

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Sylvia Goodwin	SG	7/1/99	<b>RECEIVED</b>  <b>JUL 06 1999</b>  <b>WHATCOM COUNTY COUNCIL</b>	7/13/99	Introduction Council
Division Head: Sylvia Goodwin	SG	7/1/99		7/29/99	
Dept. Head: Michael T. Knapp, A.I.C.P.	MK	7/1/99			
Prosecutor Dave Grant	DMG	7-1-99			
Purchasing/Budget:					
Executive:	PH	7-6-99			

**SUBJECT:** Amendments to the Urban Fringe Subarea Plan regarding the Gateway Industrial areas on Map 6 and related amendments to Chapter 20.65 Gateway Industrial zoning.

**ATTACHMENTS:**

Ordinance 99-040 with attached Exhibit 1.82.  
 Staff report (dated 5/26/99) with Exhibits 1 through 4.  
 Revised Exhibit 1 (dated 6/10/99.)  
 Planning Commission Agency Report

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

Should Clerk schedule a hearing? ( ) Yes ( X ) NO  
 Requested Date:

**SUMMARY STATEMENT:**

The request is to amend the Urban Fringe Subarea Plan to clarify the intent of sections which address allowable uses and development standards within the Gateway Industrial areas on Map 6, and to amend Title 20, Chapter 20.65 Gateway Industrial District to further implement the Urban Fringe Subarea Plan.

The Director of Planning and Development Services recommends approval of this amendment.

**Distribution Request**

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

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Parks	
Planning	
Prosecutor	
Public Works	
Sheriff	
Superior Court	
Treasurer	
Other	

**COUNCIL ACTION TAKEN:**

1999 - 268 6/29/99: Introduced  
 7/27/99: Held in committee  
 8/10/99: Amended and adopted 4-2, Brenner, Hoag opposed,  
 Brown absent, Ord #99-040

**Related County Contract #:**

**Related File Numbers:** Res #99-012 & 99-022; CMP 99-0045

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

**ORD #99-040**

SPONSORED BY : Consent  
PROPOSED BY: Planning  
INTRODUCTION DATE: 6/29/99

ORDINANCE NO. 99-040

**ADOPTING AMENDMENTS TO THE URBAN FRINGE SUBAREA PLAN AND  
WHATCOM COUNTY CODE CHAPTER 20.65 GATEWAY INDUSTRIAL  
DISTRICT**

WHEREAS, The Whatcom County Council passed Resolution 99-012 on March 23, 1999 initiating 15 Comprehensive Plan amendments for review in 1999 and later adopted Resolution 99- 022 to expedite the processing of the amendments to the Urban Fringe Subarea Plan related to the Gateway Industrial zoned areas on Map 6; and

WHEREAS, the proposed amendments include amendments to the Urban Fringe Subarea Plan text as well as Chapter 20.65 of the Whatcom County Code; and

WHEREAS, The Deputy SEPA Official for Whatcom County issued determinations of non-significance on May 11, 1999; and

WHEREAS, Pursuant to RCW 36.70.390 and RCW 36.70.590, legal notice was published in the Bellingham Herald on May 27, 1999; and

WHEREAS, The Planning Commission held a public hearings on the proposed amendments on June 17, 1999, and considered all testimony;

WHEREAS, The Planning Commission held a work session on June 24, 1999; and

WHEREAS, The Planning Commission has evaluated the merits of the amendments 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 recommended approval of the amendments with minor modifications, as shown on attached Exhibits 1 and 2;

WHEREAS, The County Council has reviewed and adopted the following Findings and Conclusions recommended by the Planning Commission:

**FINDINGS**

- 1) Public notice was published in the Bellingham Herald on May 27, 1999.
- 2) The SEPA Official issued a determination of nonsignificance on May 11 1999.
- 3) The Urban Fringe Subarea Land Use Plan was adopted by the Whatcom County Council on June 2, 1998 as part of the Whatcom County Comprehensive Plan.
- 4) The Urban Fringe Subarea Plan includes clear recommendations limiting building size and increasing buffers within certain portions of the Urban Fringe Subarea, which will be implemented by zoning text amendments recommended to the County Council as part of the 1998 zoning amendments., dust, dirt, odors, smoke, toxic gases or fumes, heat, glare, vibration and release of pollutants, which are adequate

to ensure compatibility between mixed uses and visual harmony with the surrounding area.

- 5) The Urban Fringe Plan recommendations regarding Area 6 recommend a mix of Light Impact Industrial and Commercial uses in the areas designated for Gateway Industrial zoning, and do not recommend that the zoning text be amended other than to restrict the size of buildings and width of setbacks between commercial or industrial and residential uses.
- 6) The Gateway Zoning Text in place at the time the Urban Fringe Plan was adopted limits tourist commercial uses to "¼ mile of a full freeway interchange."
- 7) The proximity of the Gateway Industrial District to residential neighborhoods in the Urban Fringe Bakerview/I-5 area make a 75 foot height limit inappropriate for that area. The lower density zoning surroundings in the Birch Bay-Lynden Road Gateway Industrial District make a 75 foot height limit appropriate in the Birch Bay sub-area.

### **CONCLUSIONS**

- 1) The sentence in the first paragraph of page 18 of the Urban Fringe Plan: "*Uses in this zone are limited to those appropriate for a light industrial setting.*" Was not intended to prohibit commercial uses. The tourist commercial uses permitted in the Gateway Industrial zoning district are appropriate uses in a light industrial park setting.
- 2) The phrase in the first paragraph of page 18 of the Urban Fringe Plan: "*commercial uses are also allowed where the transportation system makes them appropriate...*" was intended to mean that those areas within ¼ mile of a freeway interchange, which are designated for tourist commercial uses in the Gateway Industrial zoning, are appropriate areas for tourist commercial uses.
- 3) The phrase in the first paragraph of page 18 of the Urban Fringe Plan: "*however, the design standards and buffering requirements are intended to discourage commercial uses except where they are clearly more appropriate than light industrial park uses.*" was not intended to prohibit commercial uses or require a conditional use review of each potential commercial use. This phrase means that the existing Gateway Industrial zoning standards regarding facility design, setbacks, landscaping, buffers, and signage, combined with the restrictive building size limitations specified in the Urban Fringe Plan would make the area unattractive to major commercial projects drawing customers from outside of the subarea, and would limit commercial uses to those which would serve the airport, industrial users, adjacent residential areas and the travelling public (as specified in the last paragraph on page 60 of the plan). No further design standards are necessary to implement this section of the Urban Fringe Subarea Plan.
- 4) The phrase in the second paragraph of page 18 of the Urban Fringe Plan: "standards for site design, landscaping, building, and signage design have been made integral parts of the comprehensive plan and zoning text rather than being adopted as part of a master plan by an individual developer." and the phrase under Locational Criteria 4.25 on page 19: "site design standards are contained within the zoning text to aid in the compatibility of mixed uses and the visual harmony with the surrounding areas." both refer to the standards included in the Gateway Industrial zoning text which was in place at the time the plan was adopted, together with the building size limitations and 100 foot setbacks specifically called for in the plan. No further design standards are necessary to implement this section of the Urban Fringe Subarea Plan.

- 5) Additional zoning text amendments are needed to implement the portion of Locational Criteria 4.25 on page 19 which states: "The Gateway Industrial designation should enhance and maintain the natural and economic resources of Bellingham and Whatcom County through land use patterns that avoid linear strip development, while providing for safe and efficient vehicular movement, by requiring that individual sites are designed in a clustered or concentrated form of development instead of lining the road frontage." The proposed amendments to Title 20 to add a new section 20.65.450 Site Design will fully implement this portion of the Urban Fringe Plan.
- 6) Revision to section 20.65.400 to limit height to 45 feet in the Urban Fringe subarea would make future uses more compatible with the adjacent residential area.

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

Section 1. The Urban Fringe Subarea Plan and Official Whatcom County Zoning Ordinance text (Chapter 20.65) are hereby amended as shown in the attached Exhibits 1 and 2.


Section 2. That those portions of the Whatcom County Code Title 20, Chapter 20.65 and 20.80 which pertain to development within the Urban Fringe Subarea Land Use Plan, as amended, be readopted as development regulations to implement the Urban Fringe Subarea Plan.

Section 3. 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 10 day of <sup>August</sup>~~July~~, 1999

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

  
Dana Brown-Davis, Council Clerk

  
Marlene Dawson, Chairperson

APPROVED as to form:

Approved     Denied

  
Civil Deputy Prosecutor

  
Pete Kremen, Executive

Date: 8-13-99

**EXHIBIT 1**  
**URBAN FRINGE SUBAREA PLAN AMENDMENTS**

The Gateway Industrial Section of Chapter IV. on page 17-19 of the Urban Fringe Plan is amended as follows:

Gateway Industrial

Whatcom County's economy is significantly influenced by its proximity to Canada and the large population in Vancouver, B.C., and this role is anticipated to continue in the future. The I-5 corridor and the Bellingham International Airport function as gateways into Whatcom County and the City of Bellingham. It is through these gateways that travelers form their first impressions of the community. To augment the positive impact of international markets, it is desirable to provide a reasonable supply of land for a variety of light industrial uses that would be attractive to travelers using the major international traffic corridors. ~~Uses in this zone are limited~~ The Gateway Industrial zoning district limits uses in this zone to those appropriate for a light industrial park setting. In order to foster the economic vitality of the area, commercial uses are also allowed within ¼ mile of a full freeway interchange where the transportation system makes them appropriate; however, the design standards and buffering requirements included in the Gateway Industrial zoning text are intended to discourage limit commercial uses except where they are clearly more appropriate than light industrial park uses to uses designed to serve the airport, industrial users, adjacent residential areas and the travelling public, and are compatible with a light industrial park setting.

Light industrial parks frequently are large land areas that are master planned for aesthetic and functional compatibility, but can be composed of small tracts of land in different ownerships, whereby industrial uses occur independently but under overall design standards. To take advantage of the opportunity to present a positive business image of Bellingham and Whatcom County to travelers and because of the relatively small parcel sizes in the area, standards for site, landscaping, building, and signage design have been made integral parts of the comprehensive plan and are included in the Gateway Industrial zoning text rather than being adopted as part of a master plan by an individual developer.

**EXHIBIT 2**  
**GATEWAY INDUSTRIAL [GI] DISTRICT AMENDMENTS**

**20.65.050 Permitted Uses**

The following permitted and accessory uses shall be allowed subject to an evaluation by the zoning administrator pursuant to the provisions of this chapter and Chapter 20.80 WCC. No permitted or conditional use shall be issued a building permit without provision of public sewer and water as defined in Chapter 20.97 WCC except as provided in WCC 20.65.058 and 20.65.654. Further, each permitted and accessory use shall be administered pursuant to the applicable provisions of the Whatcom County SEPA Ordinance, the Whatcom County Subdivision Ordinance and the Whatcom County Shoreline Management Program.

.051 General office buildings, business firm headquarters and professional offices.

.052 Custom brokerage houses, freight terminals, indoor warehousing and storage, parcel delivery service, freight forwarding, inspection weighing services, and indoor packaging and crating.

.053 Wholesale trade or sales of industrial equipment, including indoor storage of durable and nondurable goods, and outdoor storage of new or reconditioned equipment where such outdoor storage areas individually meet all of the design and development standards.

.054 Light impact industrial uses that are primarily related to services, distribution, manufacture and assembly of finished products, are contained within buildings except as provided in WCC 20.65.103.

.055 The following uses within 1/4 mile of a freeway interchange, except that where this boundary divides a single parcel up to 10 percent of the area of a parcel that lies outside of this boundary may be included within it for the purposes of lot coverage and open space provisions.

(1) Retail shops, provided they do not exceed 10,000 square feet per shop in Planning Areas 1 and 2, identified on Map 6 of the Urban Fringe Subarea Plan and as described in the text of the Urban Fringe Subarea Plan; Map 6: West Bakerview/I-5 Interchange Area, as adopted May 19, 1998. Retail shops in other areas may not exceed 35,000 square feet per retail shop:

(2) Tourist information centers.

(3) Post offices.

(4) Repair garages, and towing services when based at a service station.

(5) Banks and/or bank machines.

(6) Hotels and motels.

(7) Indoor or outdoor commercial recreational facilities.

.056 The following uses, provided that maximum allowable floor area of buildings on parcels located beyond ¼ mile of a freeway interchange shall not exceed 6,000 square feet per individual use or an aggregate of 30,000 square feet within a single development:

- (1) Barber and beauty shops.
- (2) Bakery shops.
- (3) Drug stores, hardware stores, food markets and other convenience retail shops.
- (4) Adult or child care centers.
- (5) Recreational vehicle parks and associated sales and service facilities.
- (6) Churches.
- (7) Service stations.
- (8) Laundry and dry cleaning establishments.
- (9) Eating and drinking establishments.
- (10) Commercial storage of personal recreational boats and trailers, recreational vehicles and accompanying mini-storage.

.057 Agriculture, including commercial horticulture and tree farming, but excluding intensive animal husbandry, with or without public services as long as services meet the requirements of the fire code and the health department.

.058 Public uses which because of locational requirements are necessary in the Gateway Industrial District.

.059 One residential unit for owner-manager or caretaker when part of a building in which the primary use is located.

.060 One existing single-family unit per lot.

#### **20.65.400 Height Limitations.**

Maximum building height shall not exceed 35 feet, except that an additional foot in height is allowed for each one foot increase in setback in the yard adjoining the interstate highway up to 45 feet in the West Bakerview/I-5 Interchange area of the Urban Fringe Subarea and up to 75 feet in the Birch Bay-Lynden Road area of the Blaine Birch Bay Subarea. Height of structures, where applicable, shall also comply to general requirements of WCC 20.80.675.

**20.65.450 Site Design.**

Within the Gateway Industrial areas designated on Map 6 of the Urban Fringe Subarea Plan, individual sites shall be designed in a clustered or concentrated form of development instead of lining the road frontage

**20.65.550 Buffer Area.**

When a parcel situated within this district adjoins an Urban Residential, Urban Residential Medium Density, Rural or Residential Rural District, side and rear yard setbacks shall be increased to 25 feet. In Planning Areas 2 and 3, identified on Map 6 of the Urban Fringe Subarea Plan, buffer areas shall be increased to 100 feet for major commercial or industrial projects which exceed 5,000 square feet of floor area in one building or complex or generate more than 50 vehicle trips per day. Said area shall be landscaped consistent with the requirements of WCC 20.80.345. Use of buffer areas and setbacks for bicycle and pedestrian trails is encouraged.