

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2006 - 132

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
<i>Originator:</i>		2/28/2006		2/28/2006	Council
<i>Division Head:</i>					
<i>Dept. Head:</i>					
<i>Prosecutor:</i>					
<i>Purchasing/Budget:</i>					
<i>Executive:</i>					

TITLE OF DOCUMENT:

Emergency ordinance rescinding Urban Growth designation for Sudden Valley.

ATTACHMENTS:

<i>SEPA review required?</i> () Yes () NO	<i>Should Clerk schedule a hearing ?</i> () Yes () NO
<i>SEPA review completed?</i> () Yes () NO	<i>Requested Date:</i>

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Emergency ordinance rescinding Urban Growth designation for Sudden Valley.

COMMITTEE ACTION:

COUNCIL ACTION:

2/28/06: Council adopted the emergency ordinance. 5-1-1 with Nelson opposed and Crawford absent.

Related County Contract #:

Related File Numbers:

Ordinance or Resolution

Number: Ord 2006-011

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

PROPOSED BY: Consent

SPONSORED BY: Seth Fleetwood

INTRODUCED: February 28, 2006

ORDINANCE NO. 2006-011

ENACTING AN EMERGENCY TEXT AMENDMENT TO THE COMPREHENSIVE PLAN
MAP AND ASSOCIATED TEXT PROVISIONS -- RESCINDING THE URBAN GROWTH
DESIGNATION FOR SUDDEN VALLEY

WHEREAS, the provisions of WCC 20.10.060 indicate that proposed Comprehensive Plan amendments shall be docketed for consideration once per year; and

WHEREAS, the provisions of WCC 20.10.070 provide for the initiation of "emergency" amendments outside of the annual amendment cycle to process an amendment for the purpose of resolving an appeal of the Comprehensive Plan filed with the Growth Management Hearings Board or with the court; and

WHEREAS, the provisions of WCC 20.10.030(3) permit that emergency amendments may be reviewed and acted upon outside the annual amendment review cycle and that emergency amendments may be adopted by emergency ordinance pursuant to section 2.40 of the Whatcom County Charter when immediate rather than expeditious action is required; and

WHEREAS, The Whatcom County Charter, Section 2.40 permits adoption of emergency ordinances to support county government and its existing institutions when passed by a two thirds vote of the County Council; and

WHEREAS, Whatcom County is presently in litigation defending the right of Sudden Valley to incorporate at a time when the majority of the Whatcom County Council opposes such incorporation; and

WHEREAS, Whatcom County opposes the future City of Sudden Valley because it creates the prospect of increased urban development in precisely the location that Whatcom County policy has sought to avoid increased development; and

WHEREAS, a group of citizens who reside in Sudden Valley have filed notice of proposed incorporation; and

WHEREAS, rescinding the Urban Growth Area designation significantly reduces the likelihood of future incorporation and resolves pending litigation; and

WHEREAS, the Whatcom County finds that the rescission of the provisional Urban Growth Area designation does not impose an undue burden upon property owners; and

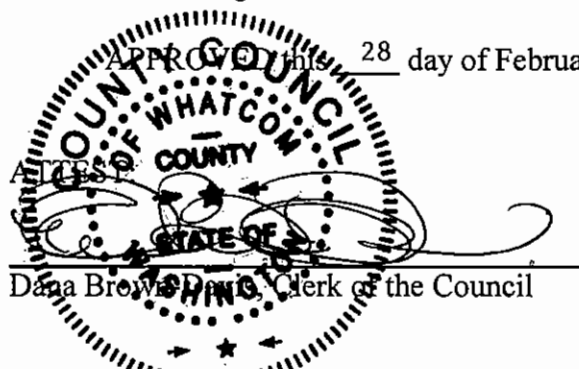
NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that the Whatcom County Comprehensive Plan, Chapter two, be amended as follows:

The official Whatcom County Comprehensive Land Use Map be amended to delete references that designate Sudden Valley as a provisional Urban Growth Area;

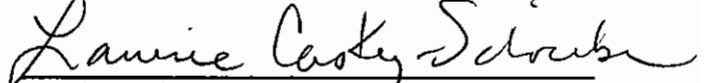
Goal 2AA be amended to delete reference to Sudden Valley; and that policy 2AA-20 ("Recognize Sudden Valley as a provisional County Urban Growth Area, not associated with an existing city"); Goal 2AA-21 ("Study Sudden Valley to identify the factors necessary to create an economically viable city, the implications of such development within the County overall, and make recommendations as to whether, and, if feasible, how such action should be addressed") be deleted;

Goal 2AA-24 ("If incorporation has not been accomplished by the end of 2006, the Sudden Valley Provisional UGA will be designated as a "Recreational Subdivision") be amended to read "If incorporation has not been accomplished by February 28th, 2006, the Sudden Valley Provisional UGA will be designated as a "Recreational Subdivision."

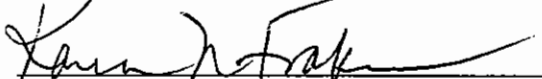
APPROVED this 28 day of February, 2006.


Dana Brown, Clerk of the Council

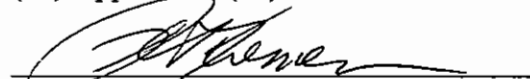
WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Laurie Caskey-Schreiber, Council Chair

APPROVED AS TO FORM:


Civil Deputy Prosecutor

Approved Denied


Pete Kremen, County Executive