

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 1999 - 297

CLEARANCES		Date	Date Received in Council Office	Agenda Date	Assigned To
Orig. Dept.:	Planning & Develop	08/03/1999		08/10/1999	Planning & Development
Division Head:				9.28.99	PLANNING/COUNCIL
Dept. Head:					
Prosecutor:					
Budget:					
Executive:					

SUBJECT:

Discussion regarding amending Title 20.44.100, Accessory Uses (File #58-98-ZT)

ATTACHMENTS

SUMMARY STATEMENT:

Related County Contract #:	Should the Clerk schedule a hearing? (Y/N)	Requested Date:
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Ordinance amending Whatcom County Code Title 20.44.100, Accessory Uses (file #58-98-ZT)

RECOMMENDED MOTION (for final action):

COUNCIL ACTION TAKEN:

1999 - 297 8/10/99: Discussed in committee and introduced at full council
 9/28/99: Adopted 7-0, Ord. #99-050

Related File Numbers:

Ordinance or Resolution Number (this item only):

ORD. # 99-050

SPONSORED BY : Consent
PROPOSED BY: Planning
INTRODUCTION DATE: July 27, 1999

ORDINANCE NO. 99-050

**ADOPTING AMENDMENTS TO THE WHATCOM COUNTY
ZONING TEXT CHAPTER 20.44 RECREATIONAL OPEN SPACE**

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 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 proposed text amendment is in the public's best interest.
4. The proposed text amendment is in compliance with the Growth Management Act RCW 36.70A.
5. 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).
6. The proposed text amendment is not in conflict with any County Wide Planning Policy.
7. 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 28 day of ~~August~~^{Sept} 1999

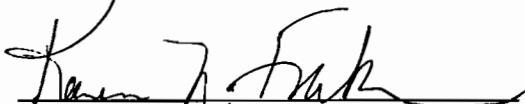
ATTEST:


 Dana Brown-Davis, Council Clerk

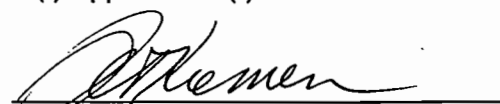
WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


 Marlene Dawson, Chairperson

APPROVED as to form:


 Civil Deputy Prosecutor

Approved Denied


 Pete Kremen, Executive

Date: 10-1-99

Exhibit 1

20.44.100 Accessory uses.

.110 Rental of bicycles and non-internal combustion water craft, provided that any structures used for such a purpose shall be no larger than 500 square feet in total area.

.111 Stand alone refreshment stands, with no indoor seating, used seasonally or intermittently, to be no larger than 300 square feet in total area.

Amend WCC 20.44 under Conditional uses to make the following changes:

20.44.150 Conditional uses.

.153 Rental of horses, bicycles, and non-internal combustion watercraft and golf carts.

.154 Refreshment stands over 300 square feet in total area and restaurants.

.164 Rental of bicycles and non-internal combustion water craft using structures larger than 500 square feet in total area.