

**WHATCOM COUNTY COUNCIL AGENDA BILL**

NO. 2007-464

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Elizabeth K. Olsen Originator:	EKO	11/2/07	<b>RECEIVED</b>  NOV 13 2007  WHATCOM COUNTY COUNCIL	11/20/07	Introduction
Linda Peterson, AICP Division Head:	LP	11.8.07		12/4/2007	P&D/Council
David Stalheim Dept. Head:	DS	11-8-07			
Royce Buckingham Prosecutor:	RB	11-8-07			
Purchasing/Budget:	BB	11/8/07			
Peter Kremen Executive:	PK	11-9-07			

**TITLE OF DOCUMENT:** Ordinance amending the Whatcom County Comprehensive Plan map and the Whatcom County Zoning map from the designation of Agriculture to the designation of Rural Forestry for a 39.5 acre parcel of land, Assessor's Parcel # 370522-199054.

- ATTACHMENTS:**
- (1) Draft Ordinance
  - (2) Agency Report with Recommended Map Amendments

SEPA review required? <input checked="" type="checkbox"/> Yes    ( ) NO	Should Clerk schedule a hearing?    ( ) Yes <input checked="" type="checkbox"/> NO
SEPA review completed? <input checked="" type="checkbox"/> Yes    ( ) NO	Requested Date:
	<small><sup>1</sup>The Council must hold a hearing if they want to change the Planning Commission's recommendation [WCC 20.90.051(iv)].</small>

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:**

*An ordinance amending the Whatcom County Comprehensive Plan map and the Whatcom County Zoning map from the designation of Agriculture to the designation of Rural Forestry for a 39.5 acre parcel of land located in the southern reaches of the South Fork of the Nooksack River, 2 miles south of the town of Acme, Assessor's Parcel # 370522-199054.*

**COMMITTEE ACTION:**  
12/4/2007: Forwarded to Council for approval  
Caskey-Schreiber opposed

**COUNCIL ACTION:**  
11/20/2007: Introduced  
12/4/2007: Council Adopted 6-1  
Caskey-Schreiber opposed Ord. 2007-074

<b>Related County Contract #:</b>	<b>Related File Numbers:</b> CMP2007-00012	<b>Ordinance or Resolution Number:</b> Ord. 2007-074
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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](http://www.co.whatcom.wa.us/council).

SPONSORED BY: Consent  
PROPOSED BY: Planning  
INTRODUCTION DATE: 11/20/2007

ORDINANCE # 2007-074

AN AMENDMENT TO THE WHATCOM COUNTY COMPREHENSIVE PLAN MAP AND THE OFFICIAL WHATCOM COUNTY ZONING MAP FROM THE DESIGNATION OF AGRICULTURE TO THE DESIGNATION OF RURAL FORESTRY FOR A 39.5 ACRE PARCEL OF LAND, ASSESSOR'S PARCEL # 370522-199054.

**WHEREAS**, Whatcom County Planning and Development Services received an application to amend the Whatcom County Comprehensive Plan Map and the Whatcom County Zoning Map from the designation of Agriculture to the designation of Rural Forestry for a 39.5 acre parcel of land; and

**WHEREAS**, The site of the proposed amendment is located approximately 2 ½ miles east of State Highway 9, and 2 miles south of the community of Acme. The address is 6324 Saxon Road. Assessor's parcel identity number is 370522 – 199054; and

**WHEREAS**, Legal notice requirements have been met; and

**WHEREAS**, The Planning Commission held a public hearing on the proposed amendment on Thursday, September 27, 2007; and

**WHEREAS**, The Planning Commission has evaluated the proposed amendments for consistency with the Whatcom County Comprehensive Plan.

**WHEREAS**, The Planning Commission voted to recommend approval of the proposed amendment to the County Council; and

**WHEREAS**, the County Council has considered the Planning Commission's Findings of Fact, Reasons for Action, Conclusions and Recommendation for the amendment; and

**WHEREAS**, the County Council finds the amendment to be in the best interest of the public health, safety, and welfare; and

**WHEREAS**, the County Council has adopted the following Findings of Facts:

**FINDINGS OF FACT**

1. Notice of the Planning Commission hearing was mailed to surrounding property owners within 300' of the subject site on September 14, 2007.

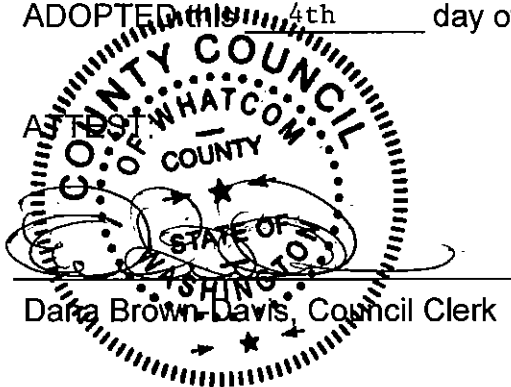
2. Notice of the Planning Commission hearing was posted on the subject property on September 14, 2007.
3. Notice of the Planning Commission hearing was published in the Bellingham Herald on Sunday, September 16, 2007.
4. Notice of the Planning Commission hearing was posted on the County's website on Thursday, September 13, 2007.
5. A Determination of Non-Significance (DNS) was issued by SEPA on July 20, 2007.
6. The Planning Commission held a public hearing relating to the subject amendment on Thursday, September 27, 2007.
7. The request is to amend a 39.5 acre parcel of land from the Comprehensive Plan designation of Agriculture to the Comprehensive Plan designation of Rural Forestry.
8. The existing primary uses of this property are residential, agricultural (pasture), timber and wildlife habitat.
9. Current zoning to the north, east and south is Commercial Forestry, with Agriculture to the west.
10. The actual area on the subject site used for agricultural purposes as pasture is approximately 8 or 9 acres in area. Physical limitations on the site restrict significant agricultural use; however three quarters of the property bears a healthy stand of timber.
11. The Rural Forestry designation does not preclude the use of the property for agricultural purposes. Agriculture is a primary permitted use in the Rural Forestry zone designation pursuant to Whatcom County Code Title 20.42.052.
12. The Rural Forestry designation will not be inconsistent with the existing land uses; it encourages the preservation and management of land for wildlife, aesthetics, and other non-commodity values.
13. The Rural Forestry zone designation applied to the subject property will serve to act as a "buffer" between Commercial Forest and Agriculture designations in that the subject property contains a variety of high quality habitats that provide an important refuge for area wildlife that are periodically displaced by industrial logging and agricultural activities.
14. The amendment conforms to the requirements of the Growth Management Act, and is consistent with the Goals and the County-Wide Planning Policies of the Whatcom County Comprehensive Plan.

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

Section 1. The Whatcom County Comprehensive Plan Map and Official Whatcom County Zoning Map are hereby amended as shown on Exhibit "A".

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.

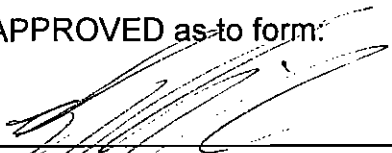
ADOPTED this 12th day of December, 2007




WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

  
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Carl Weimer, Chairperson

APPROVED as to form:

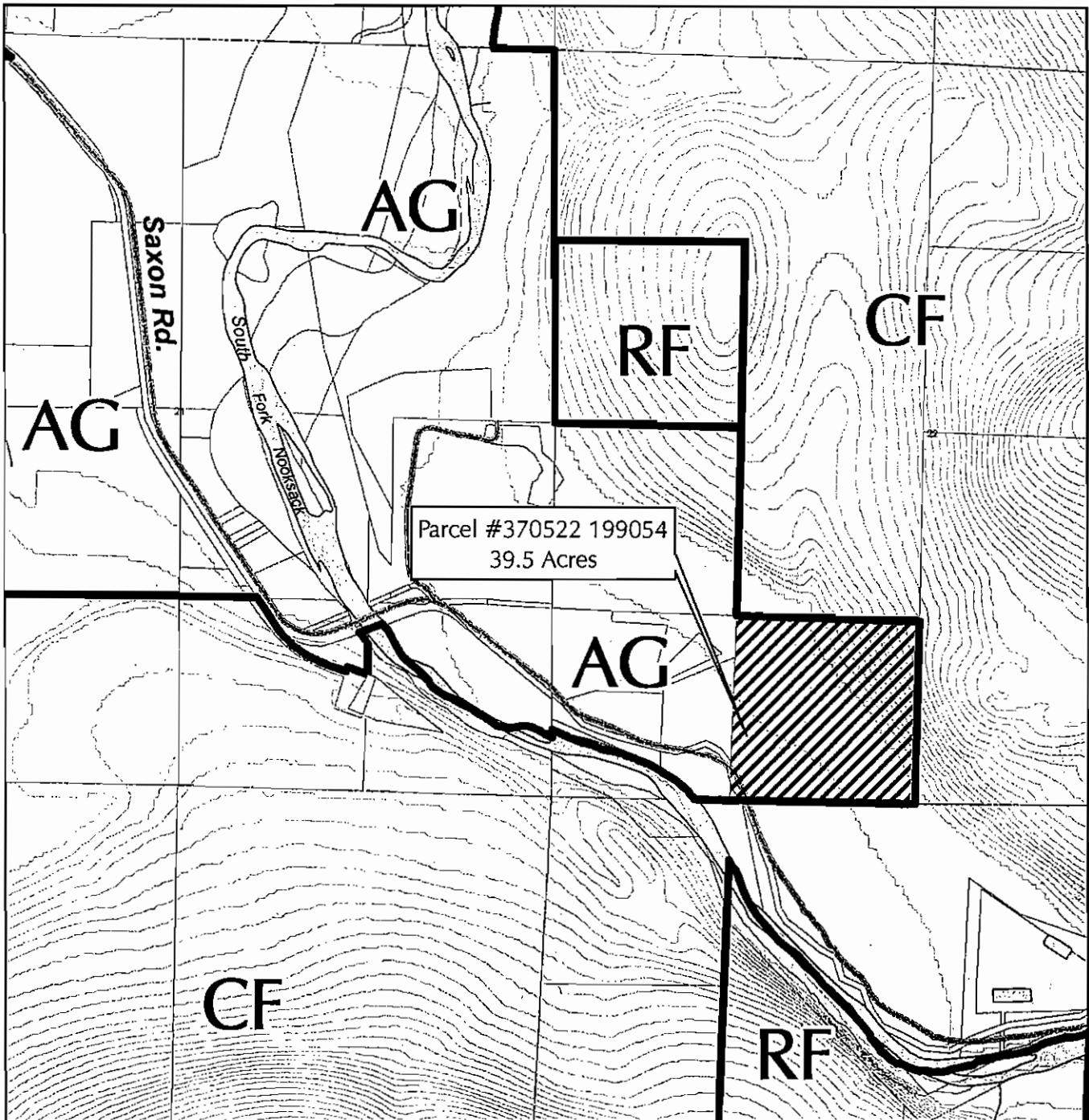
  
\_\_\_\_\_  
Royce Buckingham,  
Civil Deputy Prosecutor

Approved     Denied

  
\_\_\_\_\_  
Pete Kremen, Executive

Date: 12-12-07

# Exhibit A



**File #: CMP2007-00012**  
**Agriculture to Rural Forestry - Saxon Rd.**

-  Subject Parcel
-  Existing Zoning/Comprehensive Plan Boundary



USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S ASSUMPTION WITH THE FOLLOWING STATEMENT:  
 Whatcom County disclaims any warranty of accuracy or warranty of fitness of this map for any particular purpose, other than as intended. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any error or omission becomes the responsibility of the user. Whatcom County disclaims any liability arising from any use of this map.

November 2007 sbw.  
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