS, the Council held a public meeting on June 2, 1998 to consider this matter and returned the proposed rezone to the Planning Commission for further review; and

WHEREAS, the Planning Commission reconsidered this matter and adopted additional findings to support approval of the rezone; and

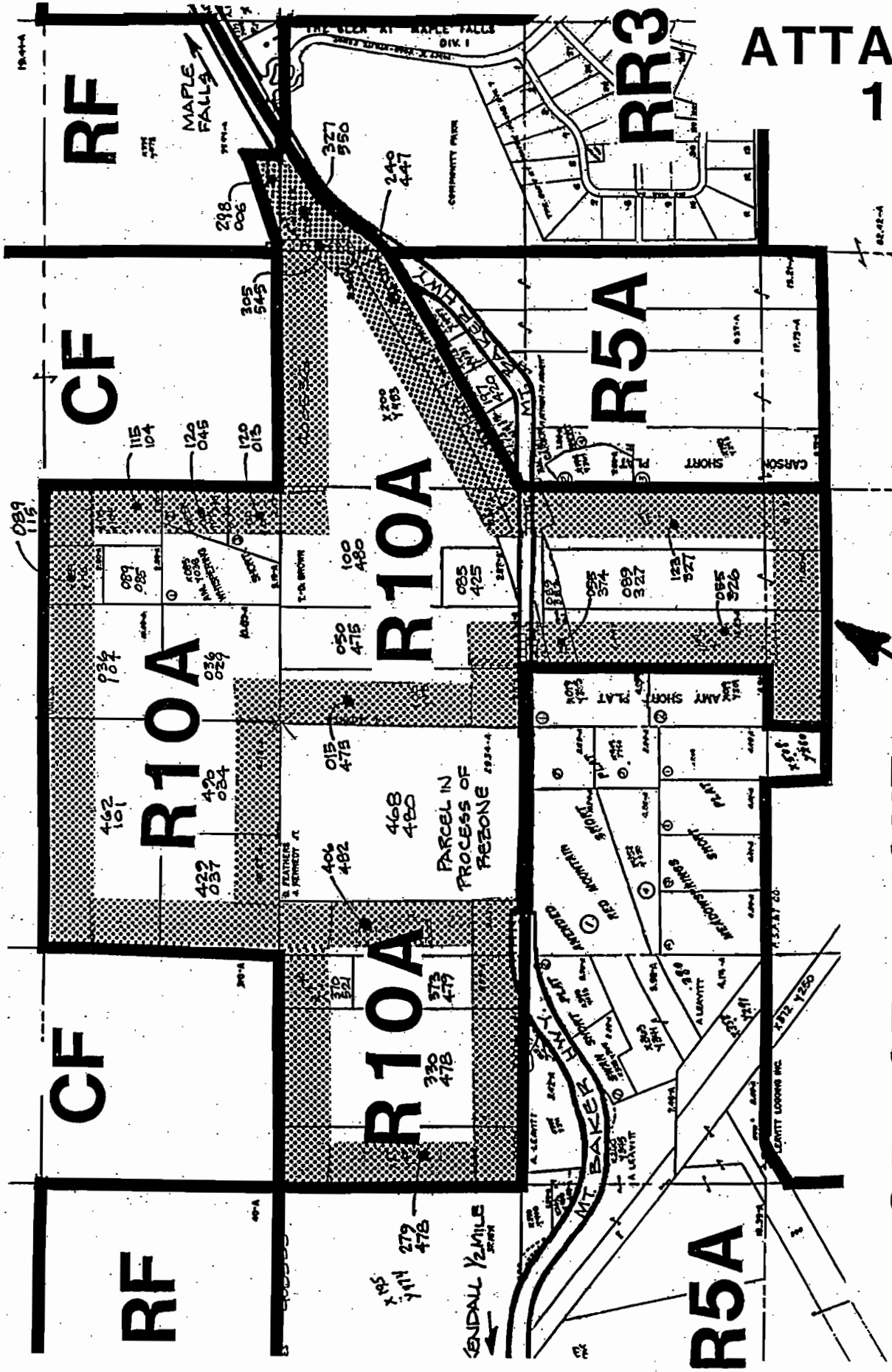
WHEREAS, the Council found the amendments in the best interest of the public health, safety, and welfare; and

WHEREAS, the Council has adopted the following Findings and Conclusions:

FINDINGS

1. Mr. Feathers, a property owner in the R10A zone, has requested a rezone of 29.34 acres from R10A to R5A in the central area of this zone district, which was approved on April 21, 1998, by the Whatcom County Council. During the deliberations, the Planning Commission initiated a request for planning staff to review the remaining R10A zone district surrounding Mr. Feather's property.

- 1 2. The current use of the property is residential, forest, open woodland and cleared
2 pastureland.
- 3
- 4 3. The subject property is partly wooded and partly cleared, with some Agriculture Open
5 Space taxation parcels and includes seventeen single family residences, some with
6 outbuildings.
- 7
- 8 4. Surrounding uses include mostly residential, marginal pasture land in Agriculture
9 Open Space, a gravel pit and forestry.
- 10
- 11 5. The area is presently served by individual wells and septic systems.
- 12
- 13 6. Fire protection is provided by Whatcom County Fire Protection District # 14. The
14 nearest fire station is approximately one mile west at Kendall at the intersection of Mt.
15 Baker Highway (SR.542) and Kendall Road (SR547).
- 16
- 17 7. The subject property has approximately one and a quarter miles of frontage on Mt.
18 Baker Highway, which is a State Highway.
- 19
- 20 8. The northern eighty acres on the southern sidehill of Red Mountain has an average
21 slope of 22% which, together with the deep, well-drained Blethen soils, may pose
22 septic tank absorption field limitations unless engineered and installed on the contour.
- 23
- 24 9. Whatcom County Comprehensive Plan goals and policies provide general support for
25 Rural Ten Acre or Rural Five Acre zoning on the subject site.
- 26
- 27 10. The following changed conditions support rezone of these parcels:
28
 - 29 ▶ There is increased population in Whatcom County.
 - 30
 - 31 ▶ Adoption of the Comprehensive Plan and Development Regulations.
 - 32
 - 33 ▶ Designation of agricultural lands, forestry lands, mineral lands and critical
34 areas. This area does not include resource or critical areas and is therefore an
35 appropriate area for rural development.
 - 36
 - 37 ▶ The designation of 56 acres adjacent as MRL will reduce land availability for
38 rural land.
 - 39
 - 40 ▶ The Comprehensive Plan Designation "Small Town" at Kendall and Maple
41 Falls to provide services for additional rural development.
 - 42
 - 43 ▶ Improvements to Mt. Baker Highway to provide better, safer access.
 - 44



SITE OF REZONE