

COMPREHENSIVE PLAN AMENDMENTS SCHEDULED FOR CONCURRENT REVIEW ON JULY 27, 2021

Note: The proposals below are comprehensive plan amendments initiated over the last few years, with concurrent review delayed for various reasons. The County Council must consider these amendments concurrently so that the cumulative effect of the various proposals can be evaluated (RCW 36.70A.130, WCC 22.10.040).

AB2021-380 Ordinance adopting amendments to the Whatcom County Comprehensive Plan relating to density credits, PDRs, and TDRs

This ordinance inserts the concept of a density credit program into the Whatcom County Comprehensive Plan. A density credit program would allow development incentives, such as increased land use intensity, in exchange for a voluntary contribution towards preserving agricultural lands and open space. The proposal would also amend purchase of development right (PDR) and transfer of development right (TDR) provisions in the Comprehensive Plan.

This proposal was forwarded by Council on November 7, 2018, to be considered with other proposed Comprehensive Plan and zoning amendments from 2018/2019 (see AB2018-298). Per Whatcom County Code 2.02.115, because the ordinance was not adopted within 120 days of its original introduction date, it was reintroduced on June 29, 2021, and is now ready to be reviewed concurrently with other Comprehensive Plan amendments scheduled July 27, 2021.

AB2021-381 Ordinance adopting Whatcom County Comprehensive Plan amendments concerning the Lummi Island Ferry, modifying Policy 6A-1 relating to ferry level of service and deleting Policy 6C-9 relating to a ferry feasibility study

This ordinance amends the Whatcom County Comprehensive Plan concerning the Lummi Island Ferry. The proposal would modify Policy 6A-1 relating to ferry level of service and delete Policy 6C-9 relating to a ferry feasibility study.

This proposal was forwarded by Council on May 7, 2019, to be considered with other proposed Comprehensive Plan amendments for 2018/2019 (see AB2019-223). Per Whatcom County Code 2.02.115, because the ordinance was not adopted within 120 days of its original introduction date, it was reintroduced on June 29, 2021, and is now ready to be reviewed concurrently with other Comprehensive Plan amendments scheduled July 27, 2021.

AB2021-403 Ordinance adopting amendments to the Whatcom County Comprehensive Plan and Whatcom County Code relating to the Cherry Point UGA fossil fuel facilities, renewable fuel facilities, piers, SEPA, greenhouse gas emissions, and other matters

This ordinance amends Whatcom County's development regulations, State Environmental Policy Act (SEPA) provisions, permit review procedures, and Comprehensive Plan relating to fossil fuel facilities, renewable fuel facilities, transshipment fuel facilities and other similar land use activities. The proposal is intended to address the risks to public health, safety, and the environment associated with fossil fuel facilities. The proposal is also intended to address the negative impacts on public safety, transportation, the economy, and environment from crude oil, coal, liquefied petroleum gases, and natural gas transshipments from the Cherry Point Industrial District.

Following the public hearing on this proposal, scheduled for July 27, 2021, staff recommends the following motion: I move to forward this proposal for concurrent review with other Comprehensive Plan amendments scheduled later this evening so the cumulative effect of the various proposals can be evaluated.

AB2021-363 Ordinance amending the Whatcom County Code and Comprehensive Plan, requiring a site-specific geotechnical analysis when mineral extraction is proposed within 500 feet of a gas or petroleum transmission pipeline

This proposal requires a site-specific geotechnical analysis when mineral resource extraction is proposed within 500 feet of a gas or petroleum transmission pipeline, in response to a Council directive to determine the minimum safe distance between surface mining and pipelines to ensure pipeline integrity during seismic events.

This ordinance was adopted by Council on July 13, 2021, but requires review with the other Comprehensive Plan amendments scheduled July 27, 2021, so the cumulative effect of the various proposals can be evaluated.

The following actions are expected to occur at the evening Council meeting on July 27, 2021:

1. A public hearing will be held on AB2021- -403. Following the public hearing, Council will approve a motion to forward the proposal for concurrent review with the other Comprehensive Plan amendments scheduled for review.
2. AB2021-380, AB2021-381, AB2021-403, AB2021-363 will be scheduled under the following section of the Council agenda (please note, again, AB2021-363 has already been adopted):

APPROVAL OF COMPREHENSIVE PLAN AMENDMENTS

These items have been reviewed by Council and are ready to be considered concurrently so the cumulative effect of the proposals can be evaluated. Each ordinance will be voted on separately, followed by a vote to approve the ordinances as a group.

3. AB2021-380, AB2021-381, and AB2021-403 will be adopted.
4. AB2021-380, AB2021-381, AB2021-403, AB2021-363 will be approved as a group to satisfy the concurrent review provisions of state law and County Code, for the record.