

Council Initiation of Zoning Amendments

File #: PLN 2010-00009
Applicant: Councilmember Crawford
Description: Amend WCC 20.90.030/040 to allow Council initiation of zoning amendments without deadline of December 31st

WHATCOM COUNTY
PLANNING AND DEVELOPMENT SERVICES

SUGGESTED ZONING AMENDMENT APPLICATION FORM

Do not write in this section of the application-for official use only.

Date Received: _____

File #: PLN 2010-00009

A. GENERAL INFORMATION

1. NAME: Sam Crawford, Whatcom County Councilmember

SIGNATURE: _____

MAILING ADDRESS: 310 Grand Avenue

Bellingham, WA 98226

BUSINESS PHONE: 676-6690 HOME PHONE: 671-7262

2. AGENT'S NAME: _____

MAILING ADDRESS: _____

BUSINESS PHONE: _____

3. Please give a complete but short description of the suggested amendment:

Amend Whatcom County Code 20.90.030 and 20.90.040 as follows (amended additional language is underlined):

20.90.030 Initiation of amendments.

(3) The county council may initiate an amendment by approving a resolution to place a proposed amendment(s) on the docket. Amendments by the county council may be initiated at any time, subject to county council review of ongoing staff resources and legislative prioritization.

20.90.040 Application, excluding site-specific rezones.

(3) Completed applications for WCC Title 20 amendments must be received by planning and development services by December 31st to be considered during the next calendar year. Applications submitted by planning and development services or the county council are not subject to the December 31st deadline.

B. PURPOSE/APPLICABILITY

1. What is the purpose of the suggested amendment?

To provide the Whatcom County's legislative body, the Whatcom County Council, the flexibility to prioritize planning and land-use issues as needed for the public welfare of the citizens of Whatcom County.

2. Describe any "changed" condition(s) which support the suggested amendment:

None.

3. If the suggested amendment is the result of a state or federal mandate or requirement please give a short description of the requirement or mandate and include the citation or number of the RCW, WAC, Bill, etc.

None.

4. Are there any other circumstances that justify the proposed change?

Under the current system, a newly elected council member is unable to bring forward a zoning amendment for docket consideration during the first year of their term. Eliminating the Dec. 31 deadline for council-initiated zoning amendments would correct this constraint on new council members, who serve the people of Whatcom County equally with the incumbent council members.

C. RELATIONSHIP TO PUBLIC HEALTH, SAFETY, AND WELFARE

- 1. What general benefit will the public receive as a result of the suggested amendment?

The Whatcom County Charter, Section 2.20 "Powers" states:
The County Council shall exercise its legislative power by adoption and enactment of ordinances or resolutions.
Further, it states:
The enumeration of particular legislative powers shall not be construed as limiting the legislative power of the County Council.

The public interest is not served by having the County Council self-impose a deadline restriction on council-proposed zoning amendments.

- 2. Is the suggested amendment the result of a situation that poses an imminent threat to public health, safety, or welfare?

(Item above, "1. ...general benefit..." continued:)

It should be noted that RCW 36.70A.130 (2)(a) states "...revisions... of the comprehensive plan are considered... no more frequently than once every year..."

However, this is not applicable to zoning amendments that do not require comprehensive plan changes.

If you have any questions regarding the zoning amendment process please feel free to contact the Whatcom County Planning and Development Services Department at (360) 676-6907.

D. Authorization

Signature of Applicant(s) or Agent(s)

I (we) certify that the information supplied in this application is true, accurate, and correct to the best of my (our) knowledge:

Date: _____

Date: _____

Date: _____