



M E M O R A N D U M

TO: Whatcom County Council

THROUGH: David Stalheim, Director

FROM: Wain Harrison, Long Range Planning Supervisor
Gary Davis, AICP, Senior Planner

DATE: May 18, 2010

SUBJECT: Rural Element Update

At its April 27 meeting, Planning and Development Services (PDS) presented to the Planning and Development Committee options for residential areas with zoning that has been found out of compliance with the Growth Management Act (GMA). These options include **residential-only LAMIRDs** and **density overlays**, which were outlined in the March 16 and April 16, 2010 memos. On May 11, the Planning and Development Committee asked PDS to present alternative maps at the next meeting, showing how these options could be implemented.

PDS is now preparing the alternative maps for these residential areas, and will present them at the May 25 Committee of the Whole meeting. In areas not adjacent to Urban Growth Areas, and where a clear LAMIRD boundary is possible based on GMA criteria, a **residential LAMIRD** designation is proposed, with existing zoning retained within the LAMIRD boundary. In other areas, a "Rural Community" designation is proposed, which would act as a **density overlay** similar to the one used in Clallam County. The Western Washington Growth Management Hearings Board found this approach to be compliant because it preserves the established character of rural residential areas.¹

These alternative maps will show rural zoning densities at one unit per five acres outside LAMIRD boundaries. Lots currently zoned Rural (such as R-2A) would be shown as R-5A, though new lots within the "Rural Community" overlay could be as small as two acres, depending on the average size of lots within 500 feet. Similarly, lots now zoned Rural Residential (RR-1, RR-2, RR-3) would be shown as RR-5A, though new lots within the overlay could be as small as one acre, depending on the average lot size within 500 feet. Staff does not propose allowing lots smaller than one acre in these overlays because that is generally the threshold below which it is not possible to locate a well and septic system on the same lot. Note the Hearings Board allowed Clallam County to set a minimum lot size of

¹ Dry Creek Coalition and Futurewise v. Clallam County, Case No. 07-2-0018c, Compliance Order, November 3, 2009, pp 7-12

2.4 acres in their overlays; the Hearings Board has not yet considered whether allowing lots as small as one or two acres is appropriate in rural (non-LAMIRD) areas.

Please contact Gary Davis at extension 50246 if you have questions.