

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Cathy Craver	CC	07/12/07	RECEIVED JUL 17 2007 WHATCOM COUNTY COUNCIL	07/24/07	Introduction
Division Head: Linda J. Peterson	LP	7-13-07		08/07/07	Hearing
Dept. Head: J.E. J.E. "Sam" Ryan	GER	7-13-07		9/25/07	Council
Prosecutor: Royce Buckingham	RF	7/13/07			
Purchasing/Budget:					
Executive: Pete Kremen	PK	7-16-07			

TITLE OF DOCUMENT:
An Interim Ordinance for the UR and URM zoning districts in the Bellingham Urban Growth Area relating to Density, Lot Clustering, and Reserve Tracts.

ATTACHMENTS:
(1) Proposed Interim Ordinance

SEPA review required? (X) Yes () NO	Should Clerk schedule a hearing? (X) Yes () NO
SEPA review completed? (X) Yes () NO	Requested Date: August 7, 2007

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:
Adopt an interim ordinance that would apply regulations related to lot clustering, reserve tracts, and water and sewage disposal to the UR and URM zoning districts in the Bellingham Urban Growth Area (UGA). The interim ordinance would implement necessary regulatory mechanisms until the update to the Bellingham Subarea Plan is adopted.

COMMITTEE ACTION:	COUNCIL ACTION: 7/24/2007: Introduced 8/07/2007: Scheduled for adoption on 9/25/07 or later 9/25/2007: Council Adopted 7-0 Ord. 2007-051
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Related County Contract #:	Related File Numbers ZON 2007-00007	Ordinance or Resolution Number: Ord. 2007-051
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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.

SPONSORED BY: Consent

PROPOSED BY: Planning

INTRODUCTION DATE: 7/24/07

ORDINANCE NO. 2007-051

ADOPTING AN INTERIM ORDINANCE FOR THE UR & URM ZONING DISTRICTS IN THE BELLINGHAM URBAN GROWTH AREA RELATING TO DENSITY, LOT CLUSTERING AND RESERVE TRACTS

WHEREAS, Proposed amendments to the Comprehensive Plan and to the UR and URM zoning districts relating to lot clustering and reserve tracts, which is part of the 2006 batch of comprehensive plan amendments (AB# 2006-406), do not apply to the Bellingham Urban Growth Area; and

WHEREAS, The update to the Bellingham Subarea Plan has not yet been adopted; and

WHEREAS, An interim ordinance is necessary to implement regulations relating to density, clustering, and reserve tracts within Bellingham's Urban Growth Area until the Bellingham Urban Fringe Subarea Plan has been adopted; and

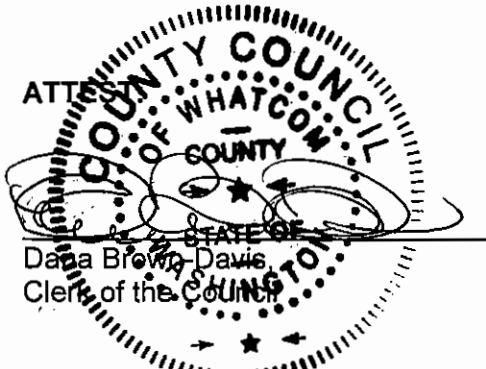
WHEREAS, RCW 36.70.795 requires the adoption of findings of fact which justify Council action; therefore, the Council makes the following findings of fact:

1. The Urban Residential (UR) and Urban Residential Medium Density (URM) zoning districts in the Bellingham Urban Growth Area will not have implementing regulations relating to density, clustering and reserve tracts without an interim ordinance.
2. The interim ordinance would be consistent with the Whatcom County Planning Commission's recommendations to amend the UR and URM zoning districts to require that, if the site is in a long term planning area or does not have public water & sewer, minimum lot size for clustered lots will be reduced, a maximum size for clustered lots will be imposed, lots will be located in a single cluster, the reserve tract will be unbuildable for residential uses (until rezoned and public water & sewer are available) and, when the reserve tract is developed, wells, sewage disposal systems and associated easements located on the reserve tract will be abandoned and the clustered lots will hook-up to public water and sewer.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that an interim ordinance be adopted to apply to WCC 20.20.252 and 20.22.252 to the UR and URM zoning districts in the Bellingham Urban Growth Area as shown on Exhibit A.

BE IT FURTHER ORDAINED by the Whatcom County Council, pursuant to RCW 36.70.795, that this amendment shall be effective for not longer than six months following the effective date of this ordinance, or until the Bellingham Urban Fringe Subarea Plan and implementing regulations become effective.

ADOPTED this 25th day of September, 2007.



WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Carl Weimer, Council Chair

APPROVED as to form

Approved Denied

Civil Deputy Prosecutor

Pete Kremen, County Executive

Date: 9-28-07

Encl. Exhibit A

EXHIBIT A20.20.252 Maximum density, minimum lot size and maximum lot size within an urban growth area.

District	Density	Minimum Lot Size		Maximum Lot Size	Min. Reserve Area (Cluster Subdivisions)
		Conventional	Cluster	Cluster Lots	
UR: all densities without public sewer and water	Maximum gross density: 1 dwelling unit/5 acres	N/A*	12,500 sq. ft.	22,000 sq. ft.	N/A
UR: all densities outside short-term planning areas	Maximum gross density: 1 dwelling unit/5 acres	N/A*	12,500 sq. ft.	22,000 sq. ft.	N/A
UR: all densities with public sewer or water	Maximum gross density: 1 dwelling unit/5 acres	N/A*	12,500 sq. ft.	22,000 sq. ft.	N/A
UR-3: in short-term planning areas, with public sewer and water, and stormwater collection and detention facilities	Maximum gross density: 3 dwelling units/1 acre	12,000 sq. ft.	8,000 sq. ft.	N/A	25%
UR-4: in short-term planning areas with public sewer and water, and stormwater collection and detention facilities	Maximum gross density: 4 dwelling units/1 acre; Minimum net density: 4 dwelling units/1 acre***	8,000 sq. ft.	6,000 sq. ft.	N/A	20%
UR-6: in short-term planning areas with public sewer and water, and stormwater collection and detention facilities	Maximum gross density: 6 dwelling units/1 acre; Minimum net density: 6 dwelling units/1 acre***	5,500 sq. ft.	4,000 sq. ft.	N/A	20%

* For the purpose of administering the lot consolidation provisions of WCC 20.83.070, the conventional minimum lot size shall be 5 acres.

*** Minimum density shall be calculated as net density, after deducting the areas restricted from development by critical area regulations and infrastructure requirements.

20.22.252 Maximum/minimum density and minimum lot size – General.

(1) District	Gross Density	Minimum Lot Size – Conventional	Minimum Lot Size – Cluster	Maximum Lot Size	Minimum Reserve Area (Cluster Divisions)
				Clustered Lots	
URM: all densities without public sewer and water	Maximum density: 1 dwelling unit/ 5 acres	N/A*	12,500 sq. ft.	22,000 sq. ft.	N/A
URM: all densities outside short-term planning areas	Maximum density: 1 dwelling unit/ 5 acres	N/A*	12,500 sq. ft.	22,000 sq. ft.	N/A
URM: all densities with public sewer or water	Maximum density: 1 dwelling unit/ 5 acres	N/A*	12,500 sq. ft.	22,000 sq. ft.	N/A
URM-6: with public sewer and water, and stormwater collection and detention facilities	Maximum density: 6 dwelling units/acre	7,200 sq. ft.	N/A	N/A	N/A
URM-12: with public sewer and water, and stormwater collection and detention facilities	Maximum density: 12 dwelling units/acre	7,200 sq. ft.	N/A	N/A	N/A
URM-18: with public sewer and water, and stormwater collection and detention facilities	Maximum density: 18 dwelling units/acre	7,200 sq. ft.	N/A	N/A	N/A
URM-24: with public sewer and water, stormwater collection and detention facilities and transferable development rights pursuant to the provisions of Chapter 20.89 WCC and subsection (4) of this section.	Minimum net density: 10 dwelling units/acre. Maximum density: 24 dwelling units/gross acre.	N/A	N/A	N/A	N/A

* For the purpose of administering the lot consolidation provisions of WCC 20.83.070, the conventional minimum lot size shall be 5 acres.