

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Author: Matt W. Aamot	MA	10-15-99	<b>RECEIVED</b> <b>OCT 19 1999</b> <b>WHATCOM COUNTY COUNCIL</b>	10-26-99	Council Introduction
Division Head: Sylvia Goodwin	SG	10-15-99		11-9-99	Planning & Development Committee
Dept. Head: Michael T. Knapp	MTK	10-15-99		11-23-99	P&D/COUNCIL
Prosecutor: Dave Grant	DG	10-15-99			
Purchasing/Budget:	DB	10/19/99			
Executive: Pete Kremen	PK	10-19			

**SUBJECT:** Ordinance adopting Comprehensive Plan amendments, along with associated zoning amendments, relating to the Warnick Amendment (File # CMP99-00012).

**ATTACHMENTS:**

- (1) Proposed Ordinance.

SEPA review required? ( x ) Yes ( ) NO	Should Clerk schedule a hearing? ( ) Yes ( x ) NO
SEPA review completed? ( x ) Yes ( ) NO	Requested Date:
<sup>1</sup> The Council must hold a hearing if they want to change the Planning Commission's recommendation (WCC 20.10.110 and WCC 20.90.090).	

**SUMMARY STATEMENT:** The request is to adopt amendments to the Whatcom County Comprehensive Plan and associated changes to the zoning redesignating 2 acres from Rural Forestry to Rural one dwelling/five acres. Additionally, a nearby piece of property, which is also 2.92 acres, would be redesignated from Rural one dwelling/five acres to Rural Forestry so there would be no net loss of forestry land.

The Growth Management Act requires that Comprehensive Plan amendments be considered only once per year, with certain exceptions. All amendments must be considered concurrently. In 1999, the County Council initiated 13 amendments for review under Resolution No. 99-012. The Planning Commission held multiple hearings to consider these amendments. The Planning Commission took a final vote on the package of the 13 amendments on October 14, 1999. The Council is requested to adopt the Planning Commission's recommendations or, alternatively, to hold a hearing and adopt modifications to the Commission's recommendations. The Council can not adopt the amendments until 60 days after they were sent to the State Department of Community, Trade & Economic Development, which occurred on September 23, 1999 (RCW 36.70A.106/WAC 365-195-620). Additionally, the amendments have to be adopted prior to or along with the budget (WCC 20.10.040). Therefore, it appears that the request should be voted on at the Council's November 23, 1999 meeting.

**COUNCIL ACTION TAKEN:**

1999 - 408 10/26/99: Introduced  
 11/9/99: Held in Committee  
 11/23/99: Adopted 7-0, Ord. #99-077

**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	Michael Bobbink
Jail	
Juvenile	
Parks	
Planning	Michael T. Knapp
Prosecutor	
Public Works	
Sheriff	
Superior Court	
Treasurer	
Other	

Related File Numbers: AB99-074

Ordinance or Resolution Number (this item): **ORD.# 99-077**

ORDINANCE NO. 99-077

**AMENDING THE WHATCOM COUNTY  
COMPREHENSIVE PLAN MAP AND TITLE 20 ZONING MAP RURAL AND RURAL  
FORESTRY DESIGNATIONS FOR 5.84 ACRES IN THE FOOTHILLS SUBAREA  
(WARNICK AMENDMENT)**

**WHEREAS**, The Whatcom County Council passed Resolution 99-012 on March 23, 1999 initiating 13 Comprehensive Plan amendments, and related amendments to the Official Whatcom County Zoning Ordinance (Title 20), for review in 1999; and

**WHEREAS**, One of the proposed amendments is a request to amend the Rural and Rural Forestry Comprehensive Plan and Zoning Ordinance map designations in section 2, T39N, R6E, W.M.; and

**WHEREAS**, The Deputy SEPA Official for Whatcom County issued a determination 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 July 23, 1999; and

**WHEREAS**, The Planning Commission held a public hearing on the subject amendment on August 11, 1999 and considered all testimony;

**WHEREAS**, The Planning Commission held a work session on October 14, 1999 to consider all the amendments concurrently, as required by WCC 20.10.100, WCC 20.90.070, and WCC 20.90.040; and

**WHEREAS**, The Planning Commission 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 20.10.100 and WCC 20.90.070; and

**WHEREAS**, The Planning Commission issued Findings of Fact & Reasons for Actions, Conclusions and Recommendations on the amendments; and

**WHEREAS**, the County Council has considered the Planning Commission's Findings of Fact & Reasons for Action, Conclusions, and Recommendations for all the amendments, as required by WCC 20.10.110 and WCC 20.90.080; and

**WHEREAS**, the County Council has considered all the amendments concurrently so that the cumulative effect of the various proposals can be ascertained, as required by the Growth Management Act (RCW 36.70A.130) and WCC 20.10.010; and

**WHEREAS**, the County Council finds that the Comprehensive Plan amendments recommended by the Planning Commission conform to the Growth Management Act and that the amendments to the Official Whatcom County Zoning Ordinance recommended by the Planning Commission are consistent with and implement the Comprehensive Plan; and

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

## **FINDINGS**

1. Notice was mailed to the owners of the subject property, as shown on the records of the County Assessor, and to owners of properties within 300' of the subject property on July 30, 1999, published in the Bellingham Herald on July 23, 1999 and posted on July 30, 1999.
2. A determination of nonsignificance was issued by the SEPA Official on May 11 1999.
3. The request is for an amendment to the official Whatcom County Comprehensive Plan map and to the official Whatcom County Zoning map from the designation of Rural to the designation of Rural Forestry for 2.92 acres and from the designation of Rural Forestry to Rural for 2.92 acres.
4. The portion of property designated R5A on the upper slopes of the Steiner property is more conducive to Rural Forestry designation and use.
5. The portion of the Steiner property in the Rural Forestry designation on the flatter, lower ground is more conducive to the Rural Five Acre designation and rural land uses.
6. There is no increase in the potential number of lots allowed between the two properties.
7. The reconfiguration of the Rural Forestry zone will alleviate possible conflict between the Rural designation and the Commercial Forestry designation.
8. There is no overall change in acreage size to either the Rural Five Acre designation or the Rural Forest designation.
9. Rural zoning allows commercial forestry as an out-right permitted use and therefore is compatible as an adjacent zone to Rural Forestry and Commercial Forestry.
10. The large lot size required within the Rural zone (in this case 5 acres) provides ample opportunity for properties adjacent to Rural Forestry to include adequate buffering for commercial forestry activities.

## **CONCLUSION**


1. The proposal complies with the Comprehensive Plan and the overall intent of the Growth Management Act.

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

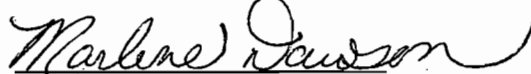
Section 1. The map of the Whatcom County Comprehensive Plan and Official Whatcom County Zoning Ordinance is hereby amended as shown on Exhibit 1.

Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this 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.

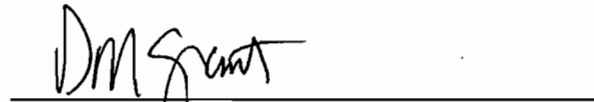
ADOPTED this 23 day of November 1999.

ATTEST:  
  
Dana Brown-Davis, Council Clerk

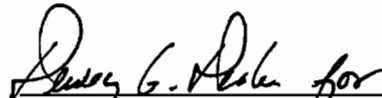
WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

  
Marlene Dawson, Chairperson

APPROVED as to form:

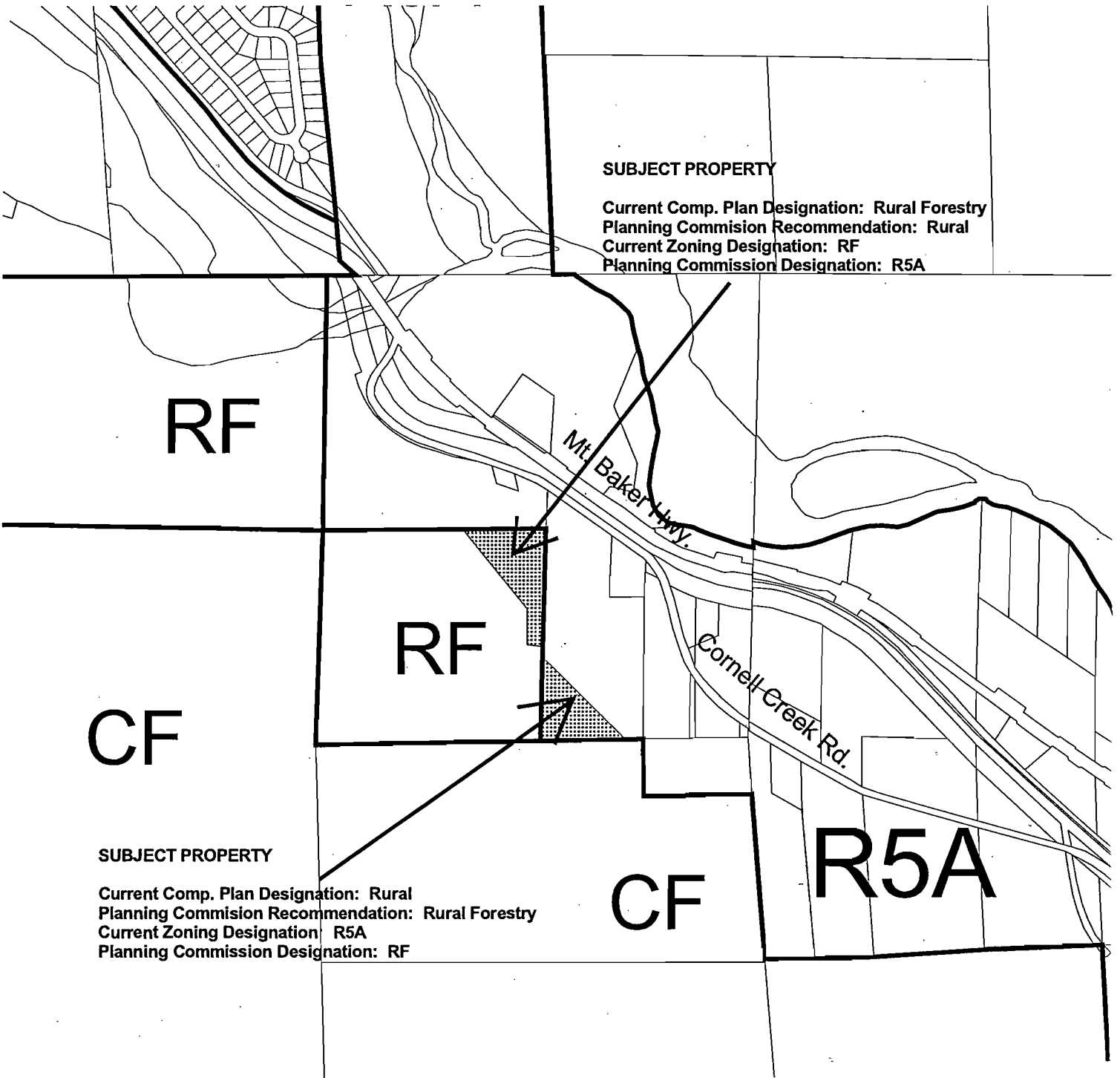
  
Civil Deputy Prosecutor

Approved  Denied

  
Pete Kremen, Executive

Date: 12/2/99

# Exhibit 1



The information provided on this map is for illustrative purposes only and is not intended to be used for finding of fact.

## Warnick Amendment

File: CMP99-000012



GIS