

CLEARANCES		Date	Date Received in Council Office	Agenda Date	Assigned To
Orig. Dept.:	Planning & Develop	7/28/99		8/10/99	Council
Division Head:					
Dept. Head:					
Prosecutor:					
Budget:					
Executive:					

SUBJECT:

Ordinance amend WCC 16.04 regarding Comprehensive Plan goals

ATTACHMENTS

Ordinance

SUMMARY STATEMENT:

Related County Contract #:	Should the Clerk schedule a hearing? (Y/N N Requested Date:
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This ordinance would amend the text of the Whatcom County Code to reconcile the adoption of the new Whatcom County Comprehensive Plan in May 1997 with the existing language of Chapter 16.05 WCC pertaining to comprehensive plans. The current language of WCC 16.04 references goals and policies of the previous Whatcom County Comprehensive Plan. With the adoption of the new comprehensive plan, the language of this chapter requires revision.

RECOMMENDED MOTION (for final action):

COUNCIL ACTION TAKEN:

1999 - 287 7/27/99: Introduced
 8/10/99: Adopted 5-1, Hoag opposed, Brown absent, Ord. #99-042

Related File Numbers:

Ordinance or Resolution Number (this item only):

ORD. # 99-042

SPONSORED BY : Planning
PROPOSED BY: Consent
INTRODUCTION DATE: 7/27/99

ORDINANCE NO. 99-042

**ADOPTING AMENDMENTS TO CHAPTER 16.04 OF THE WHATCOM
COUNTY CODE REGARDING COMPREHENSIVE PLAN GOALS**

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 proposed amendment to Chapter 16.04 was docketed and processed along with the 1998 batch of zoning text amendments; 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 decided to split the batch of proposed zoning map and text amendments into separate ordinances to allow adoption of some of the proposed amendments in advance of the other proposed amendments; 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 finds that the proposed code amendments conform to the Growth Management Act and are consistent with and implement the Comprehensive Plan; and

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

FINDINGS

The Whatcom County Council adopts the Planning Commission's findings relating to the code amendments as set forth in their Findings of Fact, Reasons for Action, and Recommendations, which are attached as Exhibit 1.

CONCLUSION

Amendments to the Official Whatcom County Code should be adopted as set forth in the Planning Commission's Findings of Fact, Reasons for Action, and Recommendations.

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

Section 1. The Official Whatcom County Code Chapter 16.04 is hereby amended as shown in the attached Exhibit 2.

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.

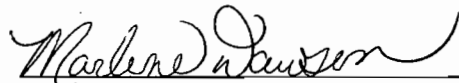
ADOPTED this 10th day of August, 1999

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



Dana Brown-Davis, Council Clerk

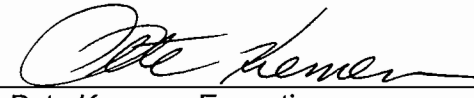


Marlene Dawson, Chairperson

APPROVED as to form:


Civil Deputy Prosecutor

Approved Denied


Pete Kremen, Executive

Date: 8-13-99

EXHIBIT 1

File # 53-98:ZT - Amendment to Chapter 16.04 WCC re: Comprehensive Plan

Applicant: Whatcom County Planning and Development Services
5280 Northwest Drive
Bellingham, WA 98226

Description of Proposal: The proposed amendment covered by this staff report is part of the ongoing code scrub effort undertaken as part of the regulatory reform program initiated by the County in 1994.

The request is for the approval of the necessary amendments to the text of the Whatcom County Code to reconcile the adoption of the new Whatcom County Comprehensive Plan in May 1997 with the existing language of Chapter 16.04 WCC pertaining to comprehensive plans. The current language of WCC 16.04 references goals and policies of the previous Whatcom County Comprehensive Plan. With the adoption of the new comprehensive plan, the language of this chapter requires revision.

Findings of Fact:

1. Notice of the Planning Commission hearing on the subject proposal was published in the Bellingham Herald on January 4, 1999.ublished in the Bellingham Herald.
2. SEPA: The proposed amendment is a procedural action categorically exempt from SEPA (WAC 197-11-800(20)).
3. Staff finds that the proposed amendment to Chapter 16.04 WCC is a housekeeping amendment for the purpose of reconciling the language of this chapter with the fact that the Whatcom County Council adopted a new comprehensive plan in 1997.
4. Staff finds that codifying the goals of the new comprehensive plan is unnecessarily and cumbersome since the County Council by ordinance has already adopted the 1997 Whatcom County Comprehensive Plan together with all of it's goals and policies. All of the goals and policies of the 1997 Comprehensive Plan are currently in full force and effect consistent with the state growth management act, RCW 36.70A

Planning Commission Recommendation:

Planning Commission recommends approval of the following text:
Ayes: 7 Nays: 0 Absent: 2

Exhibit 2

Amendments Chapter 16.04 WCC Regarding Comprehensive Plan Goals

Chapter 16.04 of the Whatcom County Code is amended to read as follows:

Chapter 16.04 COMPREHENSIVE PLAN

Sections:

- 16.04.010 Plan Approved
- 16.04.020 Amendments - Review and Approval Process ~~Goal Statement Adopted~~
- ~~16.04.030 Regional Design Goals~~
- ~~16.04.040 Growth Management Goals~~
- ~~16.04.050 Land Use Goals~~
- ~~16.04.060 Cultural and natural resource goals~~
- ~~16.04.070 Citizen Involvement and intergovernmental coordination~~

16.04.010 Plan Approved

On May 27, 1997 the Whatcom County Council approved Ordinance #97-023 and by so doing adopted the Official Comprehensive Plan for Whatcom County, replacing the 1970 Comprehensive Plan and replacing the adopted Interim Urban Growth Areas. The board of commissioners approved and certified the Whatcom County comprehensive plan as prepared and approved by the Whatcom County planning commission pursuant to RCW 36.70.320. (Ord. 93-048 (part); prior code § 2.12.010).

16.04.020 Amendments - Review and Approval Process. ~~Goal statements adopted.~~

Amendments to the Official Comprehensive Plan for Whatcom County shall be initiated, reviewed and approved as set forth in Chapter 20.10 WCC. The Whatcom County Council goes on record as reaffirming and adopting the Whatcom County comprehensive plan goal statements as formulated by the planning commission and as set forth in Section 16.04.030 through 16.04.070. (Res. 79-14).

~~16.04.030. Regional design goals.~~

~~Regional design goals are as follows:~~

~~A. Future urban development should occur within or immediately adjacent to existing urban areas in order to eliminate sprawl and strip development, assure the provisions of an adequate range of urban services, conserve agriculture and forestry lands, optimize investments in public services and conserve energy resources.~~

~~—— B. Future development in rural areas should be low density, complement existing rural character, contribute to the conservation of agricultural and forest lands and not result in demands for urban level services. (Res. 79-14 Ex. A(1))~~

~~**16.04.040 Growth management goals.**~~

~~—— Growth management goals are:~~

~~—— A. To promote a conscientious program designed to plan, guide and influence the appropriate location, timing, intensity, type and servicing of diverse land use patterns;~~

~~—— B. To determine the required amounts of land anticipated to be utilized with the planning period (15 years) while retaining options for future land use decisions beyond the planning period.~~

~~—— C. To encourage a predictable pattern of urban and rural development which utilizes previously committed land areas and existing facility investments before committing new areas for development;~~

~~—— D. To ensure that a beneficial balance exists between the supply and demand for public services; to encourage the cooperation among the municipalities, special districts, and associations in the planning and provision of public services; and to discourage the proliferation of unnecessary special purpose districts;~~

~~—— E. To develop a concise, equitable, and practical set of land use regulations intended to implement the goals, policies and proposals of the county comprehensive plan in a timely and orderly fashion. (Res. 79-14 Ex. A(III))~~

~~**16.04.050 Land use goals.**~~

~~—— Land use goals are as follows:~~

~~—— A. The conservation of the agricultural and forest lands of Whateom County for the continued production of food, forage, and timber crops while promoting the expansion and stability of the county's agricultural and forestry economies;~~

~~—— B. Urban residential development should be planned in areas that can be economically and efficiently served with existing or planned services, can optimize energy use, can function as integral neighborhood units and can environmentally support intensive land use;~~

~~—— C. Adequate community and neighborhood commercial facilities should be encouraged in appropriate locations while avoiding incompatible land uses and the proliferation of unnecessary new commercial areas;~~

~~—— D. The encouragement of a balanced and diversified economy in order to assure desirable local employment opportunities and to strengthen and stabilize the tax base; the accommodation of anticipated economic development in an environmentally responsible manner with due consideration for public costs, energy availability, land use compatibility and transportation accessibility;~~

~~—— E. The promotion of the availability of economical and attractive housing for all income, age and ethnic groups, while also enhancing the integrity and identity of existing communities;~~

~~—— F. The promotion of a functional, coordinated and multimode transportation system which provides for safe and efficient movements of people and goods;~~

~~avoids undesirable environmental impacts, and optimizes public investments and the conservation of energy resources;~~

~~—— G. Adequate facilities and services which provide diverse education, recreation, cultural and social opportunities should be encouraged. (Res. 79-14 Ex. A(III)).~~

~~**16.04.060 Cultural and natural resources goals:**~~

~~—— The goals relating to cultural and natural resources are:~~

~~—— A. To identify and manage environmentally sensitive areas in such a manner as to prevent destruction of the resource base and reduce potential losses to property and human life:~~

~~—— B. To continue the identification of cultural and natural resources and formulate viable methods to preserve and conserve such resources in recognition of their irreplaceable character:~~

~~—— C. To promote a park and recreation system which is integrated with existing and planned land use patterns and is diverse and abundant and assures maximum public access and usage. (Res. 79-14 Ex. A(IV)).~~

~~**16.04.070 Citizen involvement and intergovernmental coordination:**~~

~~—— A. To assure opportunity for citizens to be involved in the formulation of land use goals, policies and proposals and to provide a structure for citizen participation in the planning programs of federal, state, regional and local agencies:~~

~~—— B. To participate in intergovernmental coordination with federal, state, provincial, regional and local agencies, to develop a coordinated approach to problems which transcend local government bodies to create an environment for the exchange of information and technical assistance. (Res. 79-14 Ex. A(V)).~~