

PROPOSED BY: \_\_\_\_\_  
INTRODUCTION DATE: \_\_\_\_\_

**ORDINANCE NO.** \_\_\_\_\_

**ADOPTING AMENDMENTS TO WHATCOM COUNTY CODE CHAPTER 20.72, POINT ROBERTS SPECIAL DISTRICT**

**WHEREAS**, the Point Roberts Community Advisory Committee has proposed amendments to Whatcom County Code Chapter 20.72, Point Roberts Special District; and,

**WHEREAS**, The Whatcom County Council reviewed and considered Planning Commission recommendations, staff recommendations, and public comments on the proposed amendments; and

**WHEREAS**, The County Council hereby adopts the following findings of fact:

**FINDINGS OF FACT**

1. Whatcom County Planning and Development Services has submitted, on behalf of the Point Roberts Community Advisory Committee, an application to make various amendments to Whatcom County Code (WCC) 20.72 (Point Roberts Special District).
2. A determination of non-significance (DNS) was issued under the State Environmental Policy Act (SEPA) on April 3, 2020.
3. Notice of the subject amendment was submitted to the Washington State Department of Commerce on September 9, 2020.
4. The Point Roberts Community Advisory Committee discussed these amendments in 27 public meetings over a two and a half year period. The PRCAC heard from members of the community in person at these meetings and through e-mail correspondence. PRCAC's at-large members reached out to Point Roberts for feedback outside the meetings. In addition the 3 member groups Chamber of Commerce, the Point Roberts Taxpayers Association and the Point Roberts Registered Voters Association all held multiple public meetings regarding 20.72 changes.
5. The Planning Commission held a duly noticed public hearing on the proposed amendments on October 8, 2020.
6. The County Council held a duly noticed public hearing on the proposed amendments on X, 2020.
7. The amendments are consistent with Comprehensive, and in particular the Point Roberts Subarea Plan.
8. In addition to simplifying and clarifying some of the language of 20.72, the amendments would:
  - a. Allow permitted businesses in the Small Town Commercial district to have up to two on-site storage containers as an accessory use (WCC 20.72.102(1)), and more through a conditional use permit (WCC 20.72.154(4), and add setback standards for them (WCC 20.72.350(3)).
  - b. Allow hotels, motels, and timeshare condominiums in the Small Town Commercial district as a conditional use (in addition to the Resort Commercial district, which is already allowed). (WCC 20.72.154(1))
  - c. Allow kennels for kenneling up to 6 animals when associated with an animal groomer as a conditional use. (WCC 20.72.154(2))

- d. Allow RV parks in the Small Town Commercial as a conditional use. (WCC 20.72.154(3))
- e. Repeal the larger, 40-foot setback along Roosevelt Road (though the underlying zones' standard setbacks would still apply) (WCC 20.72.350(1))
- f. Allow a 10-foot setback throughout the Small Town Commercial district, not just along Gulf Road (WCC 20.72.350(2))
- g. Make the maximum building height of 45 feet apply throughout the Small Town Commercial district, not just along Gulf Road. (WCC 20.72.401)
- h. Add measurable standards to the existing screening requirements for trash and utility areas of commercial and institutional uses (WCC 20.72.653(a)) and for vehicle storage areas. (WCC 20.72.653(b))
- i. Allow some flexibility as to where businesses' parking lots area located in the Small Town Commercial district. (WCC 20.72.659(a))

**CONCLUSIONS**

1. The amendments to the development regulations are in the public interest.
2. The amendments are consistent with the Whatcom County Comprehensive Plan.

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that:

Section 1. Amendments to the Whatcom County Code are hereby adopted as shown in Exhibit A.

Section 2. Staff is authorized to work with Code Publishing to correct and update any cross-references made ineffective by these amendments.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

ATTEST:

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

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

APPROVED as to form:

( ) Approved      ( ) Denied

\_\_\_\_\_  
Civil Deputy Prosecutor

\_\_\_\_\_  
Satpal Sidhu, Executive

Date: \_\_\_\_\_