CLEARANCES

Organizer: Elizabeth K. Olsen
Division Head: EK
Dept. Head: Hal Hart
Prosecutor: Royce Buckingham
Purchasing/Budget:
Executive: Pete Kremen

DISTRIBUTED TO

10/25/05
11/9/05

P & D / Council

ALL COUNCIL MEMBERS
WHATCOM COUNTY COUNCIL

SUBJECT:
Request to amend the official Whatcom County Comprehensive Plan Map and the Zoning Map for approximately 6 acres within the southerly Lynden Urban Growth Area from Urban Growth Area to Agriculture.

ATTACHMENTS:
(1) Draft Ordinance
(2) Planning Commission Findings of Fact, Reasons for Action, and Recommendations
(3) Planning Commission minutes

SEPA review required? [X] Yes ( ) No
SEPA review completed? ( ) Yes ( ) No

Should Clerk schedule a hearing? [ ] Yes [X] No

Requested Date: 11/9/05

SUMMARY STATEMENT:
An application to reduce a portion of the City of Lynden's southern UGA by approximately 6 acres and rezone 1/2 acres from URM6 to Agriculture. The City of Lynden is adverse to reducing the size of its UGA but supports the rezone request of the 1/2 acres from URM6 to Agriculture.

COUNCIL ACTION TAKEN:
10/25/05: introduced
11/9/05: Forwarded to concurrence 6-1 Crawford opposed
11/22/05: Adopted 7-0, Ord. #2005-088

Ordinance or Resolution Number (this item): Ord. #2005-088

12 Planning Division/Comp Plan Amendments/CMP2005-0063 - All.doc
ORDINANCE NO. 2005-088
AMENDING THE OFFICIAL WHATCOM COUNTY ZONING MAP FOR APPROXIMATELY
TWO ACRES WITHIN THE SOUTHERN UGA BOUNDARY FOR LYNDEN.

WHEREAS, Whatcom County UGA and the City of Lynden UGA boundary, and

WHEREAS, the City of Lynden and Whatcom County Planners have worked together to
correct these differences, and

WHEREAS, The Deputy SEPA Official for Whatcom County issued a Determination of Non-
significance on April 18, 2005; and

WHEREAS, Pursuant to RCW 36.70.590, legal notice was published in the Bellingham
Herald on April 29, 2005; and

WHEREAS, The Planning Commission held a public hearing on the proposed amendments
on May 12, 2005, and considered all testimony; and

WHEREAS, The Planning Commission recommended denial to the proposed
Comprehensive Plan map amendment; and

WHEREAS, The Planning Commission recommended approval of the proposed zoning map
amendment; and

WHEREAS, the County Council has considered the Planning Commission’s Findings of
Fact, Reasons for Action and Recommendation for the amendment; and

WHEREAS, the County Council finds the amendment in the best interest of the public
health, safety, and welfare, based on the following findings and conclusions:

FINDINGS OF FACT

1. Legal notice for a public hearing was published in the Bellingham Herald on Thursday,
April 29, 2005

2. A Determination of Non-significance was issued under the State Environmental Policy Act
(SEPA) on April 18, 2005.

3. A Public Hearing was held by the Whatcom County Planning Commission on Thursday, May
12, 2005 and all testimony was considered.

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\Planning\CMP2005-00003-Ord
4. The request is to amend the Whatcom/Lynden Urban Growth Area (UGA) south boundary by a reduction of +/- 6 acres and changing the UGA and URM designations to Agriculture.

5. The applicant's +/- 6 acres consists of prime agricultural soil land, at present in active Open Space Agriculture designation in commercial agriculture, and lying mostly within the FEMA floodplain bounds.

6. The City of Lynden is adverse to the request to reduce the present UGA boundary by the applicant's +/- 6 acres which would create an illogical boundary or island in the City's future city limits surrounded on three sides by urban development.

7. County Planning staff recommends denial to reducing the City of Lynden UGA for approximately 5 acres.

8. County staff recommends approval to rezoning the +/- 2 acres of URM to AG zoning.

CONCLUSIONS

THEREFORE, BE IT ORDAINED by the Whatcom County Council that:

Section 1. The Official Whatcom County Comprehensive Plan Map for the Lynden UGA is hereby amended as shown on Attachment 1.

Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this Ordinance shall not affect or impair the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

APPROVED as to form

Pete Kremen, Executive
Date: 11/29/05

WILLIAM K. PATTERSON, Clerk of the Council

Laurie Casky-Schreiber, Council Chair

Guadalupe County Council

WHATCOM COUNTY, WASHINGTON

APPROVED as to form

Civil Deputy Prosecutor

Date: 11/29/05

Pete Kremen, Executive
Exhibit “A”: General Location Map
CMP2005-00003