

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Sylvia Goodwin	SG	7/16/99	RECEIVED JUL 20 1999 WHATCOM COUNTY COUNCIL	7/27/99	Introduced
Division Head: Sylvia Goodwin	SG	7/16/99		8/10/99	Public Hearing
Dept. Head: Michael T. Knapp, A.I.C.P.	MK	7/16/99			
Prosecutor Dave Grant	Dmg	7-16-99			
Purchasing/Budget:					
Executive:	PK	7-20			

SUBJECT: Amendments to Chapter 20.36 Rural zoning to allow expansion of existing public facilities located on the County complex at Smith and Northwest as a permitted use.

ATTACHMENTS:

Ordinance 99-035 with attached Exhibit 1.
Findings and text proposed by the Planning Commission.

SEPA review required? (X) Yes () NO
SEPA review completed? (X) Yes () NO

Should Clerk schedule a hearing? (X) Yes () NO
Requested Date: July 27, 1999

SUMMARY STATEMENT:

The request is to consider a zoning text amendment to Chapter 20.36 Rural District to permit the expansion of existing public facilities located at the County complex at Smith and Northwest. The revised text was developed by the Council Planning and Development Committee.

The original amendment recommended by the Planning Commission would also allow the development of new public facilities on this site.

While the Council Planning Committee recommends the revised text, the Director of the Planning and Development Services Department and the Planning Commission recommend approval of the original text.

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:

1999 - 270 7/27/99: Substitute ordinance amended and adopted 4-3,
BROWN, Brenner, Hoag opposed Ord. #99-035

Related County Contract #:

Related File Numbers: 58-98

Ordinance or Resolution Number
(this item): ORD. #99-035

SPONSORED BY: Planning
PROPOSED BY: Consent
INTRODUCTION DATE: 7/13/99

ORDINANCE NO. 99-035

**ADOPTING AMENDMENTS TO THE WHATCOM COUNTY
ZONING TEXT CHAPTER 20.36 REGARDING EXPANSION OF PUBLIC
FACILITIES AT SMITH AND NORTHWEST**

WHEREAS, Whatcom County Code, Title 20, Chapter 90 provides direction for docketing zoning map and text amendments and such docket was initiated and processed for 1998; and

WHEREAS, The Deputy SEPA Official for Whatcom County issued a determination of non-significance on November 4, 1998; and

WHEREAS, Pursuant to RCW 36.70.590, legal notice was published in the Bellingham Herald on October 31, 1998, November 26, 1998, January 4, 1999, January 14, 1999, February 11, 1999, February 27, 1999, March 11, 1999, March 25, 1999, April 11, 1999; and

WHEREAS, The Planning Commission held public hearings on the proposed amendments on November 12, 1998, December 10, 1998, January 14, 1999, January 28, 1999, February 11, 1999, February 25, 1999, March 11, 1999, March 25, 1999, and April 8, 1999 and considered all testimony; and

WHEREAS, The Planning Commission held a work session on April 22, 1999 to consider all the amendments concurrently, as required by WCC 20.90.070; and

WHEREAS, The Planning Commission has 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 20.90.070; and

WHEREAS, The County Council has considered the Planning Commission's Findings of Fact, Reasons for Action, and Recommendations for all the amendments, as required by WCC20.10.110; and

WHEREAS, The County Council decided to split the batch of proposed zoning map and text amendments into separate ordinances to allow for public hearings and adoption of revisions to some of the proposed amendments in advance of the other proposed amendments; and

WHEREAS, The County Council has developed alternate text which would be more appropriate to address this issue; and

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

FINDINGS

1. Notice of the Planning Commission hearing on the subject proposal was published in the Bellingham Herald on January 4, 1999.
2. A determination of non significance was issued by the SEPA official on November 4, 1998.
3. The Northwest Annex Property has a long history of multi-use public and recreational uses.
4. The land use on the Northwest Annex Property is compatible with the Rural, R5A zoning district.
5. The requirement of obtaining a conditional use permit for all improvements and additions on the Northwest Annex property creates an unnecessary delay on county projects and resultantly upon the public.
6. The proposed text amendment is in the public's best interest.
7. The proposed text amendment is in compliance with the Growth Management Act RCW 36.70A.
8. The proposed text amendment is supported by comprehensive plan policies and goals 4F-4, 9H, 9H-3 and 9H-9 and action plan item 11(Chapter 9).
9. The proposed text amendment is not in conflict with any County Wide Planning Policy.
10. The proposed text amendment does not constitute any threat to critical areas or to resource lands.

CONCLUSION

Amendments to the Official Whatcom County Zoning Ordinance text should be adopted as set forth in Exhibit 1.

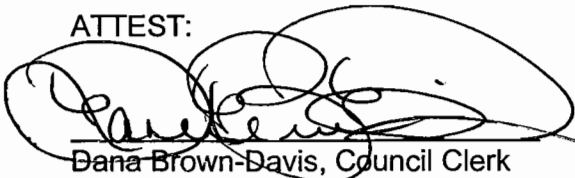
NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that:

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

Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of the 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 27th day of July, 1999

ATTEST:



Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Marlene Dawson, Chairperson

APPROVED as to form:

Approved Denied


Civil Deputy Prosecutor


Pete Kremen, Executive

Date: 8-4-99

Exhibit 1

20.36.050 Permitted Uses.

.060 Public uses associated with government office buildings; public works maintenance yards or facilities, such as shops; storage buildings; and athletic fields and associated facilities if located within the current county complex at Northwest and Smith Roads. Other government or quasi-government uses of similar or complementary type would also be allowed if such uses are compatible with the character of existing facilities and the surrounding neighborhood. Facilities that do not conform to the current pattern of use, including, but not limited to, jail facilities or hazardous waste facilities, that could reasonably be expected to arouse the concern or alarm of the public, or that is incompatible with the surrounding neighborhood, shall require normal conditional use review.