

Exhibit A

Amend the Official Whatcom County Zoning Ordinance (Title 20) as shown below.

WCC 20.20 Urban Residential (UR) District

20.20.252 Maximum density, minimum lot size and maximum lot size within an urban growth area.

District	Maximum Gross 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 <u>10</u> acres	N/A*	8,000 sq. ft.	22,000 sq. ft.	80%
<u>UR: In Lake Whatcom Watershed with public sewer and water, and stormwater collection and detention facilities</u>	<u>Maximum density: 1 dwelling unit/5 acres</u>	<u>5 acres</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
UR: in Bellingham's UGA without public sewer and water	Maximum density: 1 dwelling unit/10 acres	10 acres	8,000 sq. ft.	22,000 sq. ft.	80%
UR: all densities outside short-term planning areas**	Maximum gross density: 1 dwelling unit/ 5 <u>10</u> acres	N/A*	8,000 sq. ft.	22,000 sq. ft.	80%
UR: all densities with public sewer or water**	Maximum gross density: 1	N/A*	8,000 sq. ft.	22,000 sq. ft.	80%

	dwelling unit/ 5 <u>10</u> acres				
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%

* For the purpose of administering the lot consolidation provisions of WCC [20.83.070](#), the conventional minimum lot size shall be ~~five~~ten acres.

** Minimum density shall be calculated as net density, after deducting the areas restricted from development by critical area regulations and infrastructure requirements.

WCC 20.22 Urban Residential Medium (URM) District

20.22.250 Maximum/minimum density, minimum lot size and width.

(Ord. 2004-021 § 1, 2004).

20.22.251 Minimum lot size.

For the purpose of creating new building lots within the Urban Residential Medium Density District, several land use densities are herein provided. The minimum lot size requirements for new construction vary according to whether or not public sewer and water serve the project site and whether or not transferable development rights are used. The minimum lot size shall be ten acres or, if public sewer and water are provided the minimum lot size shall be 7,200 square feet. (Ord. 2004-021 § 1, 2004; Ord. 87-12, 1987; Ord. 87-11, 1987).

20.22.252 Maximum/minimum density and minimum lot size – General.

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 <u>10</u> acres	N/A*	7,200 sq. ft.	22,000 sq. ft.	80%
URM: in Bellingham’s UGA without public sewer and water	Maximum density: 1 dwelling unit/10 acres	10 acres	7,200 sq. ft.	22,000 sq. ft.	80%
URM: all densities outside short-term planning areas	Maximum density: 1 dwelling unit/ 5 <u>10</u> acres	N/A*	7,200 sq. ft.	22,000 sq. ft.	80%
URM: all densities with public sewer or water	Maximum density: 1	N/A*	7,200 sq. ft.	22,000 sq. ft.	80%

	dwelling unit/ 5 <u>10</u> acres				
URM-6: with public sewer and water, and stormwater collection and detention facilities	Maximum density: 6 dwelling units/acre	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, <u>to obtain a net density greater than 10 dwelling units per acre</u> , transferable development rights pursuant to the provisions of Chapter <u>20.89</u> 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

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

Revise 20.22.252(4) as follows:

(4) In the URM-24 ~~z~~Zones ~~in 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.

Revise 20.22.252(5) as follows:

In the URM-24 ~~z~~Zones ~~in the Bellingham Urban Growth Area~~, transferable development rights (TDRs) ~~from the Lake Whatcom watershed sending area~~ must be used to achieve net densities higher than 10 dwelling units/acre, pursuant to the provisions of Chapter 20.89 WCC, Density Transfer Procedure, ~~in order to develop at the prescribed densities~~. Each development right transferred ~~from the Lake Whatcom watershed~~ may be used to develop three dwelling units in the UGA URM-24 zone. ~~For the purpose of using TDRs,~~

the base density is considered to be four dwelling units per acre. TDRs must be used to attain any density greater than four per acre as illustrated in the following table:

TDR Base Density	Transfer of Development Rights (1 TDR = 3 dwelling units per acre)	Allowed Density (range from 10 to 24 dwelling units per acre)
4 dwelling units/acre	2 TDRs	10 dwelling units/acre
4 dwelling units/acre	3 TDRs	13 dwelling units/acre
4 dwelling units/acre	4 TDRs	16 dwelling units/acre
4 dwelling units/acre	5 TDRs	19 dwelling units/acre
4 dwelling units/acre	6 TDRs	22 dwelling units/acre

WCC 20.24 Urban Residential Mix Use (URMX)

20.24.251 Minimum lot size.

For the purpose of creating new building lots within the Urban Residential Mixed District, several land use densities are herein provided. The minimum lot size requirements for new construction vary according to whether or not public sewer, water, and, where identified by the appropriate Comprehensive Plan policies, stormwater collection and detention facilities serve the project site. Where public sewer and water are not provided, the minimum lot size shall be ten acres. If public sewer and water, and, where specified by the Comprehensive Plan, stormwater drainage facilities are provided, the minimum lot size shall be as presented in WCC [20.24.252](#). (Ord. 2009-024 § 1 (Exh. A), 2009; Ord. 2004-021 § 1, 2004; Ord. 2001-023 § 1, 2001; Ord. 98-083 Exh. A § 66, 1998; Ord. 97-046 § 2, 1997).

20.24.252 Density and minimum lot size.

District	Gross Density	Minimum Lot Size – Conventional	Minimum Lot Size – Cluster	Maximum Lot Size	Minimum Reserve Area (Cluster Divisions)
				Clustered Lots	
URMX: all densities without public sewer and water	Maximum density: 1 dwelling unit/ 5 <u>10</u> acres	N/A	4,000 sq. ft.	22,000 sq. ft.	80%
URMX: in Bellingham's UGA without public sewer and water	Maximum density: 1 dwelling unit/10 acres	10 acres	4,000 sq. ft.	22,000 sq. ft.	80%
URMX: all densities outside short-term planning areas	Maximum density: 1 dwelling unit/ 5 <u>10</u> acres	N/A	4,000 sq. ft.	22,000 sq. ft.	80%
URMX: all densities with public sewer or water	Maximum density: 1 dwelling unit/ 5 <u>10</u> acres	N/A	4,000 sq. ft.	22,000 sq. ft.	80%
URMX: with public sewer and water, and stormwater collection and detention facilities	Maximum gross density: 10 dwelling units/1 acre	4,000 sq. ft.	N/A	N/A	N/A

	Minimum net density: 6 dwelling units/1 acre				
URMX (6 – 10): with public sewer and water, and stormwater collection and detention facilities	Maximum gross density: 10 dwelling units/1 acre Minimum net density: 6 units/1 acre	4,000 sq. ft.	N/A	N/A	N/A
URMX (6 – 12): with public sewer and water, and stormwater collection and detention facilities	Maximum gross density: 12 dwelling units/1 acre Minimum net density: 6 units/1 acre	N/A	N/A	N/A	N/A
URMX (10 – 24): with public sewer and water, and stormwater collection and detention facilities	Maximum gross density: 24 dwelling units/1 acre Minimum net density: 10 units/1 acre	N/A	N/A	N/A	N/A

(1) Minimum density shall be calculated as net density, after deducting the areas restricted from development by critical areas regulations and infrastructure requirements.

(2) For development with densities over a zone’s minimum net density, transferable development rights (TDRs) from the Lake Whatcom watershed sending area must be used, pursuant to the provisions of Chapter [20.89](#) WCC, Density Transfer Procedure. Each development right transferred from the Lake Whatcom watershed may be used to develop three dwelling units in the UGA. TDRs must be used to attain any density greater than the minimum net density of a zone. (Ord. 2009-024 § 1 (Exh. A), 2009; Ord. 2004-021 § 1, 2004; Ord. 2001-023 § 1, 2001; Ord. 99-087 § 1, 1999; Ord. 97-046 § 2, 1997).

Exhibit B

Chapter 20.74 CHERRY POINT INDUSTRIAL (CP) DISTRICT

Sections:

- 20.74.010 Purpose.
- 20.74.020 Applicability.
- 20.74.030 Permitted uses.
- 20.74.040 Accessory uses.
- 20.74.050 Conditional uses.
- 20.74.060 Master site plan requirements.
- 20.74.070 Minimum lot size and parcelization.
- 20.74.080 Design standards.
- 20.74.090 **Traffic** Demand Management.

20.74.090 Traffic Demand Management

RCW 36.70A.365 requires the implementation of **Traffic** Demand Management (TDM) programs for designating a Major Industrial Urban Growth Area. Any employer in the Cherry Point Urban Growth Area that employs one hundred or more full-time employees at a single worksite who begin their regular work day between 6:00 am and 9:00 am on weekdays for at least twelve continuous months during the year are required to meet the TDM requirements of WCC 16.24.

- (1) Employers located in Cherry Point who have not implemented a TDM program, shall implement a TDM program by December 1, 2011.
- (2) Employers in Cherry Point meeting the criteria for having to complete a plan after December 1, 2011 shall meet the requirements of this section within one year having met the criteria.

Exhibit C

Repeal Section 2 of ordinance #2004-049:

~~Section 2. The Official Whatcom County Zoning Map is revised per Exhibit B. The effective date of the rezones to URM 24, GC and UR 4 within the provisional rezone area shall be the date when the following conditions are fulfilled:~~

- ~~1. Property owner(s) shall prepare a site plan showing the design and layout of proposed lots, commercial structures, multi-family structures, road and pedestrian connections to adjacent parcels, and protected critical areas, buffers and open space.~~
- ~~2. Property owner(s) shall purchase or transfer sufficient development rights to achieve the requested density increase, based on the TDR ratios established in the Whatcom County Code.~~
- ~~3. The properties shall be serviced by public water and sewer.~~
- ~~4. Property owners shall apply to the County for a site-specific rezone pursuant to Chapter 20.90 WCC in conjunction with submittal of a subdivision or binding site plan application for the subject parcel or parcels.~~

Exhibit D

WCC 20.40 Agriculture District

20.40.010 Purpose.

The primary purposes of this district are to implement the agricultural designation of the Comprehensive Plan, established pursuant to RCW 36.70A.170, preserve, enhance and support the production of food and fiber in Whatcom County to maintain a sufficiently large agricultural land base to ensure a viable agriculture industry and to maintain the economic feasibility of supporting services. Whatcom County supports agricultural activities as the highest priority use in the Agriculture District, with all other uses being subordinate to agricultural activities. Whatcom County seeks to minimize conflict with surrounding zoning districts, in conjunction with Chapter [14.02](#) WCC, Right to Farm. In order to limit the further fragmentation of the commercial agricultural land base, the Agriculture District includes smaller areas of land with poorer quality soils or nonagricultural uses, which do not meet the definition of agriculture lands of long-term commercial significance. A secondary purpose of this district is to serve as a holding district when located within the urban growth area comprehensive plan designation to allow agricultural uses in the near term while protecting the area from suburban sprawl and preserving the potential for future urban development consistent with the protection of the resource land.

WCC 20.42 Rural Forestry District

20.42.010 Purpose.

The primary purpose of this district is to implement the forestry designation of the Whatcom County Comprehensive Plan, established pursuant to RCW 36.70A.170, by providing the opportunity for nonindustrial landowners to manage their land for long-term productivity and sustained use of forest resources. In addition, the district encourages the management of land for wildlife, aesthetics, and other noncommodity values. It also provides for uses that are compatible with these activities, while maintaining water quality and soil productivity. Lummi Island Scenic Estates shall be administered under the RR-I zone district regulations. A secondary purpose of this district is to serve as a holding district within the urban growth area comprehensive plan designations to allow forestry uses in the near term while protecting the area from suburban sprawl and preserving the potential for future urban development.