



Whatcom County

COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
(360) 778-5010

Agenda Bill Report

File Number: AB2023-668

File ID:	AB2023-668	Version:	1	Status:	Approved
File Created:	10/03/2023	Entered by:	DBrown@co.whatcom.wa.us		
Department:	Council Office	File Type:	Resolution		
Assigned to:	Council Planning and Development Committee			Final Action:	10/10/2023
Agenda Date:	10/10/2023			Enactment #:	RES 2023-033
Related Files:					

Primary Contact Email: DBrown@co.whatcom.wa.us

TITLE FOR AGENDA ITEM:

Resolution amending Resolution 2023-005 to docket an additional Comprehensive Plan/zoning amendment related to allowing propane reload, storage, and distribution facilities as a conditional use under certain conditions in the Agriculture District

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

This resolution would amend Resolution 2023-005 to docket an additional Comprehensive Plan/zoning amendment related to allowing propane reload, storage, and distribution facilities as a conditional use under certain conditions in the Agriculture District

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
10/10/2023	Council Planning and Development Committee	RECOMMENDED FOR APPROVAL	
		Aye: 2 Byrd, and Galloway	
		Nay: 0	
		Absent: 1 Elenbaas	
10/10/2023	Council	APPROVED	
		Aye: 7 Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner	
		Nay: 0	

Attachments: Proposed Resolution, Resolution 2023-005, Background Info - Draft Ordinance, WCC 20.40
(current text)

Proposed by: Kershner
Introduction date: _____

RESOLUTION NO. 2023 - 033

AMENDING RESOLUTION 2023-005 TO DOCKET AN ADDITIONAL COMPREHENSIVE PLAN AND ZONING AMENDMENT RELATED TO ALLOWING PROPANE RELOAD, STORAGE, AND DISTRIBUTION FACILITIES IN THE AGRICULTURE DISTRICT AS A CONDITIONAL USE UNDER CERTAIN CIRCUMSTANCES

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 Whatcom County Code 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

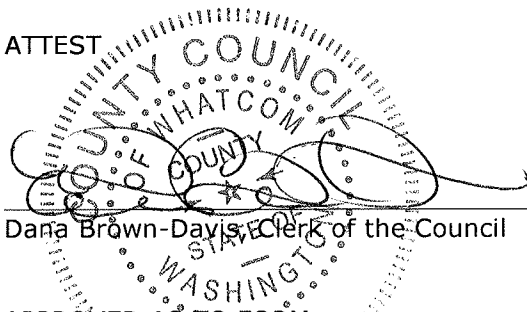
WHEREAS, the County Council initiated proposed Comprehensive Plan and zoning amendments under Whatcom County Resolution No. 2023-005.

WHEREAS, the Council wishes to add an item to the docket for further review related to allowing propane reload, storage, and distribution facilities in the Agriculture District as a conditional use under certain circumstances.

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

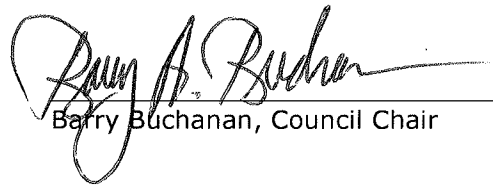
APPROVED this 10th day of October 2023.

ATTEST

A circular seal for the Whatcom County Council. The outer ring contains the text "COUNTY COUNCIL" at the top and "WHATCOM COUNTY WASHINGTON" at the bottom. Inside the ring, the words "COUNTY OF WHATCOM" are visible. A signature is written across the seal, and a horizontal line is drawn below it.

Dana Brown-Davis, Clerk of the Council

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

A handwritten signature in black ink, appearing to read "Barry A. Buchanan". A horizontal line is drawn below the signature.

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

/s/Karen Frakes approved via email on 10/05/2023

Civil Deputy Prosecutor

EXHIBIT A – Docket

File #	File Name	Applicant	Description	Location	Fee Waiver Requested?
PLN2023-00001	2025 Comprehensive Plan, Development Regulation, and UGA Update	Whatcom County	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.	Countywide	N/A
PLN2023-00002	Zoning Code Density and Lot Size Amendments	Whatcom County	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.	Countywide	N/A
PLN2023-00003	Whatcom County Code Amendments	Whatcom County	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.	N/A	N/A
PLN2023-00004	<u>Allow Propane Reload, Storage, and Distribution Facilities in AG Zone Under Certain Circumstances</u>	<u>Whatcom County Council</u>	<u>Amend Whatcom County Code 20.40.150, Agriculture (AG) District, to allow propane reload, storage, and distribution facilities in the Agriculture Zone as a conditional use under certain circumstances</u>	<u>Agriculture (AG) District</u>	<u>N/A</u>

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
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
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
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

File #	File Name	Applicant	Description	Location	Fee Waiver Requested?
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 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 the County to record a document at the Whatcom Auditor's office indicating that there is a code violation on a property.	N/A	N/A
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.	N/A	N/A

File #	File Name	Applicant	Description	Location	Fee Waiver Requested?
			Amend WCC 20.97 to define "Special Events" and amend the parking space requirements in WCC 20.80.580.		
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
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