

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Sylvia Goodwin	SG	8/7	RECEIVED AUG 10 1998 WHATCOM COUNTY COUNCIL	8/11/98	Introduction
Division Head: Sylvia Goodwin	SG	8/7		9/15/98	P & D / Council
Dept. Head: Michael Knapp	MK	8/10/98			
Prosecutor:	Dmk	9/21/98			
Purchasing/Budget:					
Executive:					

SUBJECT: File Reference: 44-98:zt An ordinance amending Title 20 to eliminate the minimum lot size requirement for public facilities the Rural District.

ATTACHMENTS:
 Proposed Ordinance
 Staff Report
 Minutes of July 9, 1998 Planning Commission meeting

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

SUMMARY STATEMENT:

The request is to adopt an ordinance amending Title 20 to eliminate the minimum lot size requirement for public facilities the Rural District.

The Director of Planning and Development Services recommends that the County Council approve the proposed ordinance.

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

ADS Facilities Management	
ADS Finance	
ADS Human Resources	
ADS Info Services	
Assessor	
Auditor	
Cooperative Extension	
District Court	
Executive	
Health	
Hearing Examiner	
Jail	
Juvenile	
Parks	
Planning	
Prosecutor	
Public Works	
Sheriff	
Superior Court	
Treasurer	
Other	

COUNCIL ACTION TAKEN:

1998 - 318 8/11/98: Introduced
 9/15/98: Adopted 7-0, Ord. #98-060

Re

Ordinance or Resolution Number
 (this item): **ORD. 98-060**

ORDINANCE NO. 98-060

**AMENDING TITLE 20 TO ELIMINATE THE MINIMUM LOT SIZE REQUIREMENT
FOR PUBLIC FACILITIES IN THE RURAL DISTRICT**

WHEREAS, the Whatcom County Council requested that the Planning Commission consider amendments to the Rural District to eliminate the minimum lot size requirement for public facilities; and

WHEREAS, pursuant to RCW 36.70.590 legal notice was published in the Bellingham Herald on Thursday, June 25, 1998; and

WHEREAS, the Deputy SEPA Official issued a Determination of Nonsignificance on June 24, 1998; and

WHEREAS, The Planning Commission held a public hearing on the proposal on July 9, 1998, considered all public testimony and recommended approval of the proposed revisions; and;

WHEREAS, the Council reviewed the Planning Commission's recommendation at a regular meeting on September 15, 1998 and approved the Planning Commission's Recommendation; and

WHEREAS, the Council found the amendments in the best interest of the public health, safety, and welfare, based on the following findings and conclusions:

FINDINGS

1. The Whatcom County Council has requested that the Planning Commission consider amendments to the Rural zone District to eliminate the minimum lot size requirement for public facilities.
2. Public facilities are necessary to serve rural areas of the County.
3. Public facilities do not usually require a parcel as large as the minimum lot size in a two, five or ten acre rural zone, and frequently the cost or availability of land makes it difficult to find suitable public facility sites which meet the minimum lot size.
4. Public facilities do not largely impact the rural character of the Rural District.
5. Public facilities outside of Urban Growth Areas are processed as conditional uses and there is opportunity for public comment and adequate review of site constraints and impacts to surrounding properties.

1 **CONCLUSION**

2
3 Given that public facilities are necessary to serve rural areas and that impact are adequately reviewed
4 under the Conditional Use process, the minimum lot requirement size requirement for public facilities is
5 not necessary.
6

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

8
9 Section 1. The Official Whatcom County Zoning Ordinance, Title 20, is hereby amended as shown in
10 the attached Exhibit A.

11
12 Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this Ordinance shall
13 not affect or impair the validity of the Ordinance as a whole or any part thereof other than the part so
14 declared to be invalid.
15

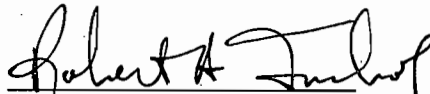
16
17 ADOPTED this 15 day of September, 1998.

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21 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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23
24 

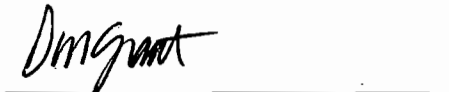
25
26 Dana Brown-Davis, Council Clerk



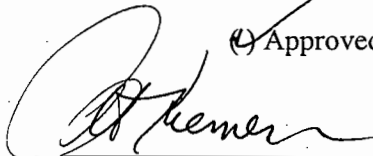
27 Robert A. Imhof, Chairperson

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30 APPROVED as to form:

Approved Denied

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34 Dave Grant, Civil Deputy Prosecutor



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36 Pete Kremen, Executive

37
38 Date: 9-23-98
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Exhibit A

20.36.251 Minimum lot size and maximum density.

For the purpose of creating new building lots within the Rural District, several land use densities are herein provided. The minimum lot size and maximum density requirements for new construction vary according to the method of subdivision design. Where the conventional subdivision method is used to create new building lots, the minimum lot size shall be two, five or 10 acres, depending on the specific zone classification. Where the lot cluster subdivision method is used, the minimum lot size is based on the consideration of the district's setback requirements (WCC 20.80.200) and the Bellingham-Whatcom County health department regulations for on-site septic disposal, but shall not be less than that shown below. Where the cluster subdivision method is used, dwelling unit densities may be increased according to the cluster bonus schedule in WCC 20.36.252 below; provided, that all of the applicable cluster subdivision requirements are met. Lots for public facilities approved under 20.36.151 are not subject to minimum lot size requirements. (Ord. 96-056 Att. A § H4, 1996; Ord. 90-45, 1990; Ord. 87-12, 1987; Ord. 87-11, 1987).

20.36.253 Maximum density and minimum lot size.

District	Gross Density	Minimum Lot Size		Min. Reserve Area (Cluster Subdivisions)
		Conventional	Cluster	
R-2A without public water	1 dwelling unit/2 acres	2 acres	1 acre	20%
R-2A with public water	1 dwelling unit/2 acres	2 acres	15,000 sq.ft.	65%
R-5A	1 dwelling unit/5 acres	5 acres	No minimum	55%
R-5A subject to Agricultural Protection Overlay (WCC20.38)	1 dwelling unit/5 acres	Not applicable	No minimum	70 to 80%
R-10A	1 dwelling unit/10 acres	10 acres	No minimum	70%
R-10A subject to Agricultural Protection Overlay (WCC20.38)	1 dwelling unit/10 acres	Not applicable	No minimum	70 to 80%
<u>Public Facilities Approved Under 20.36.151</u>	<u>N/A</u>	<u>No Minimum</u>	<u>No Minimum</u>	<u>N/A</u>

NOTE: text shown includes the interim amendments adopted under Interim Ordinance 98-02, which may expire on September 18, 1998.