

Proposed by: Planning & Development Services  
Introduction date: April 9<sup>th</sup>, 2024

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 \_\_\_\_\_ 2024.

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="#">PLN2024-00001</a>	<a href="#">Capital Facilities Planning</a>	<a href="#">Whatcom County</a>	<a href="#">Amend the capital facilities element of the Whatcom County Comprehensive Plan, including adopting a new Seven-Year Capital Improvement Program (Appendix F).</a>	<a href="#">Countywide</a>	<a href="#">N/A</a>
<a href="#">PLN2024-XXXXX</a>	<a href="#">Whatcom County Code Amendments</a>	<a href="#">Whatcom County</a>	<a href="#">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.</a>	<a href="#">Countywide</a>	<a href="#">N/A</a>
<a href="#">PLN2024-XXXXX</a>	<a href="#">Permit Review Process and Timelines</a>	<a href="#">Whatcom County</a>	<a href="#">Permit Review Processing and Timelines- propose code amendments to comply with SB 5290</a>	<a href="#">Countywide</a>	<a href="#">N/A</a>
<a href="#">PLN2024-XXXXX</a>	<a href="#">Lummi Island Height</a>	<a href="#">Whatcom County</a>	<a href="#">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.</a>	<a href="#">Rural Residential Island</a>	<a href="#">N/A</a>
<a href="#">PLN2024-XXXXX</a>	<a href="#">Clean Energy Code Amendments</a>	<a href="#">Whatcom County Council</a>	<a href="#">Amendments to the Whatcom County Code to support solar energy, geothermal energy, and hydrogen energy in accordance with Resolution 2023-044.</a>	<a href="#">Countywide</a>	<a href="#">N/A</a>
<a href="#">PLN2024-XXXXX</a>	<a href="#">Cannabis Retail in LII within UGA</a>	<a href="#">Whatcom County</a>	<a href="#">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. Allowing limited cannabis retail sales in the LII zone would provide social equity retail sales license holders more</a>	<a href="#">Countywide</a>	<a href="#">N/A</a>

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			<u>locations to operate than otherwise currently available and allowed by county code.</u>		
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	<del>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.</del>	Countywide	N/A
PLN2023-00003	Whatcom County Code Amendments	Whatcom County	<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>	N/A	N/A
PLN2023-00004	Allow Propane Reload, Storage, and Distribution Facilities in AG Zone Under Certain Circumstances	Whatcom County Council	<del>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.</del>	Agriculture (AG) District	N/A
PLN2023-00005	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

File #	File Name	Applicant	Description	Location	Fee Waiver Requested?
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
<del>PLN2022-00005</del>	<del>Cherry Point Shoreline Access</del>	<del>Whatcom County Council</del>	<del>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.</del>	<del>Cherry Point Area</del>	<del>N/A</del>
<del>PLN2022-00006</del>	<del>Lake Whatcom Watershed Seasonal Closure Exemption</del>	<del>Whatcom County Council</del>	<del>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.</del>	<del>Lake Whatcom Watershed</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
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
<del>PLN2018-00008</del>	<del>Wind Energy System Amendments</del>	<del>Whatcom County Planning Commission</del>	<del>Review and, if needed, revise WCC 20.14 Wind Energy Systems.</del>	<del>N/A</del>	<del>N/A</del>
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

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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	<del>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.</del>	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	Proposal relates to Agricultural and Rural lands	N/A

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			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.		
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