

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 1999 - 382

CLEARANCES	Date	Date Received in Council Office	Agenda Date	Assigned To
Orig. Dept.: County Council	9/29/99	RECEIVED SEP 29 1999 WHATCOM COUNTY COUNCIL	9/28/99	Introduction
Division Head:			10/12/99	COUNCIL / PED
Dept. Head:				
Prosecutor:				
Budget:				
Executive:				

SUBJECT:

Ordinance adopting amendments to WCC 20.97, to add definition for "Aquaculture"

ATTACHMENTS

SUMMARY STATEMENT:

Related County Contract #:	Should the Clerk schedule a hearing? (Y/N)	Requested Date:
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Ordinance adopting amendments to Whatcom County Code 20.97, to add a definition for "Aquaculture"

RECOMMENDED MOTION (for final action):

COUNCIL ACTION TAKEN:

1999 - 382 9/28/99: Introduced
 10/12/99: Adopted 7-0, Ord. #99-057

Related File Numbers:

Ordinance or Resolution Number (this item only):

ORD. # 99-057

SPONSORED BY: Planning
PROPOSED BY: Planning
INTRODUCTION DATE: 9/28/99

ORDINANCE NO. 99-057

**ADOPTING AMENDMENTS TO THE WHATCOM COUNTY
ZONING TEXT CHAPTER 20.97 TO ESTABLISH A DEFINITION FOR THE
TERMS "AQUACULTURE" AND "MARICULTURE"**

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. Public notice was published November 26, 1998 in the Bellingham Herald.

2. SEPA: A Declaration of Non-Significance was issued for the proposed amendments on November 4, 1998.
3. Staff finds that there is a need to provide a definition in the Title 20 for the term "Aquaculture" and "Mariculture" as those terms are used in that Title. Staff finds that for consistency, the definition of aquaculture found in the County's Shoreline Program, with suitable modification to fit the application of the term to Title 20, should be used in Title 20 as well and that the word Mariculture be defined. Staff finds that the proposed amendment will not affect how aquaculture and mariculture activities are regulated in Title 20 and will not adversely affect the public health, safety and welfare.

CONCLUSION

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

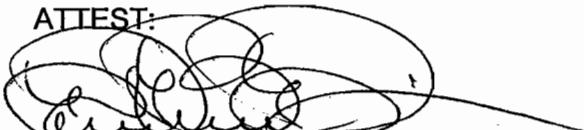
NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that:

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 12 day of October, 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: 10-19-99

EXHIBIT 1

20.97 Definitions: *Add new definitions for the term "Aquaculture" and "Mariculture" under 20.97 -Definitions.*

20.97.017 Aquaculture

The farming or culture of food fish, shell fish, or other aquatic plants or animals in fresh or salt water areas and may require development such as fish hatcheries rearing pens, and structures and shellfish rafts, as well as use of natural spawning and rearing areas. The term aquaculture also includes activities related to either growing, handling, or harvesting of aquatic produce, such as fish and crab, including but not limited to, propagation, stocking, holding, nurturing, disease treatment, waste disposal, water use, development of habitat and structures.

20.97.224 Mariculture

A term for aquaculture conducted in a marine environment.