

Proposed by: Planning & Development Services  
Introduction date: \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

DOCKETING COMPREHENSIVE PLAN  
AND DEVELOPMENT REGULATION AMENDMENTS

WHEREAS, the Growth Management Act (RCW 36.70A.470) requires the County to consider the proposed docket of comprehensive plan and development regulation amendments on at least an annual basis; and

WHEREAS, the provisions of WCC 22.10.020 indicate that Comprehensive Plan and development regulation amendments are to be docketed for review by approval of a resolution by the County Council; and

WHEREAS, the Whatcom County Planning and Development Services Department has forwarded a docket of proposed Comprehensive Plan and development regulation amendments to the County Council for consideration.

NOW, THEREFORE, BE IT RESOLVED that the Whatcom County Council hereby docketed for formal review the amendments shown on attached Exhibit A.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

ATTEST

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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

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

APPROVED AS TO FORM:

/s/ Royce Buckingham  
Civil Deputy Prosecutor

## EXHIBIT A – Docket

| File #                               | File Name  | Applicant                             | Description  | Location                          | Fee Waiver Requested?      |
|--------------------------------------|--|---------------------------------------|--|-----------------------------------|----------------------------|
| <a href="#"><u>PLN2023-00001</u></a> | <a href="#"><u>2025 Comprehensive Plan, Development Regulation, and UGA Update</u></a> | <a href="#"><u>Whatcom County</u></a> | <a href="#"><u>Review and revise the Whatcom County Comprehensive Plan and development regulations by June 2025 to ensure compliance with the requirements of RCW 36.70A. Review urban growth areas and densities permitted within urban growth areas by June 2025, in conjunction with the Cities. If necessary, revise urban growth areas and/or associated development regulations to accommodate the urban growth projected for the succeeding twenty-year period.</u></a> | <a href="#"><u>Countywide</u></a> | <a href="#"><u>N/A</u></a> |
| <a href="#"><u>PLN2023-00002</u></a> | <a href="#"><u>Zoning Code Density and Lot Size Amendments</u></a>                     | <a href="#"><u>Whatcom County</u></a> | <a href="#"><u>Amend the text of the Urban Residential District (WCC 20.20), Urban Residential Medium Density District (WCC 20.22), General Commercial District (WCC 20.62), Resort Commercial District (WCC 20.64), Supplementary Requirements (WCC 20.80), and Definitions (WCC 20.97). The text amendments include allowing smaller minimum lot sizes, requiring minimum net densities, reducing setbacks, and defining minimum net density.</u></a>                        | <a href="#"><u>Countywide</u></a> | <a href="#"><u>N/A</u></a> |
| <a href="#"><u>PLN2023-00003</u></a> | <a href="#"><u>Whatcom County Code Amendments</u></a>                                  | <a href="#"><u>Whatcom County</u></a> | <a href="#"><u>Review and revise the Whatcom County Zoning Code and other sections of the County Code to implement Comprehensive Plan policies and/or address issues identified in the administration of the codes. Revisions needed to achieve consistency with the Growth Management Act may also be considered.</u></a>   | <a href="#"><u>N/A</u></a>        | <a href="#"><u>N/A</u></a> |

| File #                   | File Name  | Applicant                 | Description  | Location               | Fee Waiver Requested? |
|--------------------------|--|---------------------------|--|------------------------|-----------------------|
| <del>PLN2022-00001</del> | <del>Capital Facilities Planning (CIP 2023-2028)</del> | <del>Whatcom County</del> | <del>Amend the capital facilities element of the Whatcom County Comprehensive Plan, including updating the list of special district plans adopted by reference (Chapter 4) and adopting a new Six-Year Capital Improvement Program for 2023-2028 (Appendix F).</del>   | <del>County-wide</del> | <del>N/A</del>        |
| <del>PLN2022-00002</del> | <del>Countywide Planning Policy Amendments</del>       | <del>Whatcom County</del> | <del>Amend the Countywide Planning Policies (CWPPs) by adding a new section relating to Countywide Planning Policy Amendment Procedures. The CWPPs are inserted into Appendix C of the Whatcom County Comprehensive Plan.</del>  | <del>N/A</del>         | <del>N/A</del>        |
| <del>PLN2022-00003</del> | <del>Whatcom County Code Amendments</del>              | <del>Whatcom County</del> | <del>Review and revise the Whatcom County Zoning Code and other sections of the County Code to implement Comprehensive Plan policies and/or address issues identified in the administration of the codes. Revisions needed to achieve consistency with the Growth Management Act may also be considered.</del> | <del>N/A</del>         | <del>N/A</del>        |
| <del>PLN2022-00004</del> | <del>Capital Facilities Planning (CIP 2021-2026)</del> | <del>Whatcom County</del> | <del>Amend the capital facilities element of the Whatcom County Comprehensive Plan by revising the existing Six-Year Capital Improvement Program for 2021-2026 (Appendix F). Two repair and mitigation projects would be added to the Parks, Trails, and Activity Centers Chapter.</del>                       | <del>N/A</del>         | <del>N/A</del>        |

| File #                    | File Name   | Applicant                                    | Description  | Location  | Fee Waiver Requested? |
|---------------------------|---|--|--|---|-----------------------|
| PLN2022-00005             | Cherry Point Shoreline Access                     | Whatcom County Council                       | Review and, if necessary, revise county code and the Comprehensive Plan to protect, enhance, and expand public access to shorelines of Cherry Point. The review should include but not be limited to planning to facilitate the development of the Coast Millennium Trail, land swaps, development mitigation allowances, easements, and land purchases.               | Cherry Point Area   | N/A                   |
| PLN2022-00006             | Lake Whatcom Watershed Seasonal Closure Exemption | Whatcom County Council                       | Amend the Whatcom County Code to allow for an exemption to seasonal clearing activity closures in the Lake Whatcom watershed for trail maintenance and limited trail construction under certain circumstances.   | Lake Whatcom Watershed  | N/A                   |
| <del>PLN2021-000001</del> | <del>Battery Energy Storage Systems</del>         | <del>NextEra Resource Development, LLC</del> | <del>Amend the Whatcom County Zoning Code by adding a definition of Battery Energy Storage System (BESS) and modifying the definition of Public Utility (WCC 20.97), amending the Rural zone to allow BESS as a conditional use and increase lot coverage for BESS (WCC 20.36), and adding BESS as a conditional use in the Public Utilities chapter (WCC 20.82)</del> | <del>N/A</del>  | <del>No</del>         |
| <del>PLN2021-00002</del>  | <del>TDR Receiving Area</del>                     | <del>LA Robertson Farms, Inc.</del>          | <del>Amend the Whatcom County Comprehensive Plan, Zoning Text, and /or Zoning Map to designate approximately 23.77 acres, zoned Rural one dwelling/five acres (R5A), as a transfer of development rights receiving area pursuant to WCC 20.89.051. A maximum of 3 development rights would be transferred from the Lake Whatcom Watershed to the subject site.</del>   | <del>Chuckanut Crest Dr (no address) and 1571 Chuckanut Dr Parcel #'s 370318-085165 and 370318-092230</del> | <del>No</del>         |

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| <del>PLN2021-00005</del> | <del>Wireless Communication Facilities</del>                  | <del>Whatcom County</del>                          | <del>Review and update the Zoning Code provisions relating to Wireless Communication Facilities (WCC 20.13) to ensure consistency with Federal rules.</del>   | <del>N/A</del>  | <del>N/A</del>        |
| PLN2021-00007            | Bellingham UGA Expansion                                      | Whatcom County (Council Member Kershner)           | Amend the Whatcom County Comprehensive Plan by expanding the Bellingham Urban Growth Area (UGA) on 339 acres (the site is currently designated as UGA Reserve). Rezone this land to Urban Residential - Mixed (URMX) and commercial zoning.   | North of the Bellingham City Limits and west of the Guide Meridian (State Route 539)                                    | N/A                   |
| <del>PLN2021-00008</del> | <del>Lake Whatcom Watershed Overlay District Amendments</del> | <del>Whatcom County (Council Member Donovan)</del> | <del>Amend the Lake Whatcom Watershed Overlay District (WCC 20.51) and the definition of significant tree (WCC 20.97.436.4) to improve compliance with the Total Maximum Daily Load by further reducing phosphorus loading impacts from development and improve tree protection measures.</del> | <del>Lake Whatcom Watershed</del>   | <del>N/A</del>        |
| <del>PLN2021-00014</del> | <del>Forest Practices Transfer of Jurisdiction</del>          | <del>Whatcom County</del>                          | <del>Transfer of regulatory jurisdiction of certain forest practices from the State Department of Natural Resources to Whatcom County.</del>  | <del>N/A</del>  | <del>N/A</del>        |
| PLN2019-00002            | MRL Expansion – Breckenridge Rd.                              | Concrete Nor'West                                  | Amend the comprehensive plan designation from Rural to Mineral Resource Lands (MRL) and amend the zoning map to expand a MRL overlay zone on approximately 22.8 acres off Breckenridge Rd., east of Nooksack. The underlying zoning is Rural one dwelling/five acres (R5A).                     | Parcel # 400428 165430 and a portion of parcel # 400428 254460; Within the NW ¼ and NE ¼ of section 28, T40N, R4E, W.M. | No                    |

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|--------------------------------|-------------------------------------|------------------------------------|--|-------------|-----------------------|
| PLN2018-00008                  | Wind Energy System Amendments       | Whatcom County Planning Commission | Review and, if needed, revise WCC 20.14 Wind Energy Systems.   | N/A         | N/A                   |
| PLN2017-00004                  | MRL County-wide Designation Process | Whatcom County                     | Through a county-led countywide assessment, seek to identify and designate potential commercially significant mineral resource lands, to meet future demand, compatible with water resources, agricultural lands, forest lands and other GMA goals pursuant to Comprehensive Plan Policy 8R-1.   | County-wide | N/A                   |
| PLN2016-00009                  | Sign Regulations Update             | Whatcom County                     | Review and revise Whatcom County Code 20.80.400 (Sign Regulations), including updating the code for consistency with the U.S. Supreme Court's decisions in <i>Reed v. Town of Gilbert</i> (2015) and <i>City of Austin, Texas v. Reagan National Advertising of Austin</i> (2022).   | N/A         | N/A                   |
| PLN2014-00020<br>PLN2016-00011 | Vacation Rental Regulations         | Whatcom County                     | Amend Whatcom County Code Title 20 (Zoning) & Title 23 (Shoreline Management Program) to allow vacation rentals under certain conditions as a use within certain zones and shoreline designations.   | N/A         | N/A                   |
| PLN2015-00003                  | Code Enforcement Amendments         | Whatcom County                     | Create a new Whatcom County Code (WCC) Chapter 22.15, called "Code Compliance Procedures" to establish an efficient system to address enforcement of building, critical areas and zoning codes. The proposal would consolidate the existing code enforcement provisions from WCC 15, 16.16, and 20 into a new WCC 22.15. The proposed amendments include provisions that would allow | N/A         | N/A                   |

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|               |  |                | the County to record a document at the Whatcom Auditor's office indicating that there is a code violation on a property.   |  |                       |
| PLN2014-00016 | Weddings and Special Events                | Whatcom County | Amend the Whatcom County Zoning Ordinance to allow "Weddings and Special Events" in specific zone districts through a conditional use permit. Amend WCC 20.97 to define "Special Events" and amend the parking space requirements in WCC 20.80.580.  | N/A  | N/A                   |
| PLN2012-00007 | Agricultural Strategic Plan Implementation | Whatcom County | Resolution 2018-027 was approved by the County Council on 8/8/2018 declaring support for the updated Whatcom County Agricultural Strategic Plan. Immediate priorities in this plan include reviewing designation of Agricultural Lands of Long-term Commercial Significance and the agricultural zoning code. Reviewing the Rural Study Areas as listed in the 2007 Rural Land Study and making recommendations for possible changes in accordance with Resolution 2009-040 (100,000 acre target), Resolution 2018-027 (Updated Agricultural Strategic Plan) and RCW 36.70A.170 and .177 will be included. Other short-term and medium-term priorities in this plan include development of policies and regulations that provide for protection of the best agricultural areas while supporting development at zoned densities and continued work on development of the Natural Resource Marketplace. These activities may lead to proposed changes to the agricultural portions of the Comprehensive Plan and zoning regulations. | Proposal relates to Agricultural and Rural lands | N/A                   |

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| PLN2012-00009 | MRL Expansion – North Star Rd. | Ferndale Ready Mix & Gravel | Amend the comprehensive plan designation from Rural to Mineral Resource Lands (MRL) and amend the zoning map to expand a MRL overlay zone on approximately 19.7 acres on the west side of North Star Rd., south of Brown Rd. The underlying zoning is Rural one dwelling/five acres (R5A). | Parcel # 390110 212100; Within the SW ¼ of section 10, T39N, R1E, W.M. | N/A                   |