

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 1998 - 171 B

CLEARANCES	Date	Date Received in Council Office	Agenda Date	Assigned To
Orig. Dept.: Planning & Develop	11/12/98		11/10/98	Full Council
Division Head:				
Dept. Head:				
Prosecutor:				
Budget:				
Executive:				

**SUBJECT:**

Ord. adopting amendments to the Whatcom County Comp Plan and Title 20 Text

**ATTACHMENTS**

**SUMMARY STATEMENT:**

Related County Contract #:	Should the Clerk schedule a hearing? (Y/N N	Requested Date:
----------------------------	---	-----------------

**RECOMMENDED MOTION (for final action):**

**COUNCIL ACTION TAKEN:**

1998 - 171 B 11/10/98: Introduced  
 11/24/98: Amended and Adopted 7-0, Ord. #98-078

**Related File Numbers:**

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

**Ord. # 98-078**

SPONSORED BY: CONSENT  
PROPOSED BY: Whatcom County PDS  
INTRODUCTION DATE: 11/10/98

ORDINANCE NO. 98-078

**ADOPTING AMENDMENTS TO THE WHATCOM COUNTY  
TITLE 20 ZONING TEXT**

**WHEREAS**, The Whatcom County Council passed Resolution 98-023 on May 5, 1998 initiating 20 Comprehensive Plan amendments, and related amendments to the Official Whatcom County Zoning Ordinance (Title 20), for review in 1998; and

**WHEREAS**, The Deputy SEPA Official for Whatcom County issued determinations of non-significance on April 15, 1992, March 31, 1994, July 2, 1997, November 10, 1997 and June 30, 1998; and

**WHEREAS**, Pursuant to RCW 36.70.390 and RCW 36.70.590, legal notice of Planning Commission hearings was published in the Bellingham Herald on October 9, 1997, July 10, 1998, July 30, 1998, August 28, 1998, September 11, 1998 and September 26, 1998; and

**WHEREAS**, The Planning Commission held public hearings on the proposed amendments on November 13, 1997, July 23, 1998, August 13, 1998, September 10, 1998, September 24, 1998, and October 8, 1998, and considered all testimony; and

**WHEREAS**, The Planning Commission held a work session on October 8, 1998 to consider all the amendments concurrently; and

**WHEREAS**, The Planning Commission evaluated the merits of each amendment in relationship to the County Wide Planning Policies and the goals, policies and objectives of the Comprehensive Plan, as required by WCC 20.10.100 and WCC 20.90.070; and

**WHEREAS**, The Planning Commission issued Findings of Fact, Reasons for Actions, & Recommendations on the amendments; and

**WHEREAS**, the County Council has considered the Planning Commission's Findings of Fact, Reasons for Action, & Recommendations for all the amendments, as required by WCC 20.10.110 and WCC 20.90.090; and

**WHEREAS**, the County Council held a public hearing on the zoning text amendments on November 24, 1998, in accordance with WCC 20.90.090; and

**WHEREAS**, the County Council finds that the zoning text amendments conform to the Growth Management Act and are consistent with and implement the Comprehensive Plan; and

**WHEREAS**, amendments to the Comprehensive Plan maps and text and zoning maps will be adopted under a separate ordinance; and

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

**FINDINGS**

1. Amending the Rural zoning text to allow rental cabins and associated meeting facilities and other accessory uses as a conditional use in the Foothills subarea is consistent with Comprehensive Plan Rural Employment Opportunities Goal 2EE, which is to "Provide employment opportunities in the rural parts of Whatcom County." Potential impacts associated with such development can be addressed through the conditional use permit process.
2. Amending the Rural zoning text to allow rental cabins and associated meeting facilities and other accessory uses as a conditional use in the Foothills subarea is consistent with Comprehensive Plan Economics – Geographic Diversity Policy 7K-4, which is to "Consider establishing more resource and tourism based industrial and commercial uses to create economic opportunity in the eastern part of the county."
3. Text amendments to the Rural Forestry zone will enable resource related uses to expand in the wood processing industry as the future needs dictate and would allow the establishment of new cottage industries.
4. The text amendments are in the public interest.

**CONCLUSION**


Amendments to the Official Whatcom County Zoning Ordinance text should be adopted as set forth in the attached Exhibit A.

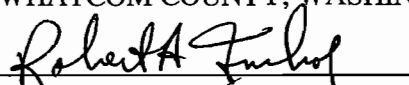
**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that:

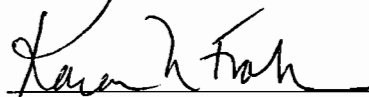
Section 1. The text of the Official Whatcom County Zoning Ordinance (Title 20) is hereby amended as shown in the attached Exhibit A.

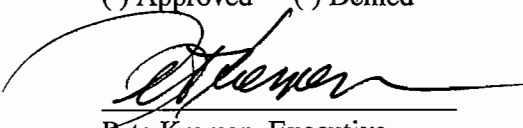
Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this Ordinance shall not affect or impair the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

ADOPTED this 24th day of November 1998.

ATTEST  
  
 Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL  
 WHATCOM COUNTY, WASHINGTON  
  
 Robert A. Imhof, Chairperson

APPROVED as to form:  
  
 Civil Deputy Prosecutor

Approved     Denied  
  
 Pete Kremen, Executive

Date: 12-1-98

## EXHIBIT A

The Official Whatcom County Zoning Ordinance, Title 20, Rural District, Conditional Uses (WCC 20.36.150), is hereby amended by adding the following:

.176 Rental cabins, together with associated meeting facilities and other customary accessory uses, including but not limited to cooking and dining facilities, retail sales of meeting supplies and gifts, swim pools and exercise rooms in the Foothills Subarea, provided the following standards are met:

- (1) Density shall not exceed five sleeping units per five gross acres;
- (2) Legally established resorts or rental cabins existing as of the date of the adoption of this ordinance which meet the criteria in subsection (1) shall be permitted outright. However, expansions shall only be allowed by conditional use and shall be bound by the density standard above; and
- (3) Each cabin shall have a maximum of three sleeping units.

The Official Whatcom County Zoning Ordinance, Title 20, Rural Forestry District, Administrative Approval Uses (WCC 20.42.130), is hereby amended by adding the following:

.135 Forestry related/wood based cottage industries which employ no more than 10 non-family members including primary or low intensity secondary processing of timber not permitted in WCC 20.42.053, including fabrication of furniture and fixtures, partitions, shelves and lockers, manufacture, processing, treatment and fabrication of lumber, millwork, miscellaneous wood products, and other wooden building and roofing materials, excluding pulp, paper or plywood mills, conducted in structure(s) other than the dwelling unit, provided that:

- (1) The administrator, at his discretion, in consideration of the surrounding development patterns, property uses and size of the lot on which the proposed cottage industry is locating, may place limitations on the square footage used in an existing or new structure used for a cottage industry. The construction of new buildings to house said activity shall not, in any case, exceed 4,000 square feet of total floor area.
- (2) The parcel must access from a collector arterial or higher standard street (this could include shared access).
- (3) Minimum parcel size is one-half acre. Minimum lot size is five acres for buildings which exceed 2,500 square feet of total floor area, and/or are constructed of materials which are not of similar materials or scale to a single family residence.
- (4) Minimum open space requirement is 40%. Adequate buffering is required for both visual screening and noise reduction and must comply with WCC 20.80.345. The administrator may modify the required buffer widths, either reduction or enlargement, on a site specific basis. A finding regarding the rationale for such modification will be entered into the record. Site development should maintain the existing natural vegetation to the greatest extent possible.

(5) All work is conducted within a building, except that uses which are complementary to the Rural Forestry District and which are determined to be harmonious with adjacent parcels may be allowed outdoors.

(6) In the event materials will be stored outdoors, the administrator may require adequate landscaping, screening or other devices in order that the material will not be visible by surrounding uses or roads.

(7) For parcels visible from a state scenic highway, the administrator shall, at his discretion, require additional measures or restrictions to protect scenic vistas.

(8) The operation of the business must comply with county/state noise, air quality and all other applicable regulations.

(9) There is no polluting or hazardous industrial discharge to a public sewer or septic system.

(10) One non-illuminated freestanding sign, visible from the road, and not exceeding six feet in height, may be permitted. One additional non-illuminated sign may be attached to the building for a maximum total signage of 16 square feet. No portion of any sign shall extend above the lowest portion of the roof.

(11) Not more than 10 non-family members can be employed on site.

(12) An application packet shall be submitted on forms provided by county and must provide a site plan, drawn to scale, which shows; the location of existing and proposed structures, includes dimensions of new and proposed structures to property lines, distance to adjacent structures, uses of adjacent parcels, existing vegetative cover and proposed modifications to vegetative cover of proposed site, location of permanent buffers and proposed plant materials for the permanent buffer, including species, sizes and spacing.

The Official Whatcom County Zoning Ordinance, Title 20, Rural Forestry District, Permitted Uses (WCC 20.42.050), is hereby amended by adding the following:

.067 Light industrial/manufacturing uses that were legal under concomitant agreement filed under Auditor File # 940107190 (as revised under Auditor File # \_\_\_\_\_) prior to the effective adoption date of the county's comprehensive plan 5/20/97 will be considered permitted uses. Expansion will be allowed as a permitted use but will be limited to the land area zoned Light Impact Industrial on 5/20/97 and must comply with applicable conditions and with the requirements of the Light Impact Industrial zone where there is conflict with the requirements of the Rural Forestry Zone.

The Official Whatcom County Zoning Ordinance, Title 20, Rural Forestry District, Conditional Uses (WCC 20.42.150), is hereby amended as follows:

.159 Primary or low intensity, secondary processing facilities of timber not permitted in WCC 20.42.053, including fabrication of furniture and fixtures, partitions, shelves and lockers, manufacture, processing, treatment and fabrication of lumber, millwork, miscellaneous wood products, and other wooden building, roofing and construction materials and building material yards, if screened by a fence and/or vegetation as specified in WCC 20.80.355; excluding pulp, or paper or plywood mills. The conditional use provision is applicable for proposals which include structures that exceed 4,000 square feet and employ more than 10 non-family members.

.164 Cottage industries as defined by WCC 20.97.087, excluding those allowed in WCC 20.42.135, and which employ not more than four people outside the family conducted in structure(s) other than the dwelling unit. Such activities will comply with all other provisions of 20.36.161(1-9) except the review and final decisions will be made administratively.