



Whatcom County

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

Agenda Bill Report

File Number: AB2024-245

File ID: AB2024-245 **Version:** 1 **Status:** Approved as Amended
File Created: 03/29/2024 **Entered by:** LClark@co.whatcom.wa.us
Department: Planning and Development Services Department **File Type:** Resolution
Assigned to: Council Planning and Development Committee **Final Action:** 04/09/2024
Agenda Date: 04/09/2024 **Enactment #:** RES 2024-016
Related Files:

Primary Contact Email: lclark@whatcomcounty.us

TITLE FOR AGENDA ITEM:

Resolution docketing Comprehensive Plan and Development Regulation amendments

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Each year the Council adopts a docket wherein anticipated comprehensive plan and development regulation amendments are listed, which becomes the work plan for Planning and Development Services.

HISTORY OF LEGISLATIVE FILE

Date:	Acting Body:	Action:	Sent To:
04/09/2024	Council Planning and Development Committee	RECOMMENDED FOR APPROVAL Aye: 3 Nay: 0	Donovan, Elenbaas, and Scanlon
04/09/2024	Council	APPROVED AS AMENDED Aye: 7 Nay: 0	Buchanan, Byrd, Donovan, Elenbaas, Galloway, Scanlon, and Stremler

Attachments: Staff Memo, Proposed Resolution, Presentation on 4.9.2024

Proposed by: Planning & Development Services
Introduction date: April 9th, 2024

RESOLUTION NO. 2024-016

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

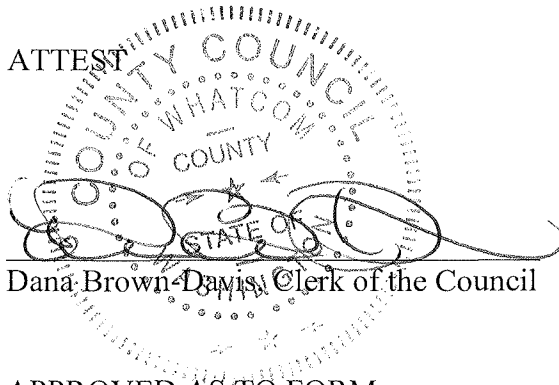
WHEREAS, the provisions of WCC 22.10.020 indicate that Comprehensive Plan and development regulation amendments are to be docketed for review by approval of a resolution by the County Council; and

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 9th day of April, 2024.

ATTEST

The seal of the Whatcom County Council is circular, featuring the text "WHATCOM COUNTY COUNCIL" around the top and "WHATCOM COUNTY" around the bottom. In the center, it says "STATE OF WASHINGTON". A signature is written across the seal.

Dana Brown-Davis, Clerk of the Council

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

A handwritten signature in cursive script, reading "Barry A. Buchanan", is written over a horizontal line.

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?
PLN2024-00001	Capital Facilities Planning	Whatcom County	Amend the capital facilities element of the Whatcom County Comprehensive Plan, including adopting a new Seven-Year Capital Improvement Program (Appendix F).	Countywide	N/A
PLN2024-00002	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.	Countywide	N/A
PLN2024-00003	Permit Review Process and Timelines	Whatcom County	Permit Review Processing and Timelines- propose code amendments to comply with SB 5290	Countywide	N/A
PLN2024-00004	Lummi Island Height	Whatcom County	Lummi Island Height- review height limitations for consistency with other similarly zoned and situated areas. Lummi Island height limitations are the most restrictive in any zone and limit height to 24' without provisions to increase.	Rural Residential Island	N/A
PLN2024-00005	Clean Energy Code Amendments	Whatcom County Council	Amendments to the Whatcom County Code to support solar energy, geothermal energy, and hydrogen energy in accordance with Resolution 2023-044.	Countywide	N/A
PLN2024-00006	Cannabis Retail in LII within UGA	Whatcom County	Evaluate the allowance of cannabis retail facilities in the Light Impact Industrial (LII) zone district within a city's designated urban growth area (UGA) and review and revise the Whatcom County Zoning Code, as applicable. Cannabis retail facilities are currently only allowed in four commercial zone districts in unincorporated Whatcom County. The county has limited areas zoned commercial and many of the allowed zone districts currently have established retail cannabis stores. The state legislature recently revised the Washington State Cannabis Social Equity Program to authorize the Liquor and Cannabis Board (LCB) to issue additional cannabis retail sales licenses to applicants who meet the social equity requirements of the program under WAC 314-55-570.	Countywide	N/A

File #	File Name	Applicant	Description	Location	Fee Waiver Requested?
			Allowing limited cannabis retail sales in the LII zone would provide social equity retail sales license holders more locations to operate than otherwise currently available and allowed by county code.		
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
PLN2024-00007	Heavy Impact Industrial Zones within city UGA	Whatcom County Council	Amend Whatcom County Code 20.68 and other relevant sections of Title 20 to define appropriate industrial uses and conditions for industrial uses in Heavy Impact Industrial (HII) Districts within a city's designated urban growth area.	Heavy Impact Industrial (HII)	N/A
PLN2023-00008	CIP update of Capital Facilities & Parks	Whatcom County	Amend the Capital Facilities and Parks elements of the Six-Year Capital Improvement Plan.	Countywide	N/A
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
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	Parcel # 400428 165430 and a portion of parcel	No

File #	File Name	Applicant	Description	Location	Fee Waiver Requested?
			Breckenridge Rd., east of Nooksack. The underlying zoning is Rural one dwelling/five acres (R5A).	#400428 254460; Within the NW ¼ and NE ¼ of section 28, T40N, R4E, W.M.	
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.	Countywide	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
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	Proposal relates to Agricultural and Rural lands	N/A

File #	File Name	Applicant	Description	Location	Fee Waiver Requested?
			activities may lead to proposed changes to the agricultural portions of the Comprehensive Plan and zoning regulations.		
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