

**ORDINANCE NO.** \_\_\_\_\_

**ADOPTING AMENDMENTS TO WCC CHAPTER 20.14, WIND ENERGY SYSTEMS, AND WCC CHAPTER 20.97, DEFINITIONS**

**WHEREAS**, in 2018 the Council placed on the annual docket No. PLN2018-00008: “Review and, if needed, revise WCC 20.14 Wind Energy Systems,” as there was interest in modifying the regulations in order to better promote local wind energy systems.

**WHEREAS**, developing the amendments was assigned to the Council’s Climate Impact Advisory Committee (CIAC), whose goals were to make County code more consistent with federal regulations and industry best practices, and to try to remove any barriers to developing wind energy in Whatcom County so as to reduce reliance on carbon-based fuels

**WHEREAS**, Whatcom County Planning and Development Services assisted the CIAC in processing the amendments, making sure they were compatible with the rest of the Whatcom County Code.

**WHEREAS**, the Whatcom County Council reviewed and considered Planning Commission’s, Climate Impact Advisory Committee’s, and staff’s recommendation, and public comments on the proposed amendments; and

**WHEREAS**, the County Council hereby adopts the following findings of fact:

**FINDINGS OF FACT**

1. Council placed on the 2018 docket Item No. PLN2018-00008: “Review and, if needed, revise WCC 20.14 Wind Energy Systems,” as there was interest in modifying the regulations in order to better promote local wind energy systems.
2. Developing the amendments was assigned to the Council’s Climate Impact Advisory Committee, who completed their work in September 2022
3. The Climate Impact Advisory Committee’s goals were to make County code more consistent with federal regulations and industry best practices, and to try to remove any barriers to developing wind energy in Whatcom County so as to reduce reliance on carbon-based fuels.
4. The Climate Impact Advisory Committee provided its recommendations to Planning and Development Services to process, which submitted an application to process the proposed amendments to the Whatcom County Code (WCC).
5. A determination of non-significance (DNS) was issued under the State Environmental Policy Act (SEPA) on February 7, 2023. No comments have been received to date.
6. Notice of the subject amendment was submitted to the Washington State Department of Commerce on February 3, 2023, for their 60-day review. No comments have been received.
7. The Planning Commission held a duly noticed public hearing on the proposed amendments on February 23, 2023.
8. The County Council held a duly noticed public hearing on the proposed amendments on July 11, 2023.

9. The amendments are consistent with Comprehensive Plan Goal 10D and Policies 10D-6 and 10D-10.
10. In addition, some of the amendments shown in Exhibit A are solely to fix grammar and have more concise language.

**CONCLUSIONS**

1. The amendments to the development regulations are the public interest.
2. The amendments are consistent with the Whatcom County Comprehensive Plan.

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

Section 1. Amendments to the Whatcom County Code are hereby adopted as shown in Exhibit A.

Section 2. Staff is authorized to work with Code Publishing to correct and update any cross-references made ineffective by these amendments.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

ATTEST:

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Barry Buchanan, Council Chair

APPROVED as to form:

( ) Approved      ( ) Denied

Karen Frakes approved via phone on 6/15/2023/MR

\_\_\_\_\_  
Karen Frakes, Civil Deputy Prosecutor

\_\_\_\_\_  
Satpal Sidhu, Executive

Date: \_\_\_\_\_