

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Gary Davis		7/23/08	RECEIVED  JUL 29 2008  WHATCOM COUNTY COUNCIL	8/5/08	Council Introduction
Division Head: Linda J. Peterson	LP	7.23.08		9/9/08	Hearing
Dept. Head: David Stalheim	DS	7-23-08			
Prosecutor: Royce Buckingham	RB	7-25-08			
Purchasing/ Budget:	Dumy				
Executive: Pete Kremin	PK	7/29/08			

**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? ( ) Yes ( X ) NO	Should Clerk schedule a hearing? ( X ) Yes ( ) NO
SEPA review completed? ( ) Yes ( ) NO	Requested Date:

**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.)

Adopt and 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.

This is a continuation of the original interim ordinance (ORD. 2007-051) adopted 9/28/07 and renewed 3/11/08 (ORD. 2008-010). Note: Exhibit A reflects amendments made to the UR density chart adopted by ORD. 2007-050.

<b>COMMITTEE ACTION:</b>	<b>COUNCIL ACTION:</b> 8/5/2008: Introduced 9/9/2008: Council Adopted 7-0 Ord. 2008-036
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Related County Contract #:	Related File Numbers:	Ordinance or Resolution Number: ORD: # 2007-051 Ord. 2008-036
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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:** PDS

**INTRODUCTION DATE:** 8/5/08

**ORDINANCE NO.** 2008-036

**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), does not apply to the Bellingham Urban Growth Area; and

**WHEREAS**, The Bellingham Subarea Plan has not yet been adopted; and

**WHEREAS**, An interim ordinance is necessary to address density and clustering within Bellingham's Urban Growth Area until the Bellingham Subarea Plan and implementing regulations have been adopted that address land divisions of property that do not have public sewer and water; and

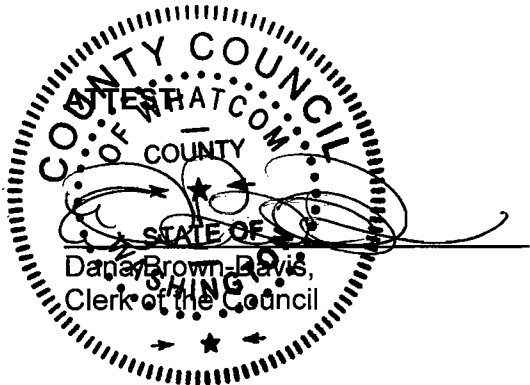
**WHEREAS**, RCW 36.70.795 requires the adoption of findings of fact which justify Council action; therefore, the Council makes the following findings of fact:

1. The UR and URM zoning districts in the Bellingham Urban Growth Area will not have implementing regulations relating to density and clustering and reserve tracts without an interim ordinance.
2. The interim ordinance would be consistent with the Whatcom County Planning Commission's recommendations on Land Use Policies for the Bellingham Urban Growth Area regarding maximum gross density at 1 dwelling unit per 10 acres when public water and sewer are not available, until the Bellingham Subarea Plan and implementing regulations are adopted.
3. It is necessary to address parcels without public water and sewer within the Bellingham Urban Growth Area.

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that an interim ordinance be adopted 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 9th day of September, 2008.




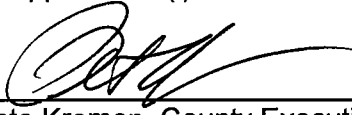
**WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON**

  
\_\_\_\_\_  
Carl Weimer, Council Chair

**APPROVED** as to form

Approved     Denied

  
\_\_\_\_\_  
Civil Deputy Prosecutor

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

Date: 9-10-08

Encl. Exhibit A

# EXHIBIT A

20.20.252 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%
<u>UR: In Bellingham's UGA without public sewer and water</u>	<u>1 dwelling unit/10 acres</u>	<u>10 acres</u>	<u>12,500 sq. ft.</u>	<u>22,000 sq. ft.</u>	<u>N/A</u>

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

\*\* Does not apply to the Bellingham urban growth area.

\*\*\* 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	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
<u>URM: In Bellingham's UGA without public sewer and water</u>	<u>1 dwelling unit/10 acres</u>	<u>10 acres</u>	<u>12,500 sq. ft.</u>	<u>22,000 sq. ft.</u>	<u>N/A</u>