

Rezone R10A to R5A – Birch Bay

File #: PLN 2010-00010

Applicant: Councilmember Crawford

Description: Amend zoning map from R10A around Birch Bay UGA to put R5A zoning where lands removed from UGA

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 #: _____

RECEIVED

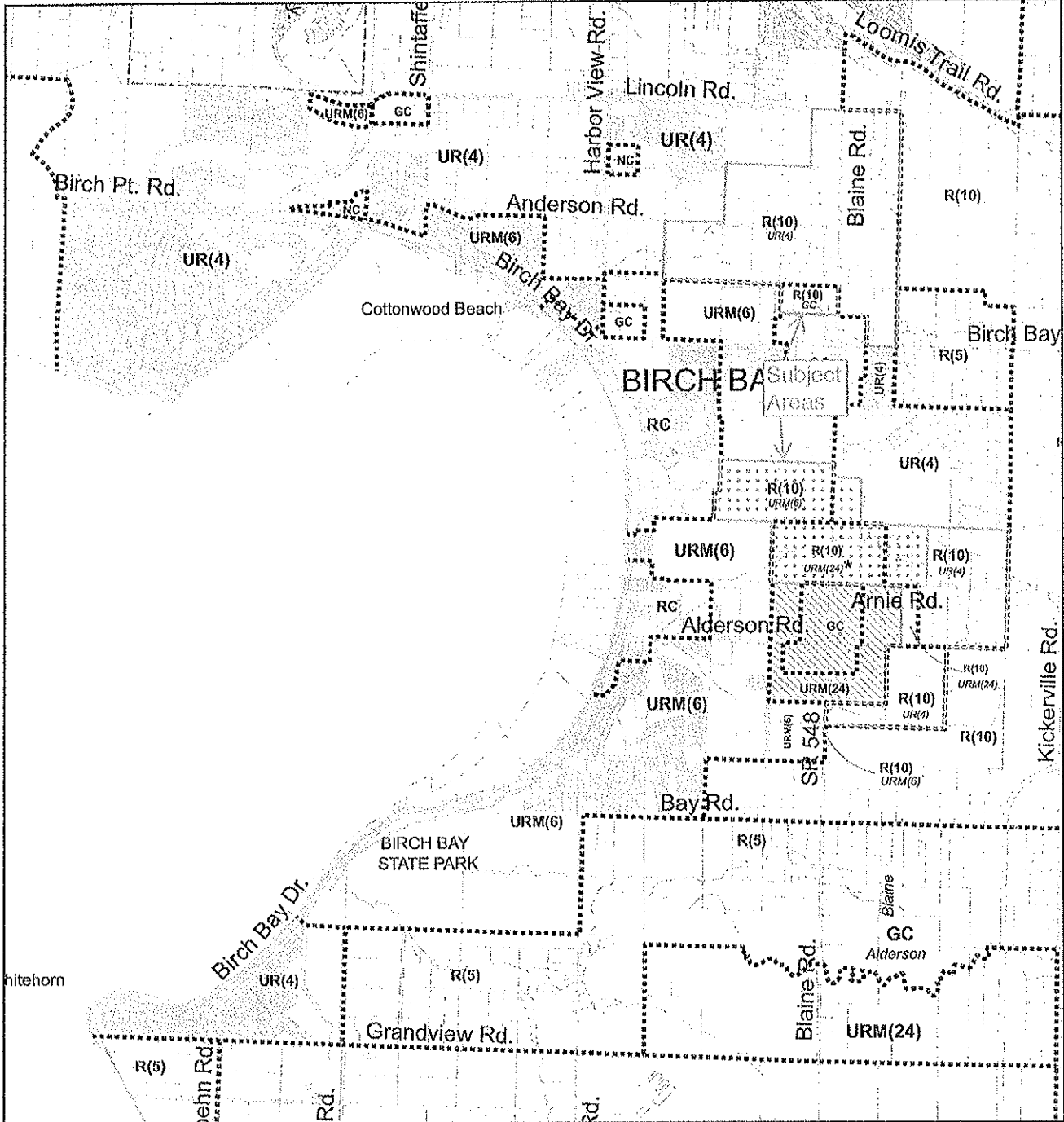
A. GENERAL INFORMATION

1. NAME: _____ Sam Crawford, Whatcom County Councilmember
SIGNATURE: _____ Whatcom County P&DS
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 Zoning maps and text to reflect R5A zoning in the areas around the Birch Bay Urban Growth Area that were recently removed from the UGA and re-zoned as R10A.
(See attached map, with specific areas outlined in red)

Official Zoning Map - Map UGA 8-a



November 10, 2009

Birch Bay UGA & Surrounding Area

- Title 20 Zoning Designations**
- Existing Zoning Boundary
 - Proposed Zoning Boundary
 - Proposed Urban Growth Area
 - Proposed Urban Growth Area Reserve
 - Subject to Ord. #2004-049
- Proposed Zoning Designations in **bold**.
Existing Zoning Designations, when changing, in *italics*.

The entire Urban Growth Area has been zoned Short-Term Planning Area.

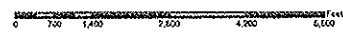
*This area only, in the UGAR, is subject to Ord. #2004-049 upon future inclusion into the UGA.

PLANNING COMMISSION

Resolution No. 2009-010
 Adopted on 10/08/09
 Planning Commission



Please Note: These maps do not reflect the zoning changes that may be adjacent to UGAs, as proposed in the Rural Element Update, passed by the Planning Commission 10/08/09.



B. PURPOSE/APPLICABILITY

1. What is the purpose of the suggested amendment?

The areas without a public sewer utility (and possibly in some cases without a public water utility) were defaulted to R5A zoning when they were included in the Urban Growth Area. There is no reason to downzone these areas. Concerns that future UGA expansion back into these areas will be inhibited by 5-acre zoning are unfounded, due to current ownership patterns, as well as significant existing critical areas designations limiting subdivision in these areas.

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

Recent adoption of UGA areas that do not include these parcels.

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.

R5A zoning is accepted by the Growth Management Act as "rural" in character and density. There is no need for further density limitations in these areas.

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

Existing ownership and development patterns in an area with significant Critical Areas limitations do not provide any rationale for 10-acre density designation, and the lower density designation will not affect future consideration of these areas for UGA expansion.

C. RELATIONSHIP TO PUBLIC HEALTH, SAFETY, AND WELFARE

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

The public interest is not served by downzoning property owners unnecessarily.

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

The public welfare, particularly that of the affected landowners, has been harmed by the imposition of an unnecessary downzone.

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: _____