



Notification for 60-Day Review of Comprehensive Plan and Development Regulation Amendments

Pursuant to RCW 36.70A.106, the following hereby provides 60-day notice of intent to adopt the following comprehensive plan amendments.

Jurisdiction Name:	Whatcom County
Address:	5280 Northwest Dr. Bellingham, WA 98226
Date:	June 23, 2009

Contact Name for Ordinance:	Gary Davis
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Brief Description of the Proposed Comprehensive Plan Amendment:	Amendments to Whatcom County Comprehensive Plan, Zoning Code, and zoning maps, related to the Rural Element update, required per WWGMHB 05-2-0013.
Planned Public Hearing Date:	July 9, 2009
Planned Date of Adoption:	November 2009
Please Attach a Draft of the Proposed Amendment. (Attachment Required)	Proposed Comprehensive Plan and Zoning Code text amendments are attached; proposed Comprehensive Plan maps and zoning maps will be transmitted on CD via mail.

**Chapter Two
LAND USE**

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OVERALL LAND USE - INTRODUCTION

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ISSUES, GOALS, AND POLICIES

Issues for this section were drawn from those identified in the Whatcom County: Next Generations Visioning Process. Numerous meetings, surveys and other methods were used to identify what was important to people in Whatcom County.

Accommodating Growth

Community Value Statements encourage concentrating growth into urban areas. This allows for efficient provision of services and preservation of rural areas as quiet, open spaces where development pressures are not such that extraordinary regulations must be imposed. A distinct boundary is also encouraged between rural and urban areas, discouraging sprawl, maintaining desired rural lifestyles, and conserving agricultural land.

GOAL 2A: Ensure provision of sufficient land and densities to accommodate the growth needs of Whatcom County and protect the qualities that make the county a desirable place to live.

Policy 2A-1: Concentrate urban levels of development within designated urban growth areas.

Policy 2A-2: ~~Draw~~ a distinct boundary between urban and rural uses.

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Policy 2A-3: Provide a range of land uses which considers locational and market factors as well as required quantities of land.

Policy 2A-4: Designate land uses that reflect the best use of the land.

Policy 2A-5: Provide predictability to property owners in land use designation.

Policy 2A-6: Allow appropriate development in existing small self-contained communities through the use of the "~~Rural Center~~" land use designation.

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Policy 2A-7: Provide sufficient and appropriately located residential, commercial, and industrial lands.

Policy 2A-8: Include business/industry parks, tourist/resort areas and allowance for existing crossroads commercial areas within urban growth areas or limited areas of more intensive rural development.

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Policy 2A-9: Retain existing rural and heavy industrial areas in the northwestern region of the county within urban growth areas or limited areas of more intensive rural development.

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Resort Communities and Master Planned Resorts

The County's resort areas are important to tourism and provide numerous and varied recreational opportunities for county residents and visitors. Historically important resort areas include Birch Bay, Point Roberts, the Resort Semiahmoo and West Semiahmoo areas, and the Mount Baker winter recreational area. New developments, including the Point Roberts Golf and Country Club have expanded the role of the resort communities in providing recreational and employment opportunities for residents.

GOAL 2B: Encourage the continued viability of existing resort communities and allow the development of new Master Planned Resorts in the future.

Policy 2B-1: Support the economic viability of the County's tourist industry by permitting master planned resorts in places with significant natural amenities within urban growth areas through the planned unit development process.

Policy 2B-2: New large-scale resort development in rural areas outside of UGAs and outside established resort areas, should only be permitted as Master Planned Resorts and only when substantially in compliance with these policies.

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Policy 2B-3: Work with property owners in the resort communities to develop an understanding of the unique needs of these areas and evaluate land use regulations for their responsiveness to these needs.

Policy 2B-4: New resort development and Master Planned Resorts should be developed consistent with the development regulations established for critical areas.

Policy 2B-5: No new urban land uses should be allowed in the vicinity of Master Planned Resorts, except in areas otherwise designated for urban growth under the Comprehensive Plan.

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Regions of Whatcom County

Whatcom County is a large and diverse county. People living in different parts of the county have different priorities and understanding of what constitutes rural and urban lifestyles. It is important to citizens to emphasize these regional differences.

GOAL 2L: Recognize the important regional differences within Whatcom County.

Policy 2L-1: Use the subarea planning process to identify and support distinctions among different areas of the county.

Policy 2L-2: Retain and periodically update the adopted Subarea Plans (Lummi Island, Cherry Point-Ferndale, Lake Whatcom, Urban Fringe, Lynden-Nooksack Valley, Chuckanut-Lake Samish, Birch Bay-Blaine, Foothills, Point Roberts, South Fork Valley, and Eliza Island). Subarea Plans represent a long history of plan development in Whatcom County and provide the foundation for the county's first Growth Management comprehensive plan adopted in 1997. However, the plans adopted prior to the 1997 Comprehensive Plan have not been reviewed for compliance with the Growth Management Act. In the event there is an inconsistency between a Subarea Plan and the Whatcom County Comprehensive Plan, the Whatcom County Comprehensive Plan shall prevail.

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Policy 2L-3: Emphasize forestry uses with some provision for rural and agricultural uses in the south and southeastern regions of the county.

Policy 2L-4: Expand the rural economic base by supporting natural resource, forestry, fishing, and agriculture, as well as allowing for cottage and light industries, recreation and tourism, and other rural commercial uses contained within limited areas of more intensive rural development. in appropriate regions of the county.

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Policy 2L-5: Emphasize agriculture in the north central regions of the county.

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RURAL LANDS – INTRODUCTION

Purpose

This section establishes direction in the form of goals and policies to guide land use decisions in the rural area of Whatcom County consistent with the Growth Management Act's allowance of development in the rural area, including "limited areas of more intensive rural development."

Deleted: The purpose of the Rural Lands section is to provide direction for land use decisions in the rural areas of Whatcom County.¶

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The issues, goals, policies, and action plans of the Rural Lands section were derived from the public input gathered and synthesized by the *Whatcom County: The Next Generations* Visioning Committee.¶
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GMA Requirements

The state Growth Management Act requires counties to include a Rural element in their comprehensive plan in accordance with RCW 36.70A.070. GMA defines rural lands as those that are located outside urban growth areas and which do not include designated agriculture, forestry, or mineral resource lands of long-term commercial significance. Agriculture, forestry and mineral resource lands are addressed separately in *Chapter 8: Resource Lands*.

Rural Vision - What is Rural?

The rural areas of Whatcom County in 2031 will promote rural values and will be characterized by peaceful, quiet, low-density development with a preserved natural environment. The rural areas of Whatcom County will continue to provide an important transition between the urban areas and the resource areas of the County, including commercial agriculture and forestry uses. The rural areas are characterized by a mixture of low-density residential, historic rural communities, pasture, agriculture, woodlots, home occupations, and cottage industries.

Rural Character and Lifestyle

Whatcom County residents value the character and the lifestyle of the rural areas of the County. In particular, people value the natural environment, clean water and air, agriculture, forested lands, and parks, trails, and open space.

The GMA (RCW 36.70A.030(15)) defines “rural character” as “patterns of land use and development established by a county in the rural element of its comprehensive plan:

- (a) In which open space, the natural landscape, and vegetation predominate over the built environment;
- (b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- (c) That provide visual landscapes that are traditionally found in rural areas and communities;
- (d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- (e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- (f) That generally do not require the extension of urban government services; and
- (g) That are consistent with the protection of natural surface water flows and ground water and surface water recharge and discharge areas.”

GOAL 2DD: Retain the character and lifestyle of rural Whatcom County.

Policy 2DD-1: Recognize rural lands as an important transition area between urban areas and resource areas.

Policy 2DD-2: Protect and value clean water and air, the natural environment, forested lands, small-scale agriculture, parks, trails, and open space that provide for a high-quality rural lifestyle.

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Background Summary¶**

¶ Maintaining the rural character and lifestyle is very important to Whatcom County residents. Typical uses in the rural areas include a mixture of low-density residential, pasture, agriculture, woodlots, home occupations, and cottage industries. The distribution of rural land use is adjacent to agricultural, forestry, and urban land uses and often provides a buffer between urban areas and commercial agriculture and forestry uses.¶

¶ The population growth for Whatcom County from 2000 to 2022 is projected to be 68,103 for a total 2022 population of 234,917. This represents an increase of approximately 4,328 people in the areas of Whatcom County that are currently unincorporated and outside of permanent UGAs. A study of the potential subdividable land in the areas of the County zoned Rural one dwelling/five acres (R5A) found that out of 85,588 acres inventoried, about 2/3 of the acreage was in parcels 10 acres or larger in 2002. This indicates that there is potential for future land division in the rural portions of the county under current zoning regulations. Conceivably, the rural landscape could look different in the future if the current rural zoning is retained. ¶

¶ People in Whatcom County, through the Visioning Process, defined rural character as a variety of low densities, open spaces, privacy, peace and quiet with less traffic noise and congestion than found in urban areas. Retaining a sense of community and maintaining local control in land use decisions were also components of rural identity.¶

**¶
RURAL LANDS – ISSUES, GOALS, AND POLICIES¶**

¶ **Rural Character and Lifestyle¶**
County residents describe rural character and lifestyle as open space, quiet areas/privacy, largely agricultural and forestry orientation, peacefulness, sense of community, low-density population, less noise and congestion than found in urban areas, natural landscape, and greater self-determination of property use. With a rapidly increasing population in Whatcom County, maintaining the rural lifestyle currently enjoyed by county residents becomes more challenging. County residents

Policy 2DD-3: Encourage property owners to conserve forested areas, agricultural land, and open space by utilizing current-use taxation provisions (*RCW 84.34*).

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Policy 2DD-4: Conserve open space, park land, and trails for recreational use, as well as to protect essential habitat such as riparian areas and wetlands.

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Policy 2DD-5: Allow home-based occupations and cottage industries throughout the rural area provided they do not adversely affect the surrounding residential uses or rural character.

Policy 2DD-6: Maintain the historic character and cultural roles of existing rural communities.

Policy 2DD-7: Recognize Rural Centers that support the rural areas with public and commercial services and employment opportunities.

Policy 2DD-8: Assure economic prosperity for rural areas and allow rural property owners reasonable use of their land by continuing to allow legal nonconforming uses.

Policy 2DD-9: Coordinate and plan public facilities, services, roads, and utilities to ensure that rural areas have appropriate and adequate rural levels of service necessary to maintain a rural lifestyle.

Rural Development

With a rapidly increasing population in Whatcom County, maintaining the rural lifestyle currently enjoyed by county residents becomes more challenging. The rural character is perceived to be threatened by residential development, commercial development, environmental degradation, and increased vehicular traffic. Preventing urban sprawl is therefore important to preserving the rural values of the County.

Whatcom County seeks to retain its rural character by encouraging development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner, and by reducing the inappropriate conversion of undeveloped land into sprawl development.

Existing rural communities in rural Whatcom County serve an historic and cultural role in the rural character of the County, allow for the clustering of services needed to serve the surrounding rural areas, and provide employment opportunities for rural residents. Rural Centers allow for infill development but are contained by distinct boundaries.

Goal 2EE: Support rural development patterns that prevent sprawl and contain growth.

Policy 2EE-1: Provide a variety of residential choices at very low densities which are compatible with farming, fishing, and timber management.

Policy 2EE-2: Manage development in rural areas through density requirements (5-acre lots or larger) that protect and maintain existing rural character, natural resource lands, open space, critical areas, significant cultural resources, and water resources and that will minimize the demand and cost of public services and infrastructure improvements.

Policy ~~2EE-3~~: Rezones from one dwelling unit per ten acre (R-10A) zoning districts to one dwelling per five acre (R-5A) zoning districts should be discouraged.

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Policy 2EE-4: Prevent urban or suburban levels of residential and commercial development, increases in traffic and noise, and the degradation of the natural environment that threaten the rural character of Whatcom County.

Policy 2EE-5: Minimize potential conflicts of rural residential development near designated natural resource lands to prevent the conversion of farm and forest land to non-resource uses.

Policy 2EE-6: Establish Rural Center, Rural Tourism, and Rural Business land use designations as limited areas of more intensive rural development (per RCW 36.70A.070(5)(d)) that minimize and contain uses and densities that are more intensive than those generally considered rural in nature.

Policy 2EE-7: Prevent the approval of conditional use permits in any rural land use designation unless the proposed use is consistent with the area and is similar in use, scale, and intensity to surrounding uses.

Policy ~~2EE-8~~: Adopt mandatory and incentive programs, such as purchase of development rights, transfer of development rights, and tax deferrals, to achieve desired land use policies in rural areas and in areas where there are compelling reasons to do so, and allocate sufficient resources to achieve the desired outcome.

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Policy ~~2EE-9~~: Provide landowners with incentives and options to develop their property at densities that may be less than the underlying zone.

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Policy 2EE-10: Ensure that flexible development patterns such as cluster subdivisions effectively preserve open space and agricultural land and do not create the need for more intensive rural services.

Policy ~~2EE-11~~: Use an "Agriculture Protection Overlay Zone" designation in certain Rural zoned areas as a way to help achieve the goal of conserving and enhancing Whatcom County's agricultural land base.

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Policy ~~2EE-12~~: In the "Agriculture Protection Overlay Zone" on parcels 20 acres and larger with Rural 5 acre and Rural 10 acre zoning, require non-agriculturally related development to be clustered on a maximum of 25 percent of the available land with the remainder available for open space and agricultural uses. Development standards shall provide flexibility to achieve development potential in cases of natural limitations.

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~~Policy 2EE-13: Allow development in rural areas only when a minimum level of necessary services is provided but urban services are not required.~~

Rural Services

~~Development in rural areas should not receive urban levels of service, but services should be coordinated to ensure that rural areas receive a standard level of service including law enforcement protection, fire protection, and emergency services. The Whatcom County Public Works Department maintains county roads. Most of the residential development in rural areas uses individual on-site septic systems. Some drinking water is provided by on-site wells and in other cases it is provided by water districts.~~

GOAL ~~2FF~~: Ensure that rural areas are provided with services consistent with the rural character and that development patterns do not encourage an increased service level or degrade water quality.

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Policy ~~2FF-1~~: Recognize domestic water systems, volunteer fire protection, emergency services, law enforcement protection, transportation, public transit services and public utilities typically associated with rural development as appropriate services in designated rural areas. Rural services do not include storm or sanitary sewers.

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~~Policy 2FF-2: Coordinate with rural service providers to ensure efficient and effective service to rural areas.~~

~~Policy 2FF-3: Pursue opportunities for implementing concurrency fees to help pay for critical rural services such as fire and emergency service.~~

~~Policy 2FF-4: Prohibit extension or expansion of urban services in rural areas except where it is necessary to protect public health and safety.~~

Policy ~~2FF-5~~: Ensure that adequate on-site wells and on-site sewage and septic systems are properly installed, monitored, and maintained. ~~Provide technical assistance to property owners, and require necessary improvements when needed to protect health, safety and environmental quality.~~

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Policy ~~2FF-6~~: Promote better land use practices and protect water quality by encouraging landowners and developers to investigate and

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implement innovative subdivision, septic system designs, and stormwater management.

Policy 2FF-7: Prioritize public investment in rural areas to maintain or upgrade existing facilities, services, and utilities to serve existing development at rural service standards. New facilities, services, roads, and utilities which support planned rural development shall meet rural service standards.

Policy 2FF-8: Ensure county coordination with service providers to determine if new or infill development will have necessary services. Require concurrent review of new development to ensure adequate level of service at rural standards are available at the time of development.

Policy 2FF-9: Ensure all standards and plans for structures, roads and utility systems, and other public services and facilities are consistent with rural densities and uses. Such facilities and services shall be designed, constructed, and provided to minimize the alteration of the landscape and the impacts to rural residents and community character, to preserve natural systems, to provide for continuing agricultural or woodlot use, to protect critical areas, to protect important land features such as ridgelines, to retain historic and cultural structures/ landscapes, and scenic amenities.

Policy 2FF-10: On-site wastewater systems are preferred to treat and dispose of effluent in rural areas. Community on-site systems or decentralized treatment systems may be used in land divisions or to serve limited areas of more intensive rural development (LAMIRDs).

a. The size of a community or large on-site sewage system for a designated LAMIRD shall be limited to the build-out potential of all development within the LAMIRD's designated boundaries, unless it is also needed to address existing public health, safety or welfare issues of properties outside of the LAMIRD.

b. The size of a community or large on-site sewage system for a land division shall be limited to the number of residential units allowed under the land division. The system may not be used for development that is not part of the proposed land division unless it is found to be needed, in the land division review process, to address existing public health, safety and welfare issues of existing development.

Rural Employment Opportunities

Many residents in rural Whatcom County depend on cottage industries, home occupations, small businesses, and natural resource-based jobs for their livelihood. These types of businesses support the local economy and are compatible with the rural lifestyle desired by county residents.

Light industry is another important contributor to the local economy. Currently, most light industry is located along Guide Meridian, along the Interstate-5 corridor, or in urban areas.

GOAL 2GG: Provide employment opportunities in the rural parts of Whatcom County.

Policy 2GG-1: Support small businesses, cottage industries, home occupations, resource-based and other appropriate light industry contained within limited areas of more intensive rural development in the rural areas of Whatcom County.

Policy 2GG-2: The use, scale, and intensity of businesses contained within limited areas of more intensive development designations should be similar to the existing uses in those areas.

Policy 2GG-3: Support resource-based industries that require only rural services, conserve the natural resource land base, and help maintain the rural character and lifestyle of the community. Assure adequate facilities, mitigation and buffers through development regulations.

Policy 2GG-4: Ensure that business operations do not adversely impact neighbors, compromise water quality and quantity, or infringe on productive agricultural and forest land.

Policy 2GG-5: New rural commercial and industrial uses should be located principally within designated commercial areas to avoid the proliferation of commercial businesses throughout the rural area. However, certain limited commercial uses, resource-related uses, home occupations, cottage industries and other nonresidential uses may be permitted if carefully reviewed, conditioned and found to be compatible with rural areas. To encourage efficient use of the land, the broadest range of commercial and industrial uses should be allowed in areas already accommodating such use and development, with greater limitations placed upon such uses within areas devoted predominantly to residential use. Commercial and industrial uses located in the unincorporated portions of the county fall within the Rural Center, Rural Business, Rural Tourism, or Master Planned Resort Comprehensive Plan designations.

Policy 2GG-6: Public services and public facilities necessary for rural commercial and industrial uses shall be rural in nature, limited to those necessary to serve the use, and provided in a manner that does not permit low-density sprawl. Uses may utilize urban services that previously have been made available to the site.

Deleted: Expanding light industry in other parts of the county would generate revenue for local school districts and increase the tax base. Results from the Visioning Process encourage the establishment of a Business/Light Industrial Park or Rural Industrial areas in the eastern part of the county where appropriate as long as the industry does not negatively impact surrounding uses, the environment, or water quality. The intent is to provide job opportunities close to unincorporated urban growth areas and small towns.

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Deleted: Locate resource-based industries near small towns or crossroads communities. Resource-based industries with up to fifty employees may be approved by conditional use, provided that the industry processes agricultural or forestry products that are predominantly locally grown.

Deleted: Policy 2FF-5: Retain existing tourist/resort/small town commercial designations throughout Whatcom County.

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RURAL LANDS – LAND USE

Limited Areas of More Intensive Rural Development (LAMIRD)

RCW 36.70A.070(5)(d)(i) through (iii) allows (but does not require) counties to designate limited areas of more intensive development (LAMIRDs) for three types of development patterns in the rural areas:

- Type I: “Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas...” Existing development is defined as that which existed on July 1, 1990.
- Type II: “The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those...uses, that rely on a rural location and setting...”
- Type III: “The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents...”

Goal 2HH: Establish LAMIRD Designation Criteria

Policy 2HH-1: Designation criteria for Type I LAMIRDs

A. Location Criteria. Type I LAMIRDs may be designated in an area that:

1. Was characterized by existing more intensive development (residential and non-residential) as of July 1, 1990, and
2. Is not currently designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, and
3. Is not located within one mile, measured by public road, of a designated Urban Growth Area (UGA) or another LAMIRD area, regardless of type.

B. Additional Location Criteria. The following may serve as additional criteria for Type I LAMIRD designation (relative to the specific circumstances of the area, and in combination with each other):

1. The area has historically served as a hub of public and commercial services for the surrounding rural areas;
2. The area is not subject to critical areas constraints that result in substantial development restrictions;
3. The existing (1990) residential built environment was more intensively developed than surrounding areas;
4. The area has few environmental constraints on water and sewer/septic (based on availability of utilities, and/or water

supply of sufficient quality/quantity and soils appropriate for septic/drainfield systems);

5. Public services are available to serve potential infill, such as adequate potable water and fire protection, transportation facilities, sewage disposal and stormwater control; or

6. The area is planned for more intensive development in a post-GMA local subarea plan.

C. Outer Boundary Criteria. For land meeting the criteria described in A and B above, Type I LAMIRD boundaries must minimize and contain areas of intensive development and be delineated predominately by the built environment, and shall include:

1. Parcels that were intensively developed on July 1, 1990.

2. Parcels that on July 1, 1990 were not intensively developed may be included within Type I LAMIRD boundaries if they meet any of the following conditions:

- a. Including the parcel helps preserve the character of an existing (built) natural neighborhood;
- b. Including the parcel allows the logical outer boundary to follow a physical boundary such as bodies of water, streets and highways, and land forms and contours;
- c. Including the parcel (or in limited cases, a portion of the parcel) prevents the logical outer boundary from being abnormally irregular;
- d. Including the parcel is consistent with efficient provision of public facilities and services; and
- e. Including the parcel does not create a new pattern of low-density sprawl.

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Policy 2HH-2: Designation criteria for Type II LAMIRDs

A. Location Criteria. Type II LAMIRDs may be designated in an area that:

- 1. Consists of one lot, or more than one lot in common ownership, and
- 2. Is not currently designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, and
- 3. Is not located within one mile, measured by public road, of a designated Urban Growth Area (UGA) or another LAMIRD area, regardless of type

B. Additional Criteria The following serve as additional criteria for Type II LAMIRD designation:

- 1. The area must rely on the rural location or setting for its use, and

2. The area may include residential development existing on September 20, 2005, but not new, and
3. The area may serve more than the local existing & projected rural population, and
4. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl, and

Policy 2HH-3: Designation criteria for Type III LAMIRDs

A. Location Criteria. Type III LAMIRDs may be designated in an area that:

1. Is not currently designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, and
2. Is located more than one-half mile (for uses existing on September 20, 2005) or one mile (for uses not existing on September 20, 2005) by public road from the edge of an Urban Growth Area or another LAMIRD area, regardless of type and
3. Consists of a lot or small group of lots that either:
 - a. Contained nonresidential uses on September 20, 2005 and was located within a commercial, manufacturing, or industrial zoning district at the time of original county-initiated designation, or
 - b. Contain cottage industries or small scale businesses established within a commercial, manufacturing, or industrial zoning district at the time of original county-initiated designation after September 20, 2005, or proposed to be established, total area not being smaller than one acre or larger than ten acres.

B. Additional Criteria. :

1. In the event that the listed criteria result in the need to choose one proposed designation over another, preference is given to a proposed use that:
 - a. Provides the greatest number of job opportunities for rural residents.
 - b. Is located at a controlled public road intersection.

Rural Centers

Rural Centers are areas that have historically served as centers of activity and services for surrounding rural areas. These areas are Type I LAMIRDs and include small unincorporated towns and other areas where a concentration of commercial and public uses have been in existence since before the adoption of the GMA in 1990. Typically,

these are mixed-use areas containing both residential and nonresidential uses developed at a greater intensity than is generally found in outlying rural areas. In many cases, they are served by public services and facilities, including schools, libraries, post offices, and public transportation. This more intensive development is contained within the boundaries of the Rural Center designations, preventing the expansion of more intensive uses and densities into the surrounding rural areas. Because undeveloped lots may be included within Rural Center boundaries, infill development is possible, but at an intensity consistent with the development that existed in 1990.

Unincorporated areas within Whatcom County designated as Rural Centers are: Acme, Custer, Deming, Diablo, Glacier, Hinotes Corner, Kendall, Laurel, Maple Falls, Newhalem, Point Roberts and Sudden Valley.

GOAL 2JJ: Designate centers of rural activity that existed on July 1, 1990 as Rural Centers.

Policy 2JJ-1: Areas designated as Rural Centers shall meet the criteria stated in this chapter and the requirements of RCW 36.70A.070(5)(d)(i), which describes limited areas of more intensive rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, including necessary public facilities and public services to serve the limited area.

Policy 2JJ-2: Boundaries of Rural Centers shall meet the criteria stated in this chapter, and the requirements of RCW 36.70A.070(5)(d)(iv), which requires limited areas of more intensive rural development to be clearly identifiable and contained within a logical outer boundary delineated predominately by the built environment as it existed on July 1, 1990.

Policy 2JJ-3: Additional Rural Centers should not be designated, nor should boundaries of Rural Centers be changed unless the area of the proposed addition meets the criteria stated in this chapter, and requirements of RCW 36.70A.070(5)(d) . Designated Resource Lands should not be redesignated as Rural Centers.

Policy 2JJ-4: Development within Rural Centers should be consistent with the existing character of the area and allowed development should be similar to the use, scale, and intensity of the development that existed on July 1, 1990.

Policy 2JJ-5: Lands inside Rural Center designation boundaries that are within low-density residential (lot size five acres or greater) or resource zones, or are federally owned, should not be re-zoned to allow more intensive uses and densities.

Policy 2JJ-6: Land uses within Rural Centers, except for industrial uses, should be principally designed to serve the existing and projected rural population.

Policy 2JJ-7: Encourage future public participation activities to develop additional planning goals and policies specific to residents' needs and preferences in individual Rural Centers.

Rural Tourism

Whatcom County's scenic rural areas are enjoyed by residents and tourist alike. Small scale recreation and tourist uses that rely on a rural setting provide income opportunities for rural residents and contribute to the local economy. The Rural Tourism designation (Type II LAMIRD) limits and contains such uses, which can be more intensive than surrounding rural uses.

GOAL 2KK: Provide opportunities for small-scale recreational or tourist uses in rural areas.

Policy 2KK-1: Areas designated for Rural Tourism shall meet the criteria stated in this chapter, and the requirements of RCW 36.70A.070(5)(d)(ii), which describes limited areas of more intensive rural development consisting of the intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those uses, that rely on a rural location and setting, but that do not include new residential development.

Policy 2KK-2: New Rural Tourism designations should not include new residential development.

Policy 2KK-3: Designated Resource Lands should not be redesignated as Rural Tourism.

Rural Business

Many businesses have been established in commercial and industrial zones outside of Rural Center areas. These uses, which are more intensive than those found in surrounding rural areas, provide commercial services and job opportunities for rural residents. The Rural Business designation permits uses to continue while preventing the spread of businesses in sprawl or strip development patterns, or increasing the intensity of development inconsistent with surrounding rural character.

The Rural Business designation includes both Type I and Type III LAMIRDs. To ensure that these uses remain isolated and do not lead to strip development, criteria for Rural Business designation include spacing requirements from other Rural Business designations as well as Rural Centers and Urban Growth Areas.

The areas designated Rural Business under Type I LAMIRD guidelines are: Gooseberry Point, Guide Meridian Border Crossing, Nugents Corner, Smith & Guide Meridian, and Van Wyck. The areas designated Rural Business under Type III guidelines are: Axton & Guide Meridian, Birch Bay-Lynden & I-5, Pole & Guide Meridian, Portal Way North, Slater & Elder, Van Zandt, Welcome, and Wiser Lake.

GOAL 2LL: Designate Rural Business areas to limit and contain nonresidential uses.

Policy 2LL-1: Type I Rural Business designations shall meet the Type I LAMIRD designation criteria stated in this chapter, and the requirements of RCW 36.70A.070(5)(d)(i), which describes limited areas of more intensive rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, including necessary public facilities and public services to serve the limited area. Development should be consistent with the existing character of the area and allowed development should be similar to the use, scale, and intensity of the development that existed on July 1, 1990.

Policy 2LL-2: All areas designated Rural Business except for those referenced in Policy 2LL-1, shall meet the Type III LAMIRD designation criteria stated in this chapter, and the requirements of RCW 36.70A.070(5)(d)(iii), which describes limited areas of more intensive rural development consisting of the intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses. Development of these lots should be consistent with the existing character of the area, and allowed development should be similar to the use, scale, and intensity of other designated Rural Business in the area, if any.

Policy 2LL-3: Uses in the Rural Business designation need not be principally designed to serve the existing and projected rural population and nonresidential uses, but should provide job opportunities for rural residents.

Policy 2LL-4: No more than five proposals for new Rural Business designations should be considered in any given year.

Policy 2LL-5: Designated Resource Lands should not be redesignated as Rural Business.

Rural

The rural lands not located within a Rural Center, Rural Tourism, or Rural Business designation fall within the Rural designation. These are areas where it is essential to

preserve the character of the countryside and prevent the encroachment of incompatible uses and densities from more intensively developed areas.

GOAL 2MM: Designate Rural areas to preserve rural character and prevent incompatible uses.

Policy 2MM-1: Development within Rural designations should be consistent with rural character as described in this chapter.

Policy 2MM-2: Prevent new uses and structures that are incompatible with, or are of a greater scale or intensity than existing uses in the area.

Policy 2MM-3: Within the Rural land use designation, isolated cottage industries and isolated small-scale businesses must comply with RCW 36.70A.070(5)(d)(iii), and the lot(s) upon which the conditional uses are located should not be within one mile of any other similar conditional use, a Rural Center or Rural Business land use designation, or an urban growth area.

Policy 2MM-4: Decisions regarding zoning and allowable uses within the Rural designation should take into account the cumulative impacts of uses allowed by administrative approval and conditional use permit over time.

Special Study Areas

Lake Whatcom

Lake Whatcom is the drinking water source for approximately half of Whatcom County. Recent studies on Lake Whatcom indicate water quality in the lake has declined. Oxygen levels in Lake Whatcom are declining to lower levels, and are declining faster than in the past. In 1997, the Washington State Department of Ecology listed Lake Whatcom as an impaired water body and place Lake Whatcom on the Federal Clean Water Act 303(d) list because of low oxygen levels. The 303(d) listing requires the establishment of a Total Maximum Daily Load (TMDL) that designates loading capacity of the lake such that there will be no measurable change in oxygen levels from natural lake conditions. The TMDL goals will require a variety of planning, pollution prevention, pollution reduction and technical approaches. Meeting the TMDL goals will be required in order to stabilize water quality in Lake Whatcom.

The primary cause of declining oxygen levels had been from residential development in the watershed. Past development permitted by the City of Bellingham and Whatcom County has led to increased phosphorus loading into the lake, which in turn has led to lower oxygen levels in the lake. Poorly managed forest practices can also lead to significant increases in phosphorus loading to the lake.

Deleted: [all text, goals, policies: "Lummi Island," "Small Towns and Crossroads Communities," "Northeastern Towns," "The Central Communities," "Western Towns," "Crossroads Commercial," "Resort and Recreational Subdivisions," "Point Roberts," "Mount Baker Recreational Region," "Lake Whatcom Region," "Eliza Island," "Suburban Enclaves," "Chuckanut/North Bellingham," "Lake Samish," "Fort Bellingham," "Additional Areas," "Transportation Corridors," and "Guide Meridian"]

In November/December 1992, a joint resolution was passed by the Bellingham City Council, Whatcom County Council, and Water District 10 Commissioners, which reaffirmed this position with six general goal statements and a set of specific goal statements in various categories. The specific goal statements for urbanization were the following:

- Prevent water quality degradation associated with development within the watershed.
- Review and recommend changes in zoning and development potential that are compatible with a drinking-water reservoir environment.
- In addition to zoning identify and promote other actions to minimize potential for increased development in the watershed (i.e. land trust, development rights, cost incentives, etc.).
- Develop specific standards which reduce the impacts of urbanization, such as minimal lot clearing; clustered development to reduce infrastructure; collection and treatment of stormwater before entering the lake.
- Develop appropriate interlocal agreements with governing agencies to prohibit the potential for additional development once an agreed upon level is set.

The joint resolution included goals for watershed management that extended beyond urbanization. Goals were included for stormwater management, on-site waste systems, conservation, forest management, spill response, hazardous materials transport and handling, data/information management, education/public involvement, and other topics. A joint strategy was agreed to for developing specific plans to meet the adopted goals. Eight high priority goals were selected first and plans have been completed and jointly adopted for each of the goals.

In 1998, the City, County, and District 10 formalized their joint commitment to protect and manage the lake through the joint adoption of an interlocal agreement and allocation of funding toward protection and management efforts in the watershed. A five-year program plan was developed for ten program areas. Specific priority was placed on activities related to watershed ownership, stormwater management, and urbanization/land development.

The watershed contains four urban areas: the City of Bellingham, which straddles the upper portion of the northern-most basin of the lake; Geneva, which is immediately south and east of Bellingham's city limits and is part of the city's urban growth area; Hillsdale, which is immediately north and east of Bellingham's city limits and is also part of the city's urban growth areas; and the Sudden Valley provisional urban growth area. In addition, it includes a variety of other zones, including resource, rural, and suburban zones. Over 75% of the watershed is in Forestry zoning and more than 73% of the current land use is forestry.

In 2003, there were approximately 2,730 existing dwelling units in the Lake Whatcom watershed located outside of the Bellingham UGA. Under the zoning adopted in January 2004, the gross potential build-out in this area is about 6,507 total dwelling units.

Therefore, even under the more restrictive zoning adopted in January of 2004, there could be a significant amount of new development in the watershed.

Water and sewer service are provided by Water District 10. Capacity problems in the district's sewer line, which serves Geneva and Sudden Valley, have caused overflows into the lake in the past. An aggressive program to preclude stormwater infiltration has eliminated the overflow problems to a large extent. In addition, the district has a contractually limited flow capacity to Bellingham. The Lake Louise Road sewage interceptor was constructed in January 2003 to carry waste water from Sudden Valley and Geneva and serves as a complement to the Lake Whatcom Boulevard trunk line. The interceptor was designed to service full build-out of Sudden Valley and Geneva. Properties with septic tanks are required to connect to the sewer system within five years of completion of the project.

There are several pending subdivisions in the area which are being proposed at less than full density but which will increase the overall development level outside of urban areas to a significant degree.

In 2004, the Department of Natural Resources (DNR) Board on Natural Resources adopted the Lake Whatcom Landscape Plan. This plan provides additional protections on state managed lands within the Lake Whatcom watershed. The plan provides additional protections on streams and potentially unstable slopes on normally included in forest practices in Washington State. If the DNR exchanges land from the watershed the protections provided by the plan would not be applicable to the new owner.

In 2006 the Whatcom County Council approved funding to study reconveyance of DNR managed County Forest Board Lands.

Chapter 11: Environment, contains more discussion of Lake Whatcom issues and includes additional goals and policies related to watershed management, stormwater, and water quality.

GOAL 2NN: **Prioritize the Lake Whatcom area as an area to minimize development, repair existing storm water problems, specifically for phosphorus, and ensure forestry practices do not negatively impact water quality. Provide sufficient funding and support to be successful.**

Deleted: 2PP

Policy 2NN-1: **Work with property owners to find acceptable development solutions at lower overall densities than the present zoning allows.**

Deleted: 2PP

Policy 2NN-2: **Develop a storm drainage utility district or other funding mechanism to deal with the unique problems of development in a drinking water watershed.**

Deleted: 2PP

Policy 2NN-3: **Recognize that all users of Lake Whatcom water have an interest in the resource and should share in the cost of its protection.**

Deleted: 2PP

Policy 2NN-4: **Work cooperatively with the City and Water District 10 to identify, review, and, as appropriate, recommend changes to existing monitoring programs that will address the needs of the various**

Deleted: 2PP

jurisdictions. Place a particular focus on the information needed to evaluate the impacts of additional development in the watershed. Include an analysis of the diversion from the Middle Fork of the Nooksack. Coordinate effort with the Lake Whatcom Management Committee process.

- | Policy ~~2NN-5~~: Evaluate and pursue, as appropriate, the use of incentives to encourage voluntary lot consolidation, transfer or purchase of development rights, current use taxation, and participation in open space conservation programs. Deleted: 2PP
- | Policy ~~2NN-6~~: Do not allow density bonuses within the Lake Whatcom Watershed. Deleted: 2PP
- | Policy ~~2NN-7~~: Work cooperatively with the City and Water District 10 to develop benchmarks to determine the effectiveness of management options; when goals have been achieved; or when additional actions are necessary. Deleted: 2PP
- | Policy ~~2NN-8~~: Continue to develop and refine structural and non-structural best management practices (BMPs), both voluntary and required, to minimize development impacts within the Lake Whatcom watershed. Deleted: 2PP
- | Policy ~~2NN-9~~: Work to keep Whatcom County Forest Board and Forest Purchase lands within the Lake Whatcom watershed in public ownership, and support managing forestry on said lands in a manner that minimizes sediment and phosphorus yields from streams. Deleted: 2PP

Private Parcels Surrounded by National Park or National Forest

There are a number of private parcels in Whatcom County which are completely surrounded by National Forest and National Park land. Some of these have houses built on them, primarily for seasonal use, but most represent mining patents and are used, or have been used, only for mining. The majority of these parcels are located in the Mt. Baker area or the Slate Creek area near the eastern border of the county with their access primarily by Forest Service roads.

When interim zoning was established for Whatcom County in 1972, these parcels along with a majority of the rest of the county were zoned general protection (GP). This zoning allows single-family houses on one acre lots and a multitude of other uses mostly subject to the conditional use process. As final zoning has been established around the county as part of the subarea planning process, only these exclave parcels and the Lummi Reservation remain under interim zoning.

GOAL ~~2PP~~: Continue to recognize private parcels surrounded by National Park or National Forest as part of Whatcom County's jurisdiction.

Deleted: 2QQ

Policy ~~2PP-1~~: Increase the potential for land exchanges, and other voluntary mechanisms, in order to reduce the checkerboard ownership and jurisdictional patterns within eastern Whatcom County.

Deleted: 2QQ

Subdivisions on the Lummi Reservation

There are at least 2,086 parcels on the Lummi Reservation, many of which are owned by non-Indians. As Federal policy has changed and tribal lands have been allowed to be removed from trust to fee status, state and county regulations have become applicable. The County has made efforts to work closely with local tribes on land use directions. The requirements of Growth Management cannot be applicable to reservation trust lands, even when a checkerboard pattern has developed. It is the full intent of this County, when possible, to continue working cooperatively with area tribes on land use, watershed planning, utility planning and the coordinated water system plan. Most platted areas have sewer, which is provided by the Lummi Sewer District.

GOAL ~~2QQ~~: Seek resolutions that satisfy the requirements of Growth Management, the needs of the non-tribal residents and the goals of the Lummi Nation.

Deleted: 2RR

Policy ~~2QQ-1~~: Work with the residents and the Lummi Nation to establish adequate water and sewer for the existing platted lots.

Deleted: Policy 2RR-1: . Recognize subdivided areas on the Lummi Reservation as limited areas of more intense rural development if they meet the criteria of RCW 36.70A.070(5). ¶

Policy ~~2QQ-2~~: Whatcom County will administer land use policy on fee lands and prohibit discriminatory land use practices.

Deleted: 2RR-2

Deleted: 2RR-3

COMPREHENSIVE PLAN DESIGNATIONS MAP

The Comprehensive Plan designations map (**Map 8**) is intended to provide direction for future land use decisions in Whatcom County. It is officially adopted as part of this document. Because of the scale of the map, specific boundaries are identified on maps in the County Planning and Development Services office.

Comprehensive Plan Designation Descriptors

These descriptors are intended to be general in nature. More specific criteria and explanation will be incorporated into subarea plans.

Title: **Urban Growth Areas**

Purpose: To denote where future urban growth may occur.

Definition: Areas characterized by urban growth that have existing public facility and service capacities; areas characterized by urban growth that may be served with urban services in the future; and lands adjacent to areas characterized by urban growth.

Locational Criteria: First urban growth may be located on lands characterized by urban growth that have existing public facility and service capacities; next urban growth may be located on lands characterized by urban growth that may be served with urban services in the future; and finally urban growth may be located on lands adjacent to areas characterized by urban growth.

Title: **Major Industrial Area / Port Industrial Urban Growth Areas**

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Purpose: To reserve appropriate areas to attract heavy industrial manufacturing uses and provide employment opportunities while minimizing land use conflicts and off-site impacts.

Definition: Land area for large-scale heavy industry that has a high impact on the surrounding neighborhood and environment.

Locational Criteria: Industry should be located in areas adequate for its use away from residential centers, but within reasonable commuting distance; near transportation facilities and services.

Title: **Master Planned Resort**

Purpose: To recognize and contain resort areas that existed on July 1, 1990, or permit new master planned resort areas that depend on a setting of significant natural amenities.

Definition: Historic or new planned unit development that is self-contained and fully integrated, in a setting of significant natural amenities, with primary focus on destination resort facilities consisting of short-term visitor accommodations associated with a range of developed on-site indoor or outdoor recreational facilities.

Locational Criteria: Resorts may be located in urban or rural areas within a setting of significant natural amenities.

Title: **Rural Center**

Purpose: To recognize centers of rural activity that existed on July 1, 1990 and limit and contain more intensive rural land uses within logical outer boundaries.

Definition: Small towns and other historic centers of rural activity containing residential and nonresidential uses developed at a greater intensity than surrounding rural areas.

Locational No less than one mile from Urban Growth Areas or other Rural Centers.

Title: **Rural Tourism**

Purpose: To recognize small-scale recreational and tourism businesses in rural areas, and to limit and contain more intensive rural development on those lots.

Definition: Lots containing nonresidential uses developed at a greater intensity than other rural areas.

Locational In a rural location and setting upon which the recreational or tourism use relies.

Title: **Rural Business**

Purpose: To recognize isolated businesses in rural areas, which provide job opportunities, and to limit and contain more intensive development on those lots.

Definition: Isolated lots or isolated small groups of lots containing nonresidential uses developed at a greater intensity than other rural areas.

Locational For uses existing on September 20, 2005, no less than one-half mile from Urban Growth Areas, Rural Center and Rural Tourist designations, or other Rural Business designations (one mile for uses not existing on September 20, 2005).

Title: **Rural**

Purpose: To provide opportunity for a variety of low-density residential development including cluster development with the flexibility to practice farming or forestry, or operate a home occupation or cottage industry; to retain a sense of community. Also to encourage agriculture and forestry activities through the use of incentives.

Definition: Allows one dwelling unit per five or ten acres, but encouraging ten acre development; with less traffic noise and congestion than in urban areas; low-density population; open space; privacy; largely forestry and agriculture oriented; rural level of services.

Deleted: Title: . . . **Small Towns - Rural** ¶

¶ Purpose: . To acknowledge locations remote from urban centers that support the local economy by providing goods and services to residents and tourists.¶

¶ Definition: . Small communities with mixed tourist commercial, residential, resort, or public land uses.¶

¶ Locational . Existing small community or resort centers with adequate services.¶

¶ Criteria: . including water and sewer which can be cost-effectively provided; near existing transportation routes; characterized by commercial uses and higher densities than surrounding rural areas.¶

¶ Title: . . . **Crossroads Commercial - Rural**¶

¶ Purpose: . To provide commonly desired goods and services near unincorporated or small population centers.¶

¶ Definition: . Small concentrations of businesses meeting local area service needs. Such uses as gas stations, neighborhood general stores, and restaurants would be included.¶

¶ Locational . Central to rural populations; commercial areas should be located near¶

¶ Criteria: . arterial routes and fulfill a need for goods and services in that area.¶

¶ Title: . . . **Resort and Recreational Subdivisions - Rural**¶

¶ Purpose: . Recognize the existing mixture of recreational and residential development of resort and recreational subdivisions and ensure that future growth can be serviced appropriately.¶

¶ Definition: . Resort and Recreational Subdivisions are large subdivisions originally created to primarily serve recreational or resort land uses and that continue to attract and maintain such uses.¶

¶ Locational . Existing large scale recreational subdivisions.¶

¶ Criteria:¶

¶ ... [2]

Deleted: Rural -

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Locational Criteria: Low residential density; areas with physical environmental constraints; areas characterized by full and part-time forestry and agriculture, but not designated as commercial resource lands. One unit per two acre zoning is limited to previously developed areas or as in-fill development only.

Title: **Agriculture - Resource Lands**

Purpose: To recognize and promote agriculture in Whatcom County and protect prime agricultural soils and productive agricultural lands from conversion to other uses. To prevent conflicts between residential and agricultural uses.

Definition: Commercial agriculture lands located on parcels 40 acres or larger, with one dwelling unit per 40 acres allowed.

Locational Criteria: Soils identified as prime agricultural soils; large parcels; existing commercial agricultural uses.

Title: **Rural Forestry - Resource Lands**

Purpose: To provide flexibility in use, enabling the landowner to live on the land and practice forestry and forestry-related industry.

Definition: Lands used primarily for growing trees with some low-density residential development.

Locational Criteria: Lands useful for growing trees for commercial timber production; usually located within public service districts; accessed by private roads built to Whatcom County development standards or public roads; low-density residential development; land parcels generally 20 acres or greater in size; property often in tax deferred status.

Title: **Commercial Forestry - Resource Lands**

Purpose: To provide land base for commercial forestry activities and provide predictability of future land use to forest land owners.

Definition: Land primarily devoted to commercial timber production.

Locational Criteria: Land primarily devoted to growing trees for long-term commercial timber production; located outside public service districts such as fire and water; accessed by private or state forest roads; parcels generally 40 acres or larger in size; land in tax deferred status.

Title: **Mineral Resource Lands - Resource Lands**

Purpose: To ensure a long-term supply of mineral resources and provide predictability in land use.

Definition: Lands of long-term commercial significance for the extraction of minerals.

Locational Criteria: Proven mineral resources of long-term commercial significance, low density rural areas, designated Agricultural lands generally with Non-Prime Farmland Soils and when demonstrated to be of higher value as a mineral resource than as an agricultural resource; and designated Forestry lands of higher value as a mineral resource than as forestry resource.

Title: **Public Recreation**

Purpose: To provide the public with open space and recreational opportunities; to protect conservation areas.

Definition: Areas with unique scenic or recreational amenities.

Locational Criteria: Parcels owned or managed by public or private agencies for recreational or conservation use.

Title: **Special Study Areas**

Purpose: To indicate areas where regional planning efforts are a high priority and necessary in order to address important local issues in greater detail.

Definition: Includes the Lake Whatcom Watershed and certain areas within the Lummi Reservation.

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[Re-number Goals and Policies in the remainder of Chapter Two as needed.]

Background Summary

Maintaining the rural character and lifestyle is very important to Whatcom County residents. Typical uses in the rural areas include a mixture of low-density residential, pasture, agriculture, woodlots, home occupations, and cottage industries. The distribution of rural land use is adjacent to agricultural, forestry, and urban land uses and often provides a buffer between urban areas and commercial agriculture and forestry uses.

The population growth for Whatcom County from 2000 to 2022 is projected to be 68,103 for a total 2022 population of 234,917. This represents an increase of approximately 4,328 people in the areas of Whatcom County that are currently unincorporated and outside of permanent UGAs. A study of the potential subdividable land in the areas of the County zoned Rural one dwelling/five acres (R5A) found that out of 85,588 acres inventoried, about 2/3 of the acreage was in parcels 10 acres or larger in 2002. This indicates that there is potential for future land division in the rural portions of the county under current zoning regulations. Conceivably, the rural landscape could look different in the future if the current rural zoning is retained.

People in Whatcom County, through the Visioning Process, defined rural character as a variety of low densities, open spaces, privacy, peace and quiet with less traffic noise and congestion than found in urban areas. Retaining a sense of community and maintaining local control in land use decisions were also components of rural identity.

RURAL LANDS – ISSUES, GOALS, AND POLICIES

Rural Character and Lifestyle

County residents describe rural character and lifestyle as open space, quiet areas/privacy, largely agricultural and forestry orientation, peacefulness, sense of community, low-density population, less noise and congestion than found in urban areas, natural landscape, and greater self-determination of property use. With a rapidly increasing population in Whatcom County, maintaining the rural lifestyle currently enjoyed by county residents becomes more challenging. County residents generally believe that the current zoning and land use patterns of one or more houses per acre may not maintain the rural character of Whatcom County.

One way of preserving rural lifestyle is allowing flexibility in design of subdivisions. One method is to enable and encourage cluster development. Another is to allow density transfers between parcels in rural areas and from rural areas to Urban Growth Areas. Both methods provide economic flexibility to the individual property owner, promote economical lot design, conserve natural resources and environmentally fragile areas, retain future options with respect to land use decisions, and maintain the low density "rural" character of the area.

In addition, residents indicated that 45 years from today they would like to see 75% to 90% of the land (excluding National Forest and National Park land) in Whatcom County zoned for use as rural, forestry, and agriculture lands. Currently, over 92% of the land in unincorporated Whatcom County is zoned rural, forestry or agriculture.

GOAL 2DD: Retain the rural character and lifestyle of Whatcom County.

- Policy 2DD-1: Concentrate growth in urban areas. In areas where existing development patterns do not already prohibit it, draw a distinction between urban/rural uses to prevent urban sprawl.
- Policy 2DD-2: Adopt mandatory and incentive programs, such as purchase of development rights, transfer of development rights, and tax deferrals, to achieve desired land use policies in rural areas and in areas where there are compelling reasons to do so, and allocate sufficient resources to achieve the desired outcome.
- Policy 2DD-3: Provide landowners with incentives and options to develop their property at densities that may be less than the underlying zone.
- Policy 2DD-4: Support cluster housing in rural subdivisions.
- Policy 2DD-5: Use an "Agriculture Protection Overlay Zone" designation in certain Rural zoned areas as a way to help achieve the goal of conserving and enhancing Whatcom County's agricultural land base.
- Policy 2DD-6: In the "Agricultural Protection Overlay Zone" on parcels 20 acres and larger with Rural 5 acre and Rural 10 acre zoning, require non-agriculturally related development to be clustered on a maximum of 25 percent of the available land with the remainder available for open space and agricultural uses. Development standards shall provide flexibility to achieve development potential in cases of natural limitations.
- Policy 2DD-7: Discourage new, fully contained communities outside designated urban growth areas.
- Policy 2DD-8: Encourage property owners to conserve forested areas, agricultural land, and open space by utilizing current-use taxation provisions (*RCW 84.34*).
- Policy 2DD-9: Conserve open space, park land, and green links for recreational use, as well as to protect essential habitat such as riparian areas and wetlands.
- Policy 2DD-10: Rezones from one dwelling unit per ten acre (R10A) zoning districts to one dwelling per five acre (R5A) zoning districts should be discouraged.

Rural Services

People often choose to live in rural areas because they want to be more self-reliant and farther away from population centers, and often do not need or want many of the services provided in urban areas. Services provided to rural residents include law enforcement protection, volunteer fire protection, and emergency services. The Whatcom County Public Works Department maintains county roads and public transit services are minimal.

Usually the property owner or developer is responsible for providing water and sewer. Most of the residential development in rural areas uses individual on-site septic systems. A growing concern is that as the rural areas become more populated, groundwater and surface water quality may

Definition: Small concentrations of businesses meeting local area service needs. Such uses as gas stations, neighborhood general stores, and restaurants would be included.

Locational Criteria: Central to rural populations; commercial areas should be located near arterial routes and fulfill a need for goods and services in that area.

Title: **Resort and Recreational Subdivisions - Rural**

Purpose: Recognize the existing mixture of recreational and residential development of resort and recreational subdivisions and ensure that future growth can be serviced appropriately.

Definition: Resort and Recreational Subdivisions are large subdivisions originally created to primarily serve recreational or resort land uses and that continue to attract and maintain such uses.

Locational Criteria: Existing large scale recreational subdivisions.

Title: **Suburban Enclaves - Rural**

Purpose: To ensure efficient land use by allowing in-fill at suburban densities in areas already characterized by such development.

Section Break (Next Page)

- Definition:** The suburban enclaves are comprised of rural residential areas that are not urban or likely to develop into urban areas during the planning period.
- Locational:** Areas characterized by development at densities averaging one unit per
- Criteria:** acre and served or partially served by public roads, sewer or water, or other public services or facilities.
- Title:** **Transportation Corridors – Rural**
- Purpose:** This designation is designed to alert the community to proposed transportation corridor related expansion and to guide developments appropriately.
- Definition:** Transportation Corridors are areas in demand for transportation related services and improvements where planning is underway or is anticipated.
- Locational Criteria:** Land not used or suitable for or residential development. Areas characterized by existing transportation-related development but lacking significant utility service to warrant an urban designation at this time.

Chapter Five UTILITIES

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Policy 5N-3:

Transmission pipeline are discouraged in urban growth areas and areas of intense rural development which would render such pipeline siting inappropriate.

Deleted: , small towns, crossroads commercial,
Deleted: other

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Policy 5P-3:

Discourage extension of urban levels of water service to areas not designated as urban growth areas or rural centers.

Deleted: , industrial areas (including the Gateway Industrial Transportation Corridor), Small Towns or Resort/Recreational Subdivisions

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Policy 5T-1:

Discourage extension of sewer lines in areas not designated as urban growth areas or rural centers, unless there are serious public health or environmental concerns.

Deleted: , Small Towns, Resort/Recreational Subdivisions, or the Gateway Industrial Transportation Corridor

Policy 5T-2:

For those areas designated as a rural center and wishing to infill, work with the communities to create sewer and water districts as necessary to manage both utilities. Public water and sewer service shall be limited to areas where existing lot sizes and development patterns make public water and sewer appropriate and shall not be extended outside of the boundaries of the rural center.

Deleted: for inclusion as a Small Town or Resort/Recreational Subdivision

Deleted: Small Town or Resort/Recreational Subdivision

Policy 5T-3:

Assist sewer and water districts in environmental review and mitigation and in preparing grant applications to obtain package sewer services that can be developed in a phased and cost-effective manner to serve designated rural centers.

Deleted: Small Towns, Resort/Recreational Subdivisions, and industrial areas (including the Gateway Industrial Transportation Corridor)

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Chapter Six TRANSPORTATION

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Policy 6D-4:

Direct transportation planners to evaluate positive and negative impacts to the productivity of resource based industries when planning transportation corridors. Transportation improvements in areas designated "Resource Lands" should be constructed to facilitate the operations of those affected areas and industries.

Deleted: creating new, or expanding existing,

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Policy 6D-6: Encourage new housing developments to be located in urban growth areas to help provide a sense of community and safe, non-motorized transportation to community facilities and public transit nodes.

Deleted: and small towns

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Policy 6N-5: Coordinate with Whatcom Transportation Authority to establish rural transit service in unincorporated areas, including rural centers, consistent with county land use plans, based on cost effectiveness, location of major trip generators, distance between generators, and the needs of transit-dependent individuals.

Deleted: Small Towns and Crossroads Commercial areas

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Policy 6P-4: Support commercial and industrial development adjacent to major transportation corridors, including I-5 and rail and air facilities, within urban growth areas, as long as such facilities do not reduce safe, efficient movement of vehicles in Whatcom County.

Deleted: existing

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Chapter Seven ECONOMICS

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Policy 7K-2: Designate adequate zoning to allow business and industrial development where it is needed and most appropriate.

Deleted: , including the Interstate-5 corridor

Policy 7K-3: Limit commercial or industrial development along Guide Meridian to designated urban growth areas, rural centers, and rural business areas located at key intersections in a manner that does not disrupt the Guide's regional transportation function.

Deleted: Locate

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Chapter Nine RECREATION

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Specialized Recreation Areas

Specialized areas include nature interpretative centers and small park sites, including those related to Urban Growth Areas, rural centers, and neighborhood developments.

Deleted: small towns

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RECREATION - ACTION PLAN

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- 9. In keeping with policies in other chapters of this plan, develop a mechanism for ensuring the provision of neighborhood parks in accordance with appropriate standards when residential areas are developed outside of incorporated areas. In the residential UGAs not associated with cities, and in rural centers, mechanisms are needed for acquisition, development and subsequent maintenance and operations. Community Associations and Park Districts are options to be explored.

Deleted: suburban enclaves and small towns

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**Chapter Ten
DESIGN**

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BACKGROUND SUMMARY

Sense of Place

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Among the elements which define a sense of place and which are particularly essential to examine, protect, and enhance are Places, Spaces, Focal Points, Gateways, Corridors, Connections, Edges and Transitions. All of these are perceptual elements common to most every natural or built place. They are among the most important and dynamic elements of an environment which enable us to distinguish, qualify, and identify one place as separate from another yet related to the whole. These elements can be perceived or applied to design of a diversity of land uses typical to Urban Growth Areas, or rural centers; maintenance of the integrity of our rural setting; sensitive utilization our natural resource lands - aquifer recharge areas, agricultural lands, forest lands, and our waters; and they are among the integral structural components of site-specific environments we design to accommodate our recreational activities, housing, public facilities and transportation facilities.

Deleted: , Small Towns, Crossroads

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- GOAL 10B:** As rural centers evolve, utilize design tools and decisions which are sensitive to and compatible with the positive character of the surrounding natural setting.

Deleted: Small Towns

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Gateways, Corridors, and Connections

Gateways, corridors, and connections are important as we pass from one identified place to another. The act of entering or leaving is an essential element in establishing the sense of place. Whatcom County is blessed with a number of natural corridors and important gateways such as the I-5 entry from Skagit County through the Chuckanut Mountains or the U.S./Canadian border crossings. Opportunities and problems should be recognized, associated with the following:

- human and natural gateways
- viewpoints and vistas
- river and stream corridors
- wildlife corridors
- utility easements
- traffic noise
- commercial signage
- links between urban growth areas and rural centers

Deleted: small towns

DRAFT WCC Title 20 Chapters Affected by Rural Element Update

20.04 General Provisions

20.04.060 Establishment of districts.

For the purpose of furthering the goals and policies of the Comprehensive Plan and to carry out the provision of this title, Whatcom County is hereby divided into the following districts:

Chapter Abbreviation District

20.20	UR	Urban Residential
20.22	URM	Urban Residential Medium Density District
20.24	UR-MX	Urban Residential Mixed District
20.32	RR	Residential Rural
20.34	RR-I	Rural Residential-Island
20.35	EI	Eliza Island District
20.36	R	Rural
20.37	TZ	Point Roberts Transitional Zoning District
20.38	APO	Agriculture Protection Overlay
20.40	AG	Agricultural
20.42	RF	Rural Forestry
20.43	CF	Commercial Forestry
20.44	ROS	Recreation and Open Space
20.60	NC	Neighborhood Commercial
20.61	STC	Small Town Commercial
20.62	GC	General Commercial
20.63	TC	Tourist Commercial
20.64	RC	Resort Commercial

20.65	GI	Gateway Industrial
20.66	LII	Light Impact Industrial
20.67	GM	General Manufacturing
20.68	HII	Heavy Impact Industrial
<u>20.69</u>	<u>RIM</u>	<u>Rural Industrial-Manufacturing</u>
20.70	AO	Airport Operations
20.71		Water Resource Protection Overlay District
20.72		Point Roberts Special District
20.73	MRL	Mineral Resource Lands Special District
20.74	CP	Cherry Point Industrial District
20.85	PUD	Planned Unit Development

20.13 Wireless Communications Facilities

20.13.050 Siting priorities and prohibited locations.

....

(2) For the purpose of this section:

(a) Residential related districts shall include Urban Residential (UR), Urban Residential Medium (URM), Urban Residential Mixed (UR-MX), Eliza Island (EI), Neighborhood Commercial, (NC) Rural Residential (RR), Rural Residential Island (RR-1), and Rural (R) Districts;

(b) Commercial districts shall include General Commercial (GC), Resort Commercial (RC) and Tourist Commercial (TC) districts only;

(c) Industrial districts shall include Heavy Impact Industrial (HII), Light Impact Industrial (LII) Gateway Industrial (GI), Rural Industrial & Manufacturing (RIM), General Manufacturing (GM), Airport Operations (AO) and the Cherry Point Industrial District (CP-ID); and

(d) Resource Districts shall include Agriculture (AG), Commercial Forestry (CF), Rural Forestry (RF) and Recreation Open Space (ROS).

....

20.14 Wind Energy Systems

20.14.040 Regulatory framework.

.041 Permits and Zoning.

System Type	Required Permit	Zones
MET tower	Outright permitted ¹	All – for up to 24 months
One SWES	Outright permitted ¹	All
WES with a rated output of 101 kW up to and including 500 kW	Administrative permit ²	Rural, RIM , AG, CF, RF, HII
Multiple SWES per parcel with a cumulative rated output of up to and including 100 kW	Administrative permit ²	All
WES greater than 500 kW	Conditional use permit ³	AG, CF, RF, HII
Multiple WES per parcel with a cumulative rated output above 100 kW	Conditional use permit ³	AG, CF, RF, HII

1 WES and MET towers are required to be in compliance with but not limited to WCC Title 15, Buildings and Construction, and acquire the necessary building permit.

2 Administrative permit, WCC 20.84.235.

3 Conditional use permit, WCC 20.84.200.

....

20.20 Urban Residential (UR) District

[Note: Map amendment only: Designation to be removed from rural area lands (currently occurs in 3 rural affected areas) and remain only in UGAs; text to be unchanged]

20.22 Urban Rural – Medium Density (URM) District

[Note: Map amendment only: Designation to be removed from rural area lands (currently occurs in 1 rural affected area) and remain only in UGAs; text to be unchanged]

20.32 Residential Rural (RR) District

20.32.010 Purpose.

The purpose of the Residential Rural District is to maintain the low density rural residential character of the areas designated as Residential Rural on the Comprehensive Plan map and implement the appropriate Comprehensive Plan policies in accordance with RCW 36.70A.070(5). In addition, it is the intent of this district to provide the opportunity for the development of building sites which maximize the efficient use of both energy and land by allowing an option for clustering of residential lots.

....

20.32.050 Permitted uses.

Unless otherwise provided herein, permitted and conditional uses shall be administered pursuant to the applicable provisions of Chapter 20.80 WCC (Supplementary Requirements) and Chapter 20.84 WCC (Variances, Conditional Uses and Appeals), ~~the Whatcom County SEPA Ordinance, the Whatcom County Subdivision Ordinance and the Whatcom County Shoreline Management Program.~~

....

20.32.150 Conditional uses.

Items indicated by an "*" are not allowed outside Rural Centers or short-term planning areas unless the applicant can demonstrate that there is a need to locate outside those areas in order to comply with legal requirements or standards; or that the proposed location is the most efficient place for the proposed use with respect to providing needed services to the public.

~~.155 Neighborhood grocery stores only in small towns and crossroads commercial areas; provided, that:~~

- ~~(1) The gross commercial floor area, including sales and storage areas, shall not exceed 2,500 square feet;~~
- ~~(2) Storage areas shall be located entirely within the structure; however, outside storage of solid waste receptacles shall be permitted if the receptacles are enclosed and screened from public view;~~
- ~~(3) The owner may have no more than two gasoline pumps;~~
- ~~(4) Minor auto repairs may be provided; however, engine overhaul, body and fender work, tire recapping and vehicle sales are prohibited;~~
- ~~(5) Hours of operation shall be limited to 7:00 a.m. through 11:00 p.m.;~~
- ~~(6) Height of the building shall not exceed 28 feet from the average grade;~~
- ~~(7) The site shall be full fronting on two or more improved public roads or streets;~~

~~(8) Internal structural lighting shall be limited to hours of operation and shall be designed and installed to prevent the illumination of adjacent properties; however, lighting for security purposes~~

~~may be used after business hours if such lighting is consistent with the above statement;~~

~~(9) Not more than two identification signs, not exceeding 40 square feet in area for each road frontage, shall be permitted; provided, that said sign(s) shall be attached flush against the building, but shall not project above any part of the roofline nor extend more than 18 inches from the wall of the building to which it is attached. Said sign(s) shall be harmonious and compatible in appearance with the character of the surrounding area. Signs may only be illuminated by indirect external source.~~

....

20.32.253 Maximum density and minimum lot size.

The following districts with their associated lot sizes as indicated below, are only allowed within Rural Centers, as outlined in the Comprehensive Plan: RR-1, RR-2, RR-3. The RR-5A and RR-10A districts are allowed throughout the rural areas.

District	Gross Density	Minimum Lot Size		Min. Reserve Area (Cluster Subdivisions)
		Conventional	Cluster	
RR-1, RR-2, RR-3, <u>RR-5A</u> : without public water	1 dwelling unit/5 acres	5 acres	N/A	N/A
<u>RR-10A: without public water</u>	<u>1 dwelling unit/10 acres</u>	<u>10 acres</u>	<u>N/A</u>	<u>N/A</u>
With public water, and stormwater detention and collection facilities:				
RR-1	1 dwelling unit/1 acre	36,000 sq. ft.	15,000 sq.ft.	30%
RR-2	2 dwelling units/1 acre	18,000 sq. ft.	15,000 sq.ft.	10%
RR-3	3 dwelling units/1 acre	12,000 sq. ft.	8,000 sq.ft.	25%
<u>RR-5A</u>	<u>1 dwelling unit/5 acres</u>	<u>5 acres</u>	<u>N/A</u>	<u>N/A</u>
<u>RR-10A</u>	<u>1 dwelling unit/10 acres</u>	<u>10 acres</u>	<u>N/A</u>	<u>N/A</u>

....

20.32.320 Reserve tract.

For the purposes of this section, "reserve tract" is defined as that portion of a proposed subdivision or short subdivision which is intended for agricultural, forestry, open space or future development purposes. All "reserve tracts" created through the subdivision process shall be subject to the following provisions:

(1) After a site is initially subdivided pursuant to this chapter, the "reserve tract" may be retained by the subdivider, conveyed to residents of the subdivision or conveyed to a third party.

(2) The "reserve tract" may be considered as a building lot; provided, that such lot is included in the overall density calculation of the original parcel of record.

(3) The "reserve tract" may be further subdivided only through the long subdivision process and only under the following circumstances:

(a) The county finds that in developing adjacent tracts it would help to further the objectives listed in WCC 20.32.305(2) above by dividing the reserve tract and increasing the area of reserve proportionately on the adjacent land being subdivided so that there is no net reduction in reserve area; and when the reserve tract is owned by the original developer or a third party, no property owner within the original subdivision will be significantly adversely affected or suffer a substantial decrease of property value as a result of dividing the reserve tract.

(b) When the Comprehensive Plan and zoning have been updated as part of the normal process (other than a revision initiated by the private sector or done for a specific area) and the public process has been gone through, subject to findings that there is no adverse impact to critical areas and development is in compliance with rural land use Comprehensive Plan policies, and when the reserve tract is owned by the original developer or a third party, no property owner within the original subdivision will be significantly adversely affected or suffer a substantial decrease of property value as a result of dividing the reserve tract.

(4) The purpose of the reserve tract as stated in WCC 20.32.320, paragraphs (1), (2) and (3), shall be communicated in writing on the face of the plat or short plat. The number of developable building sites remaining (if any) with the original parcel of record, based on the assigned density, shall also be prominently displayed on the plat or short plat. Whatcom County shall make every effort to assist all agents in communicating clearly such information to all purchasers and prospective purchasers of building lots or "reserve tracts."

(5) That the above ~~state~~ requirements (2) to (4) shall be recorded as a deed restriction at the time of filing of the final plat or short plat, and shall constitute an agreement between Whatcom County and the owner of record. Said deed restriction may be amended by mutual agreement between said parties after review for consistency and compliance with the Official Whatcom County Zoning

Ordinance, the Whatcom County Subdivision Ordinance and the Whatcom County Comprehensive Plan.

....

20.35 Eliza Island (EI) District

20.35.010 Purpose.

The Eliza Island District has been formed as a separate district due to its unique character. The purpose of this district is to allow for a harmonious mixture of residential, seasonal residential, recreational, and accessory uses. In addition, the district requires that new uses complement the island character by adherence to the goals and policies of the Eliza Island ~~Subarea Comprehensive~~ Plan. When making a determination about uses, consideration will be given to the rural land use policies as outlined in the Comprehensive Plan, as well as cumulative impacts of uses in this rural area.

20.35.050 Permitted uses.

Unless otherwise provided herein, the following permitted, accessory, and conditional uses shall be administered pursuant to the applicable provisions of Chapter 20.80 WCC (Supplementary Requirements) and Chapter 20.84 WCC (Variances, Conditional Uses, and Appeals), ~~as well as the Whatcom County SEPA and Subdivision Ordinances, and the Whatcom County Shoreline Management Program.~~

....

20.35.250 Minimum lot size and density.

.251 For the purposes of creating new building lots within the Eliza Island District, the minimum lot size shall be ~~one-half (1/2)~~ ten (10) acres. Minimum width at street line shall be 70 feet, at building line 80 feet, and minimum mean depth shall be 100 feet.

....

20.36 Rural (R) District

20.36.010 Purpose.

The purpose of this district is to implement the Rural designation of the ~~appropriate subarea~~ Comprehensive Plan and appropriate subarea plan, which calls for the maintenance of rural character and environmentally fragile areas by allowing a variety of low intensity uses that are compatible and complementary with the conservation of agricultural, forestry and related uses. ~~Furthermore, the purpose of~~

~~this district is to provide the option for residential uses to arrange in cluster development patterns while reserving tracts of land for rural uses and potential future resubdivision. (Ord. 98-083-Exh. A § 37, 1998; Ord. 82-58, 1982).~~

20.36.050 Permitted uses.

Subject to the provisions of Chapter 20.38 WCC, Agriculture Protection Overlay Zone, unless otherwise provided herein, permitted, accessory and conditional uses shall be administered pursuant to the applicable provisions of Chapter 20.80 WCC (Supplementary Requirements) and Chapter 20.84 WCC (Variances, Conditional Uses and Appeals), ~~the Whatcom County SEPA Ordinance, the Whatcom County Subdivision Ordinance and the Whatcom County Shoreline Management Program.~~

....

20.36.150 Conditional uses.

Items indicated by an "*" are not allowed outside Rural Centers and short-term planning areas unless the applicant can demonstrate that there is a need to locate outside those areas in order to comply with legal requirements or standards; or that the proposed location is the most efficient place for the proposed use with respect to providing needed services to the public.

....

~~.160 Neighborhood grocery stores in small towns and crossroads commercial areas only; provided, that:~~

- ~~(1) The gross commercial floor area, including sales and storage areas, shall not exceed 2,500 square feet except that the overall floor area may be increased to a maximum of 3,500 square feet where an ancillary use is approved by the hearing examiner. All ancillary uses shall not exceed 30 percent of the total floor area and must have similar type and level of impacts as generated by a neighborhood grocery store. Such ancillary uses may include but not be limited to post office, soda fountain, hardware sales or clothing sales;~~
- ~~(2) Storage areas shall be located entirely within the structure; however, outside storage of solid waste receptacles shall be permitted if the receptacles are enclosed and screened from public view;~~
- ~~(3) The owner may have no more than two gasoline pumps;~~
- ~~(4) Minor auto repairs may be provided; however, engine overhaul, body and fender work, tire recapping and vehicle sales are prohibited;~~
- ~~(5) Hours of operation shall be limited to 7:00 a.m. through 11:00 p.m.;~~
- ~~(6) Height of the building shall not exceed 28 feet from the average grade;~~
- ~~(7) The site shall be full fronting on two or more improved public roads or streets;~~
- ~~(8) Internal structural lighting shall be limited to hours of operation and shall be designed and installed to prevent the illumination of adjacent properties;~~

~~however, lighting for security purposes may be used after business hours if such lighting is consistent with the above statement; and~~

~~(9) Not more than two identification signs, not exceeding 40 square feet in area for each road frontage shall be permitted; provided, that said sign(s) shall be attached flush against the building, but shall not project above any part of the roofline nor extend more than 18 inches from the wall of the building to which it is attached. Said sign(s) shall be harmonious and compatible in appearance with the character of the surrounding area. Signs may only be illuminated by an indirect external source.~~

....

.165 Private or public, commercial and noncommercial sports outdoor recreation facilities ~~and clubs~~ including golf courses, playing fields for outdoor sports and other facilities consistent with the purpose of this district.

.166 Hydroelectric projects of five megawatts or less.

~~.168 Coin-operated laundry where developed in association with a neighborhood grocery store as provided in WCC 20.36.160. Maximum total floor area of the laundry and grocery store shall be 4,500 square feet.~~

....

20.36.253 Maximum density and minimum lot size.

The R-2A district with its associated lot sizes as indicated below, is only allowed within Rural Centers, as outlined in the Comprehensive Plan. The R-5A and R-10A districts are allowed throughout the rural areas.

....

20.36.320 Reserve tract.

For the purposes of this section, "reserve tract" is defined as that portion of a proposed subdivision or short subdivision which is intended for agricultural, forestry, open space or future development purposes. All "reserve tracts" created through the subdivision process shall be subject to the following provisions:

(1) After a site is initially subdivided pursuant to this section, the "reserve tract" may be retained by the subdivider, conveyed to residents of the subdivision or conveyed to a third party.

(2) The "reserve tract" may be considered as a building lot; provided, that such lot is included in the overall density calculation of the original parcel of record.

(3) The "reserve tract" may be further subdivided only through the long subdivision process and only under one of the following circumstances:

(a) The county finds that in developing adjacent tracts it would help to further the objectives listed in WCC 20.36.305(2) by dividing the reserve tract and increasing the area of reserve proportionately on the adjacent land being subdivided so that there is no net reduction in reserve area; and when the reserve tract is owned by the original developer or a third party, no property

owner within the original subdivision will be significantly adversely affected or suffer a substantial decrease of property value as a result of dividing the reserve tract; or

(b) When the Comprehensive Plan and zoning have been updated as part of the normal process (other than a revision initiated by the private sector or done for a specific area) and the public process has been gone through, subject to findings that there is no adverse impact to critical areas and development is in compliance with rural land use Comprehensive Plan policies, and when the reserve tract is owned by the original developer or a third party, no property owner within the original subdivision will be significantly adversely affected or suffer a substantial decrease of property value as a result of dividing the reserve tract; or

(c) The site is within a short-term planning area and public water and sewer serve the proposed development on the reserve tract.

(4) The purpose of the reserve tract as stated in subsections (1), (2) and (3) of this section shall be communicated in writing on the face of the plat or short plat; also, the number of developable building sites remaining (if any) with the original parcel of record, based on the assigned density, shall also be prominently displayed on the plat or short plat. Whatcom County shall make every effort to assist all agents in communicating clearly such information to all purchasers and prospective purchasers of building lots or "reserve tracts."

(5) That the requirements of subsections (2) to (4) of this section shall be recorded as a deed restriction at the time of filing of the final plat or short plat, and shall constitute an agreement between Whatcom County and the owner of record. Said deed restriction may be amended by mutual agreement between said parties after review for consistency and compliance with the Official Whatcom County Zoning Ordinance, the Whatcom County Subdivision Ordinance and the Whatcom County Comprehensive Plan.

....

20.60 Neighborhood Commercial Center (NC) District

[Note: this zone occurs in both rural & urban areas (Birch Bay, Everson & Bellingham UGAs and 8 rural affected areas)]

20.60.010 Purpose.

The purpose of the Neighborhood Commercial District is to provide for small, concentrated land areas intended for retail sales of convenience goods and services to persons residing within or visiting a neighborhood trade or service area, as well as to provide job and economic development opportunities for rural residents. When located outside Urban Growth Areas, the Neighborhood Commercial District shall comply with the rural land use policies and criteria set forth in the Comprehensive Plan. An additional purpose of the district is to provide

developmental standards aimed at achieving cohesive, coordinated development within this district and achieving compatibility between commercial and surrounding residential uses. The appropriate location of the Neighborhood Commercial District is addressed in the policies of the respective subarea Comprehensive Plan.

20.60.050 Permitted uses.

The following permitted uses shall be allowed subject to an evaluation by the zoning administrator pursuant to the provisions of this chapter and Chapter 20.80 WCC. ~~In addition, each permitted use shall be administered pursuant to the applicable provisions of the Whatcom County SEPA Ordinance, the Whatcom County Subdivision Ordinance and the Whatcom County Shoreline Management Program.~~

....

20.60.150 Conditional uses.

Unless otherwise provided herein, conditional uses shall be administered pursuant to the applicable provisions of Chapter 20.84 WCC (Variances, Conditional Uses and Appeals), ~~the Whatcom County SEPA Ordinance, the Official Whatcom County Subdivision Ordinance and the Whatcom County Shoreline Management Program.~~

....

20.60.300 Maximum building size.

.301 Maximum allowable floor area shall not exceed:

(1) 6,000 square feet per individual use allowed in the district if located within an urban growth area.

(2) 6,000 square feet per public community facility located outside an urban growth area.

(3) 3,000 square feet per individual use allowed in the district if located outside an urban growth area, except for public community facilities as noted above.

....

20.60.651 Facility design.

Individual development within a Neighborhood Commercial Zone District shall be designed to accommodate additional commercial development on adjacent property in an integrated manner. Consistent architectural treatment among structures is encouraged. Each development shall screen roof-mounted mechanical equipment so as not to be visible by surrounding uses or roads.

If located outside an urban growth area, design of the proposed use in the Neighborhood Commercial Zone District shall be consistent with the scale and intensity of the existing uses in the area and consistent with the Comprehensive Plan rural land use chapter.

....

20.60.700 Performance standards.

The following provisions shall apply to all uses within this district:

.701 There shall be no storage or handling of hazardous, explosive, highly flammable materials which would cause fire, explosion or safety hazards, except the storage and dispensing of gasoline in service stations.

.702 There shall be no production of noise at any property line of any use in this district in excess of the average intensity of street and traffic noise found in the district.

.703 There shall be no emission of dust, dirt, odors, smoke, or toxic gases and fumes.

.704 There shall be no production of heat, glare or vibration perceptible from any property line of the premises upon which such heat, glare or vibration is being generated.

.705 There shall be no storage or merchandising outdoors, with the exception of recreational boats, trailers and vehicles in an approved recreational vehicle storage facility.

.706 Proposed new uses in districts located outside urban growth areas will be consistent with the scale, use, and intensity of existing uses.

20.61 Small Town Commercial (STC) District

20.61.010 Purpose.

~~The purpose of the Small Town Commercial Districts are located within Rural Centers identified in the Comprehensive Plan. This zoning district provides for an activity center where rural residents and others can gather, work, shop, entertain and reside. This district is to provide limited land areas for a broad range of commercial uses and services to meet the everyday needs of rural residents and natural resource industries, to provide employment opportunities for residents of the rural area, and to provide goods, services, and lodging for travelers and tourists to the area. serving the surrounding rural trade area and out-of-area tourists. The boundaries of the district shall recognize the existing pattern of commercial development within rural small towns. The boundaries shall allow for small-scale infill development and redevelopment commensurate with available public services, physical limitations, and the anticipated demand for siting of development. An additional purpose of the district is to provide limited light industrial activities for employment opportunities for rural residents.~~

20.61.050 Permitted uses.

....

.066 One single-family dwelling or duplex per lot of record subject to:

- (1) Health department requirements regarding soil type and water supply.
- (2) Height regulations, lot coverage, open space, development standards and performance standards shall be in accordance with the provisions of Chapter 20.20 WCC, except that side and rear yard setbacks shall be 10 feet from vacant, adjacent commercially zoned properties.
- (3) A deed restriction recorded with the Whatcom County auditor is attached to the lot(s) at the time of building permit issuance stating that the dwelling(s) is located in a Small Town Commercial Zone and buyers should be aware that commercial uses will be allowed on surrounding parcels and owners have no grounds for protest.

(4) This permitted use is only allowed on lots created as of December 1, 2009.

....

20.61.100 Accessory uses.

- .101 Uses incidental to the primary permitted use.
- .102 Home occupation (pursuant to WCC 20.97.180).
- .103 Assembly, crafting, or manufacturing of items of a type related directly to the character of a permitted use and sold at retail on the premises.
- .104 Retail or service establishments accessory to a primary permitted use; provided, that it does not exceed 2,500 square feet of retail floor area.
- .105 On-site treatment and storage facilities for hazardous wastes associated with outright permitted uses or approved conditional uses subject to the most current siting criteria under Chapter 173-303 WAC.

.106 One residential unit for owner-manager or caretaker when part of a building in which the primary use is located.

....

20.61.701 Facility design.

Individual developments within a Small Town Commercial Zone District should be encouraged to accommodate additional commercial development on adjacent property in an integrated manner. Consistent architectural treatment is encouraged. Each development shall screen roof-mounted mechanical equipment so as not to be visible by surrounding uses or roads.

Design of the proposed use in the Small Town Commercial Zone District shall be consistent with the scale and intensity of the existing uses in the area and consistent with the Comprehensive Plan rural land use chapter.

....

20.61.750 Performance standards.

The following provisions shall apply to all uses within this district:

.751 There shall be no commercial storage or handling of hazardous, explosive, highly flammable materials in quantities which would cause fire, explosion or safety hazards, except the storage and dispensing of gasoline in service stations.

.752 There shall be no production of noise at any property line of any use in this district in excess of the average intensity of street and traffic noise found in the district.

.753 There shall be no emission of significant quantities of dust, dirt, odors, smoke, or toxic gases and fumes.

.754 There shall be no production of heat, glare or vibration perceptible from any property line of the premises upon which such heat, glare or vibration is being generated.

.755 There shall be no off-site release to soil or surface drainage ways of water borne or liquid pollutants.

.756 There shall be no polluting or hazardous discharge to a public sewer or septic system.

.757 Proposed new uses will be consistent with the scale, use, and intensity of existing uses.

20.62 General Commercial (GC) District

[Note: Map amendment only: Designation to be removed from rural area lands (currently occurs in 7 rural affected areas) and remain only in UGAs; text to be unchanged]

20.63 Tourist Commercial (TC) District

[Note: this zone occurs in both rural & urban areas (Ferndale UGA & 3 rural affected areas)]

20.63.010 Purpose.

The purpose of the Tourist Commercial District is to supply sufficient areas arranged in a concentrated form that would allow land use activities which serve the traveling public. The district shall be located and implemented consistent with the goals, objectives and policies of the Comprehensive Plan. The district should be located near major transportation corridors in such a fashion as to provide safe and convenient access that would not impact adjacent noncommercial activities. Further, the district should be in areas where adequate public services such as roads, sewer, water and drainage are available. The district should provide for uses which normally serve the traveling public and encourage a type of development which occurs in a well-designed pattern considering aesthetics and safety. If located outside an Urban Growth Area, the uses in the district should rely on the rural

location and setting, and provide recreation and tourist uses that are small in scale, and compatible with existing uses and intensities.

20.63.050 Permitted uses.

The following permitted and accessory uses shall be allowed subject to an evaluation by the zoning administrator pursuant to the provisions of this chapter and Chapter 20.80 WCC. ~~Further, each permitted and accessory use shall be administered pursuant to the applicable provisions of the Whatcom County SEPA Ordinance, the Whatcom County Subdivision Ordinance and the Whatcom County Shoreline Management Program.~~

....

20.63.150 Conditional uses.

Unless otherwise provided herein, conditional uses shall be administered pursuant to the applicable provisions of this chapter, Chapter 20.80 WCC (Supplementary Requirements) and Chapter 20.84 WCC (Variances, Conditional Uses and Appeals), ~~the Whatcom County SEPA Ordinance, the Official Whatcom County Subdivision Ordinance and the Whatcom County Shoreline Management Program.~~

.151 Automobile repair garages.

.152 Dry cleaners.

.153 Campgrounds and recreational vehicle parks.

.154 Public uses, which because of locational requirements, are necessary in the Tourist Commercial District; provided, the uses are consistent with Tourist Commercial policies, the purpose of the district and its attendant provisions.

.155 Outdoor ~~commercial~~ recreation facilities, athletic fields and public or private parks not included in an adopted city or county Comprehensive Plan or Park Plan.

.156 Trailheads with parking areas for more than 30 vehicles.

.185 Type I solid waste handling facilities.

.186 Mitigation banks as a form of compensatory mitigation for wetland and habitat conservation area impacts when permitted in accordance with the provisions of Chapter 16.16 WCC; provided, applications for mitigation banks shall be processed as a major development project pursuant to Chapter 20.88 WCC.

....

20.63.651 Facility design.

Individual developments within a Tourist Commercial Zone District shall be designed to accommodate additional commercial development on adjacent property in an integrated manner. Consistent architectural treatment is encouraged. Each development shall screen roof-mounted mechanical equipment so as not to be visible by surrounding uses or roads.

If located outside an urban growth area, design of the proposed use in the Tourist Commercial Zone District shall be consistent with the scale and intensity of the existing uses in the area and consistent with the Comprehensive Plan rural land use chapter.

....

20.63.700 Performance standards.

The following provisions shall apply to all uses within this district:

.701 There shall be no storage or handling of hazardous, explosive, highly flammable materials which would cause fire, explosion or safety hazards, except the storage and dispensing of gasoline in service stations.

.702 There shall be no production of noise at any property line of any use in this district in excess of the average intensity of street and traffic noise found in the district.

.703 There shall be no emission of dust, dirt, odors, smoke, or toxic gases and fumes.

.704 There shall be no production of heat, glare or vibration perceptible from any property line of the premises upon which such heat, glare or vibration is being generated.

.705 Proposed new uses in districts located outside urban growth areas will be consistent with the scale, use, and intensity of existing uses.

20.64 Resort Commercial (RC) District

[Note: this zone occurs in both rural & urban areas (Birch Bay UGA & 3 rural affected areas – Glacier, Point Roberts, and Sudden Valley. Planning map amendment to change the Sudden Valley designation to NC or STC)]

20.64.010 Purpose.

The purpose of the Resort Commercial District is to provide land areas which through their natural location and setting, and manmade attributes, attract resort activities. The district shall be located and implemented consistent with the goals, objectives and policies of the Comprehensive Plan. The district should be located in such areas where adequate public services such as roads, sewer, water and drainage are available, and be of such size that a viable resort can be established and maintained. The district should provide for uses normally found in resort areas and encourage the type of development which occurs in a cohesive fashion and which promotes open space and other amenities considered significant for viable resort areas.

20.64.050 Permitted uses.

The following permitted uses shall be allowed subject to an evaluation by the zoning administrator pursuant to the provisions of this chapter and Chapter 20.80 WCC. ~~In addition, each permitted use shall be administered pursuant to the applicable provisions of the Whatcom County SEPA Ordinance, the Whatcom County Subdivision Ordinance and the Whatcom County Shoreline Management Program.~~

....

20.64.100 Accessory uses.

.101 Docks.

.102 Resort administrative offices.

.103 Uses incidental to the primary permitted uses.

.104 Home occupations pursuant to WCC 20.97.180, except that one person other than family residing on the premises may be employed.

.105 Any retail or personal service establishment, including self-service laundry, may be located within a building occupied by a hotel or motel; provided, that such use shall have no separate outside entrance and no sign visible from outside the building; and provided further, that the total floor space devoted to such uses shall not exceed 15 percent of the floor space of the building in which they are located; and provided further, that such use is not specifically prohibited in WCC 20.64.200.

.106 Assembly or crafting of items of a type related directly to the character of a permitted use and sold at retail on the premises; provided, that no piece of machinery used in such work exceeds three horsepower.

.107 Temporary dwelling units which have full living accommodations including sleeping, self-contained cooking, bathing, and toilet facilities where the plumbing is connected to permanent site sewage and water systems, including those travel trailers and recreational vehicles that meet the above description, for use by owners during the period of construction of a permanent dwelling while the building permit is valid, not to exceed two years.

.108 One residential unit for owner-manager or caretaker when part of a building in which the primary use is located.

.109 On-site treatment and storage facilities for hazardous wastes associated with outright permitted uses or approved conditional uses subject to the most current siting criteria under Chapter 173-303 WAC.

.110 Other accessory uses and buildings, including dedicated employee housing, customarily appurtenant to a principally permitted use.

....

20.64.651 Facility design.

Individual developments within a Resort Commercial Zone District should be encouraged to accommodate additional commercial development on adjacent property in an integrated manner. Consistent architectural treatment is

encouraged. Each development shall screen roof-mounted mechanical equipment so as not to be visible by surrounding uses or roads.

Design of a proposed use in the Resort Commercial Zone District outside of Urban Growth Areas shall be consistent with the scale and intensity of the existing uses in the area and consistent with the Comprehensive Plan rural land use chapter.

....

20.64.700 Performance standards.

The following provisions shall apply to all uses within this district:

.701 There shall be no storage or handling of hazardous, explosive, highly flammable materials which would cause fire, explosion or safety hazards, except the storage and dispensing of gasoline in service stations.

.702 There shall be no production of noise at any property line of any use in this district in excess of the average intensity of street and traffic noise found in the district.

.703 There shall be no emission of dust, dirt, odors, smoke or toxic gases and fumes.

.704 There shall be no production of heat, glare or vibration perceptible from any property line of the premises upon which such heat, glare or vibration is being generated.

.705 There shall be no storage outdoors.

.706 There shall be no off-site release to soil or surface drainageways of water borne or liquid pollutants.

.707 Applicable health department permits must be secured before permit is issued.

.708 Proposed new uses outside of Urban Growth Areas will be consistent with the scale, use, and intensity of existing uses.

20.65 Gateway Industrial (GI) District

[Note: Map amendment only: Designation to be removed from rural area lands (currently occurs in 1 rural affected area) and remain only in UGAs; text to be unchanged]

20.66 Light Impact Industrial (LII) District

[Note: Map amendment only: Designation to be removed from rural area lands (currently occurs in 1 rural affected area) and remain only in UGAs; text to be unchanged]

20.67 General Manufacturing (GM) District

[Note: Map amendment only – Designation to be removed from rural area lands (currently occurs in 1 rural affected area); text to be unchanged]

20.69 Rural Industrial - Manufacturing (RIM) District

20.69.010 Purpose.

The purpose of the Rural Industrial and Manufacturing District is to provide for light impact industrial and manufacturing uses that are commonly accepted in the rural area, with preference to those uses which facilitate the production of agricultural, forest, and aquatic products. This zoning designation allows related processing facilities, limited direct resource sales and limited support services that are not detrimental to the natural resource base in the long term. The district shall comply with the rural land use policies and criteria set forth in the Comprehensive Plan. The appropriate location of the Rural Industrial and Manufacturing District is addressed in the policies of the Comprehensive Plan.

20.69.050 Permitted uses.

The following permitted uses shall be allowed subject to an evaluation by the zoning administrator pursuant to the provisions of this chapter and Chapter 20.80 WCC.

.051. Uses related to agriculture including, but not limited to:

(1) Commercial operations, except for mushroom composting operations, that directly provide agricultural goods or services to farmers. Examples of agricultural commercial operations include, but are not limited to: agricultural parts and implement sales, farm management services, livestock auction facilities, hay sales and storage, sawdust sales and storage, and farm chemical applicator establishments. These operations must abide by the limitations of 20.69.108, and otherwise as outlined in this chapter.

(2) The processing of agricultural products that originate from the permitted uses in WCC 20.40.050, provided that the facility is not mushroom substrate production facility and the facility processes at least 50 percent agricultural goods produced in Whatcom County.

(3) Animal hospital and accessory kennels and stables.

(4) Commercial composting and mulching facilities other than commercial mushroom substrate production facilities as provided for in WCC 20.15.

(5) Fabrication, maintenance, repair, storage, service and accessory sales of agricultural implements and farm equipment.

(6) Metal agricultural implement and farm equipment recovery and recycling.

(7) Confined feeding operations less than 40 acres.

(8) Storage and distribution of animal feeds, fertilizers, pesticides and seed.

(9) Plant nurseries and greenhouses for storage, propagation and culture of plants, including sales as an accessory use.

.052 Uses related to forestry including, but not limited to:

(1) Fabrication, maintenance, repair, service and accessory sales of forestry related items, within the limitations of 20.69.108 and elsewhere as outlined in this chapter.

(2) Forest industry storage and maintenance facility.

(3) Forestry management services and forest industry support services.

(4) Log scaling station.

(5) Manufacturing wood products and containers.

(6) Operation of sawmills, chippers, shake and shingle mills, scaling stations, log dumps, sorting and storage areas; forest industry equipment maintenance, buildings and storage yards, and forest industry residue dumps and other uses involved in the harvesting and primary processing of timber; provided:

(a) The intent of processing is initial reduction in bulk and/or to facilitate transport to secondary processing centers; and

(b) All uses within 1,000 feet of a park, recreation area or zone district other than Rural, Agriculture or Industrial shall be temporary and of less than 12 months' duration.

(7) Prefabricated wood building and components.

(8) Wood waste recycling.

.053 Uses related to aquatic resources including, but not limited to, the following:

(1) Fabrication, maintenance, service, storage, repair and accessory sales of equipment, vessels, and structures associated with aquatic natural resource industries, within the limitations of 20.69.108 and elsewhere as outlined in this chapter.

(2) Aquaculture, including but not limited to management and propagation of fish and wildlife, upland fish farming, seafood and shellfish processing and accessory on-site sales.

.054 Historic sites open to the public, including natural systems education and/or interpretive areas, and trails, trailheads, restroom facilities and associated parking areas for no more than 30 vehicles.

.055 Public community facilities.

20.69.100 Accessory Uses.

.101 Employee recreation facilities and play areas.

.102 Explosives storage operated in compliance with RCW Chapter 70.74.

.103 Temporary buildings for construction purposes for a period not to exceed the duration of such construction.

.104 Metalworking shop for the maintenance and repair of equipment used by the primary permitted use.

.105 On-site treatment and storage facilities for hazardous wastes associated with outright permitted uses or approved conditional uses subject to the most current siting criteria under WAC Chapter 173-303.

.106 Testing and experimentation in connection with a principally permitted use.

.107 Other accessory uses and buildings, including offices, security and a caretaker residence, customarily appurtenant to a principally permitted use.

.108 Retail and wholesale trade of merchandise manufactured, assembled or stored on site within the definition of accessory uses as defined in Chapter 20.97; provided retail facilities do not exceed 3,000 square feet or ten percent of the total floor area of all buildings located on site, whichever is less.

.109 Childcare facilities operated by, maintained by or funded by business in the district for the purpose serving the childcare needs of employees whose place of employment lies within this zone district; provided, that childcare facilities in a family dwelling shall conform to the definition of home occupation, WCC 20.97.180.

20.69.130 Administrative approval uses. The following uses are permitted with administrative approval pursuant to WCC 20.84.235:

.131 Public community facilities and expansion of existing public community facilities up to a total building size of 10,000 square feet.

.132 Agricultural slaughtering facilities, if done in compliance with Title 16 WAC (Department of Agriculture) and Title 16 RCW (Animals and Livestock).

.133 Temporary storage of moved buildings including manufactured homes, provided storage is:

(1) only for periods less than 12 months duration; and

(2) limited with no work or maintenance done to the structure while in storage;

and

(3) limited further with no structure used for any other use than to be temporarily stored on site.

.134 Outdoor storage of processed and unprocessed natural materials in quantities greater than 500 cubic yards that do not have a potential health hazard.

.134 Outdoor storage of processed and unprocessed natural materials in quantities greater than 500 cubic yards that do not have a potential health hazard.

.135 Storage or salvage of unlicensed/inoperable vehicles if done in compliance with RCW Chapter 46.80.

20.69.150 Conditional uses.

Unless otherwise provided herein, conditional uses shall be administered pursuant to the applicable provisions of Chapter 20.84 WCC (Variances, Conditional Uses and Appeals).

.151 Public community facilities and expansions of existing public community facilities, 10,000 square feet and greater.

.152 Manufacture, batching and recycling of hydraulic cement, concrete gypsum and plaster products, abrasive asbestos, sand, and miscellaneous nonmetallic mineral products.

.153 Petroleum products and gas storage—bulk.

.154 Confined feeding operations greater than 40 acres.

.155 Public and private parks facilities not included in an adopted city or county Comprehensive Plan or Park Plan.

.156 Trailheads with parking areas for more than 30 vehicles.

.157 Athletic fields.

.158 Passenger intermodal terminals.

.159 State education facilities.

.160 Type I solid waste handling facilities.

.161 Type II solid waste handling facilities.

20.69.200 Prohibited uses.

.201 All other uses.

.202 Adult businesses.

20.69.250 Minimum lot size.

The minimum lot size shall be consistent with the area required to meet the building setback, lot coverage, buffer and development standards of the district.

20.69.255 Minimum lot frontage.

For the purpose of dividing property, minimum lot frontage shall be sufficient to provide adequate access and utility development, and meet applicable building setback, buffer, and development standards of the district. In no case shall the frontage be less than 30 feet.

20.69.300 Maximum building size.

.301 Except as otherwise specifically allowed in this chapter, maximum allowable floor area shall not exceed 8,000 square feet.

.302 The total floor area of all buildings on site shall not exceed 30,000 square feet.

20.69.350 Building setbacks.

Building setbacks shall be administered pursuant to WCC 20.69.550 and WCC 20.80.200.

20.69.400 Height limitations.

No maximum structure height is established; however, when building height exceeds 35 feet, the setback requirements of WCC 20.80.200 shall be increased by one foot for each foot of building height in excess of 35 feet, as applicable to all setbacks. Height of structures shall also conform, where applicable, to the general requirements of WCC 20.80.675. Piles of materials, including those stored and/or processed on site, shall not exceed 35 feet.

20.69.450 Lot coverage.

The maximum building coverage shall not exceed 60 percent of the lot size.

20.69.500 Open space.

At least 15 percent of the site shall be kept free of buildings, structures, stored materials, hard surfacing, parking areas and other impervious surfaces.

20.69.550 Buffer area.

.551 When a parcel situated within this district adjoins a Rural or Residential Rural District, or county or state roads designated as or proposed for improvements to principal arterial status, setbacks of frontage adjacent to the arterial shall be increased to 50 feet. A minimum of 25 feet shall be landscaped consistent with the requirements of WCC 20.80.345.

.552 If any part of said buffer area is separated from, or sold to any contiguous or adjacent owner, lessee or user, the parcel so separated or sold shall be used only as a buffer area in accordance with the above requirements.

20.69.600 Sign regulations.

Sign regulations shall be administered pursuant to WCC 20.80.400.

20.69.650 Development criteria.

20.69.651 Facility design.

Rural Industrial and Manufacturing developments within this Zone District should be designed to accommodate additional industrial, manufacture, or commercial development on adjacent RIM or other commercially-zoned property in an integrated manner. Consistent architectural treatment is encouraged. Each development shall screen roof-mounted mechanical equipment so as not to be visible by surrounding uses or roads.

Design of a proposed use in the Rural Industrial and Manufacturing Zone District shall be consistent with the scale and intensity of the existing uses in the area and consistent with the Comprehensive Plan rural land use chapter.

20.69.652 Landscaping.

Refer to WCC 20.80.300 for landscaping requirements.

20.69.653 Off-street parking and loading.

Off-street parking and loading provisions shall be administered pursuant to WCC 20.80.500. In addition, loading areas must be located in such a manner that no loading, unloading and/or maneuvering of trucks associated therewith takes place on public rights-of-way.

20.69.655 Drainage.

All development activity within Whatcom County shall be subject to the stormwater management provisions of the Whatcom County Development Standards unless specifically exempted.

No project permit shall be issued prior to meeting submittal requirements relating to stormwater management in the appropriate chapters of the Whatcom County Development Standards.

20.69.656 Driveways.

Pursuant to WCC 20.80.640, driveway plans shall be reviewed by the county engineer or State Department of Highways, as applicable.

20.69.657 Access.

Access shall conform to the provisions of WCC 20.80.565 and 20.80.660.

20.69.658 Maintenance.

The owner, lessee or user shall be responsible for maintaining an orderly appearance of all properties, and shall be responsible for assuring the care and maintenance of any natural growth where appropriate. All required yards, parking areas, storage areas, operation yards and other open uses on the site which are adjacent to a public right-of-way shall be maintained in a neat and orderly manner appropriate for the district at all times.

20.69.659 Enclosure.

All manufacturing or fabrication processes which produce physical off-site impacts of a detrimental nature shall be sufficiently enclosed to mitigate the impact.

20.69.700 Performance standards.

All proposed new uses will demonstrate consistency with the scale, use, and intensity of existing uses, and demonstrate compliance with the rural lands portion of the Land Use chapter in the Whatcom County Comprehensive Plan.

20.69.701 Pollution control and nuisance abatement.

Each industrial and manufacturing activity is required to continuously employ the best pollution control and nuisance abatement technology when reasonable and practicably available; provided, that where federal, state, or regional laws or regulations provide for the level of technology to be employed, the appropriate standards shall apply.

20.69.702 Heat, light and glare.

All operations and facilities producing heat, light or glare, including exterior lighting, shall be so constructed, screened or used as to not unreasonably infringe upon the use and enjoyment of property beyond the boundaries of the district.

20.69.703 Ground vibrations.

No ground vibration other than that caused by highway vehicles, trains or construction activity shall be permitted which is discernible, without instruments, at or beyond the property line for the use concerned.

20.69.704 Odor, dust, dirt, and smoke.

No odor, dust, dirt, or smoke shall be emitted that is detectable at or beyond the property line, for the use concerned, in such a concentration or of such duration as to cause a public nuisance, or threaten health or safety, or to unreasonably infringe upon the use and enjoyment of property beyond the boundaries of the district.

20.69.705 Noise.

No use in this district shall exceed the maximum environmental noise level established by Chapter 173-60 WAC.

20.69.706 Toxic gases and fumes.

There shall be no emission of toxic gases or fumes.

20.69.707 Liquid pollutants.

There shall be no off-site release to soil or surface drainage ways of water borne or liquid pollutants.

20.72 Point Roberts Special District

20.72.010 Purpose.

Point Roberts is a unique area of Whatcom County because of its relatively small size, its mixed development character, its relative isolation and the constraints on normal growth patterns caused by the impact of access only via an international border crossing. This geographic isolation from the remainder of Whatcom County complicates the direct application of other zone districts within this title. Point Roberts is considered a limited area of more intense rural development, being clearly bounded by the border and marine environment. However, within these boundaries are zoning districts allowing a variety of development intensities. Proposed changes in uses or lots, and new proposed uses, must be consistent with rural land use as set forth in the Comprehensive Plan.

....

20.72.200 Prohibited uses.

In addition to the uses prohibited in the underlying zone districts, the following uses are prohibited:

.201 Service stations in all zones, except expansion of existing service stations by adding additional pumps or hose dispensers.

.202 The following uses are prohibited in the Resort Commercial Zone District in the Maple Beach area of Point Roberts:

- (1) Rooming houses.
- (2) Taverns.
- (3) Commercial parking lots or garages.

~~.203 Neighborhood grocery stores are prohibited in the Rural Zone.~~

....

20.72.260 Maximum density.

~~.261 Except as modified by this chapter, all residential densities in the General Commercial, Small Town Commercial and Resort Commercial Zones shall not exceed 10 units per acre.~~

....

20.72.653 Tree canopy retention.

In addition to compliance with all other requirements of this title and other titles of the Whatcom County Code, development activities shall be subject to the following provisions:

- (1) In the RC, ~~GC~~ NC, and STC Districts, existing tree canopy areas (as defined by the dripline of the tree(s)) may be used to meet all or part of the open space requirements of this title. If existing tree canopy areas do not fully satisfy the minimum open space requirements of the applicable zone district, the remainder of the required open space shall be subject to the landscaping requirements established in WCC 20.80.300.

....

20.80 Supplementary Requirements

20.80.210 Minimum setbacks.

....

- (b) Setbacks Table

....

Industrial Setbacks

Heavy Impact Industrial (HII)							
Road Type						Other	
Commercial, Industrial, I-5, State Hwys, Principal & Minor Arterials	Collector Arterials or Major Collectors	Minor Collectors	Local Access Streets	Neighborhood Collector	Minor Access Streets	Side Yard	Rear Yard
100'	100'	100'	100'	100'	30'	30'	30'
<p>1. All setbacks shall be increased by one foot for each foot of building height, excluding tanks and similar structures, which exceeds 50 feet.</p> <p>2. The building setbacks of WCC 20.80.210 shall not apply to utility or security structures such as poles, meters, fences, guard structures and the like, nor to structures relating to shipment on railroad rights-of-way; provided, that no traffic hazards are created. For nonindustrial buildings, the zoning administrator may reduce or eliminate side and rear yard setbacks from side and rear property lines that are adjoining an industrial district provided that all of the following provisions are met:</p> <ul style="list-style-type: none"> (i) Screening will be provided to protect adjacent uses from unsightliness or visual distraction; (ii) A site plan has been submitted that shows that all structures and improvements including roof overhangs will not cross property boundaries, and a stormwater management plan has been provided that shows that runoff will be diverted to on-site drainage facilities; (iii) A reduction in setbacks will not reduce solar access on adjacent properties or if a setback reduction will result in reduced solar access, all parties having an ownership interest in the property adjacent to the side or rear yards to be reduced stipulate in writing, on forms provided by the zoning administrator, to the reductions. The zoning administrator may require a title report to establish the ownership interests in the adjacent property; (iv) Adjoining properties will be shielded from light sources; (v) The use and storage of toxic or hazardous materials or processes will not be located within what would otherwise be the setback area unless adequate facilities to contain accidental spills on-site consistent with state regulations are provided; (vi) The reduced setbacks will not interfere with existing sewer, water and other easements; and (vii) Reduced setbacks will not result in the creation of a traffic hazard nor will the reduced setback create a circumstance that does not comply with WCC 20.80.210(3), Vision Clearance. <p>3. Setbacks for parcels adjoining a nonindustrial district(s) shall be administered pursuant to WCC 20.68.550 (Buffer Area) and Policy 1.05 of the Heavy Impact Industrial designation of the Cherry Point-Ferndale Subarea Plan.</p> <p>4. The setback requirements of the Heavy Impact Industrial District shall apply to the storing and handling of hazardous materials; provided, that if federal and/or state</p>							

regulations require different setbacks, the greater setback (county, federal, or state) shall be used.

5. The zoning administrator may reduce setbacks for nonindustrial buildings to those of Light Impact Industrial if the reduced setbacks would not interfere with existing sewer, water and other easements. A greater reduction in setback requires approval under subsection (3)(d) of this section.

Light Impact Industrial (LII)

<i>Road Type</i>						<i>Other</i>	
Commercial, Industrial, I-5, State Hwys, Principal & Minor Arterials	Collector Arterials or Major Collectors	Minor Collectors	Local Access Streets	Neighborhood Collector	Minor Access Streets	Side Yard	Rear Yard
30'	30'	30'	30'	30'	20'	10'	10'

1. All setbacks shall be increased by one foot for each foot of building height which exceeds 35 feet.

2. The building setbacks of WCC 20.80.210 shall not apply to utility or security structures such as poles, meters, fences, guard structures and the like. In addition, the zoning administrator may reduce side and rear yard setbacks for other structures as provided by subsection (1)(d) of this section (4) of the Light Impact Industrial zone.

3. Setbacks for parcels adjoining a nonindustrial district(s) shall be administered pursuant to WCC 20.66.550 (Buffer Area).

4. The zoning administrator may reduce or eliminate side and rear yard setbacks from side and rear property lines that are adjoining an industrial district; provided, that the administrator finds that all of the following provisions are met:

(i) Screening will be provided to protect adjacent uses from unsightliness or visual distraction;

(ii) A site plan has been submitted that shows that all structures and improvements including roof overhangs will not cross property boundaries, and a stormwater management plan has been provided that shows that runoff will be diverted to on-site drainage facilities;

(iii) A reduction in setbacks will not reduce solar access on adjacent properties or if a setback reduction will result in reduced solar access, all parties having an ownership interest in the property adjacent to the side or rear yards to be reduced stipulate in writing, on forms provided by the zoning administrator, to the reductions. The zoning administrator may require a title report to establish the ownership interests in the adjacent property;

(iv) Adjoining properties will be shielded from light sources;

(v) The use and storage of toxic or hazardous materials or processes will not be located within what would otherwise be the setback area unless adequate facilities to contain accidental spills on-site consistent with state regulations are provided;

(vi) The reduced setbacks will not interfere with existing sewer, water and other easements; and

(vii) Reduced setbacks will not result in the creation of a traffic hazard nor will the reduced setback create a circumstance that does not comply with WCC 20.80.210(3), Vision Clearance.							
General Manufacturing (GM)							
<i>Road Type</i>						<i>Other</i>	
Commercial, Industrial, I-5, State Hwys, Principal & Minor Arterials	Collector Arterials or Major Collectors	Minor Collectors	Local Access Streets	Neighbor- hood Collector	Minor Access Streets	Side Yard	Rear Yard
30'	30'	30'	30'	30'	20'	10'	10'
<p>1. All setbacks shall be increased by one foot for each foot of building height which exceeds 35 feet.</p> <p>2. The building setbacks of WCC 20.80.210 shall not apply to utility or security structures such as poles, meters, fences, guard structures and the like.</p> <p>3. Setbacks for parcels adjoining a nonindustrial district(s) shall be administered pursuant to WCC 20.67.550 (Buffer Area).</p> <p>4. The provisions of subsection (1)(d) of this section may be applied to side and rear yard setbacks in the General Manufacturing District. The zoning administrator may reduce or eliminate side and rear yard setbacks from side and rear property lines that are adjoining an industrial district; provided, that the administrator finds that all of the following provisions are met:</p> <ul style="list-style-type: none"> (i) Screening will be provided to protect adjacent uses from unsightliness or visual distraction; (ii) A site plan has been submitted that shows that all structures and improvements including roof overhangs will not cross property boundaries, and a stormwater management plan has been provided that shows that runoff will be diverted to on-site drainage facilities; (iii) A reduction in setbacks will not reduce solar access on adjacent properties or if a setback reduction will result in reduced solar access, all parties having an ownership interest in the property adjacent to the side or rear yards to be reduced stipulate in writing, on forms provided by the zoning administrator, to the reductions. The zoning administrator may require a title report to establish the ownership interests in the adjacent property; (iv) Adjoining properties will be shielded from light sources; (v) The use and storage of toxic or hazardous materials or processes will not be located within what would otherwise be the setback area unless adequate facilities to contain accidental spills on-site consistent with state regulations are provided; (vi) The reduced setbacks will not interfere with existing sewer, water and other easements; and (vii) Reduced setbacks will not result in the creation of a traffic hazard nor will the reduced setback create a circumstance that does not comply with WCC 20.80.210(3), Vision Clearance. 							

5. The zoning administrator may reduce setbacks for nonindustrial buildings to those of Light Impact Industrial if the reduced setbacks would not interfere with existing sewer, water and other easements. A greater reduction in setback requires approval under subsection (2)(d) of this section.							
Gateway Industrial (GI)							
<i>Road Type</i>						<i>Other</i>	
Commercial, Industrial, I-5, State Hwys, Principal & Minor Arterials	Collector Arterials or Major Collectors	Minor Collectors	Local Access Streets	Neighborhood Collector	Minor Access Streets	Side Yard	Rear Yard
25'	25'	25'	25'	25'	25'	10'	10'
1. Maximum building height shall not exceed 35 feet; except, that an additional foot in height is allowed for each one-foot increase in setback in the yard adjoining the interstate highway up to 45 feet in the West Bakerview/I-5 Interchange area of the Urban Fringe Subarea and up to 75 feet in the Birch Bay-Lynden Road area of the Blaine-Birch Bay Subarea. Height of structures, where applicable, shall also conform to the general requirements of WCC 20.80.675.							
Airport Operations (AO)							
<i>Road Type</i>						<i>Other</i>	
Commercial, Industrial, I-5, State Hwys, Principal & Minor Arterials	Collector Arterials or Major Collectors	Minor Collectors	Local Access Streets	Neighborhood Collector	Minor Access Streets	Side Yard	Rear Yard
30'	30'	30'	30'	30'	20'	10'	10'
1. Setbacks for parcels adjoining a nonindustrial district shall be administered pursuant to WCC 20.70.550 (Buffer Area).							
2. The zoning administrator may reduce or eliminate side and rear yard setbacks from side and rear property lines that are adjoining an industrial district; provided, that the administrator finds that all of the following provisions are met:							
<ul style="list-style-type: none"> (i) Screening will be provided to protect adjacent uses from unsightliness or visual distraction; (ii) A site plan has been submitted that shows that all structures and improvements including roof overhangs will not cross property boundaries, and a stormwater management plan has been provided that shows that runoff will be diverted to on-site drainage facilities; (iii) A reduction in setbacks will not reduce solar access on adjacent properties or if 							

a setback reduction will result in reduced solar access, all parties having an ownership interest in the property adjacent to the side or rear yards to be reduced stipulate in writing, on forms provided by the zoning administrator, to the reductions. The zoning administrator may require a title report to establish the ownership interests in the adjacent property;

(iv) Adjoining properties will be shielded from light sources;

(v) The use and storage of toxic or hazardous materials or processes will not be located within what would otherwise be the setback area unless adequate facilities to contain accidental spills on-site consistent with state regulations are provided;

(vi) The reduced setbacks will not interfere with existing sewer, water and other easements; and

(vii) Reduced setbacks will not result in the creation of a traffic hazard nor will the reduced setback create a circumstance that does not comply with WCC 20.80.210(3), Vision Clearance.

<u>Rural Industrial – Manufacturing (RIM)</u>							
<u>Road Type</u>						<u>Other</u>	
<u>Commercial, Industrial, I-5, State Hwys, Principal & Minor Arterials</u>	<u>Collector Arterials or Major Collectors</u>	<u>Minor Collectors</u>	<u>Local Access Streets</u>	<u>Neighborhood Collector</u>	<u>Minor Access Streets</u>	<u>Side Yard</u>	<u>Rear Yard</u>
<u>30'</u>	<u>30'</u>	<u>30'</u>	<u>30'</u>	<u>30'</u>	<u>20'</u>	<u>10'</u>	<u>10'</u>
<u>Water Resource Protection Overlay</u>							
<u>No additional standards</u>							

....

20.80.360 Special requirements for individual zone districts.

References to front yard landscaping in (1) through (6) below shall be based on the property line except where the county engineer determines the road is developed at its ultimate width, then the back of the sidewalk can be used.

(1) Urban Residential Medium Density (URM), Neighborhood Commercial (NC); Resort Commercial (RC), and for nonresidential uses in the Residential and Rural Districts: 15 feet within the front yard setback and situated adjacent to the road shall be landscaped with vegetative material, except for driveways, walkways and signs. The remainder of the front yard setback may be used for parking.

(2) Tourist Commercial (TC) and General Commercial (GC): 10 feet within the front yard setback and situated adjacent to the road shall be landscaped with vegetative material, except for driveways, walkways and signs. The remainder of the front yard setback may be used for parking.

(3) Gateway Industrial (GI):

(a) Fifteen feet within the setback from Portal Way and situated adjacent to the road shall be landscaped with vegetative material, except for driveways, walkways and signs. The remainder of the front yard setback may be used for parking.

(b) Twenty-five feet within the setback from Interstate 5 and situated adjacent to the road shall be landscaped with vegetative material, except for driveways, walkways and signs. The remainder of the front yard setback may be used for parking.

(4) Rural Industrial and Manufacturing (RIM), Light Impact Industrial (LII) and Airport Operations (AO): 15 feet within the front yard setback and situated adjacent to the road shall be landscaped with vegetative material, except for driveways, walkways and signs. The remainder of the front yard setback may be used for parking. When the Light Impact Industrial zone fronts a minor or local access street the requirements for the General Manufacturing zone may be used.

(5) General Manufacturing (GM): Five feet within the front yard setback and situated adjacent to the road shall be landscaped with vegetative material, except for driveways, walkways and signs. The remainder of the front yard setback may be used for parking. Subject to approval of the county, street trees may be placed in the right-of-way and the five-foot landscaping strip provided contiguous to the building with the front yard setback used for circulation of trucks and heavy equipment. In this situation to provide visual relief open space should be primarily concentrated in the side yards unless natural habitat in the rear such as wetlands or streams are present which should take precedence.

(6) Heavy Impact Industrial (HII): For heavy industrial uses refer to the buffering requirements in WCC 20.68.550. For all other uses the front yard landscaping shall be 15 feet similar to the requirement for the Light Impact Industrial zone.

~~20.80.365 Conformance to Guide Meridian plan:~~

~~Properties which are generally located on the Guide Meridian between Horton and Kellogg Roads, and specifically identified in the Guide Meridian Improvement Plan, shall be subject to the provisions of said plan. The provisions of said plan shall supersede this chapter where there is inconsistency in minimum building setback and landscape requirements.~~

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20.80.450 General manufacturing, light and heavy impact industrial, rural industrial and manufacturing, and airport operation districts sign regulations.

....

20.80.734 General review thresholds.

County review and approval shall be required prior to a clearing activity when any of the following land clearing thresholds have been reached. If the clearing activity does not meet the threshold criteria, county review is not required. However, the owner is still subject to, and must comply with, the minimum requirements established in this chapter and in the Whatcom County Development Standards. Review thresholds and additional requirements for water resource special management areas are located in WCC 20.80.735.

(1) Five Thousand Square Foot Threshold on 30 Percent Slopes. The county shall review all proposed clearing activities when a cumulative area of 5,000 square feet or greater of clearing activity is proposed to take place on slopes 30 percent or greater in gradient.

(2) One Acre Threshold in Urban Residential, Commercial ~~and~~, Rural Residential Zoning Districts, and Rural Zoning Districts within Comprehensive Plan designated Rural Center LAMIRD areas. The county shall review all proposed clearing activities which are one acre or greater when the activities are proposed to take place in ~~Urban Residential, Commercial or Rural Residential~~ these Zoning Districts and the slope is less than 30 percent in gradient.

(3) Two Acre Threshold in Rural Zoning Districts outside of Comprehensive Plan designated Rural Center LAMIRD areas. The county shall review all proposed clearing activities which are two acres or greater when the activities are proposed to take place in Rural Zoning Districts and the slope is less than 30 percent in gradient.

(4) Any clearing activity within a critical area or critical area buffer, or any clearing activity greater than 500 square feet within 200 feet of a waterbody regulated under WCC Title 23, or within 200 feet of a wetland, habitat conservation area (HCA), frequently flooded area, or geological hazard regulated under WCC Title 16.

(5) Any clearing activity that meets the definition of a conversion from a forest use to another land use pursuant to WCC 20.97.085.

20.84 Variances, Conditional Uses, Administrative Approval Uses and Appeals

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20.84.200 Conditional uses.

....

20.84.220 Criteria.

Before approving an application for a conditional use permit, the hearing examiner shall ensure that any specific standards of the use district defining the conditional

use are fulfilled, and shall find adequate evidence showing that the proposed conditional use at the proposed location:

(1) Will be harmonious and in accordance with the general and specific objectives of Whatcom County's Comprehensive Plan and zoning regulations.

(2) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area.

(3) If located in a rural area (as designated in the Comprehensive Plan), will be consistent with existing use, scale, and intensity, and in conformance with the rural character of the area.

~~(34)~~ Will not be hazardous or disturbing to existing or future neighboring uses.

~~(45)~~ Will be serviced adequately by necessary public facilities such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

~~(56)~~ Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community.

~~(67)~~ Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reasons of excessive production of traffic, noise, smoke, fumes, glare or odors.

~~(78)~~ Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets.

~~(89)~~ Will not result in the destruction, loss or damage of any natural, scenic or historic feature of major importance.

20.84.225 Revisions to conditional use permits.

The hearing examiner may approve revisions to conditional use permits; provided, that the proposed changes are within the scope and intent of the original permit.

"Within the scope and intent of the original permit" shall mean the following:

(1) Lot coverage and height may be increased a maximum of 10 percent from the provisions of the original permit; provided, that revisions involving new structures not shown on the original site plan shall require a new permit; and provided further that any revisions authorized under this paragraph shall not exceed height, lot coverage, setback or any other requirements of the regulations for the area in which the project is located; and provided further that any revisions authorized under this paragraph shall be reviewed for consistency with the relevant chapters and policies in the Comprehensive Plan.

(2) Landscaping may be added to a project without necessitating an application for a new permit; provided, that the landscaping is consistent with conditions (of

if any) attached to the original permit and is consistent with the regulations for the area in which the project is located;

(3) The use authorized pursuant to the original permit is not changed;

(4) No additional over-water construction will be involved for shoreline conditional use permits;

(5) No substantial increase in adverse environmental impact will be caused by the project revision.

....

20.84.235 Administrative approval uses.

....

(3) Planning and development services shall approve or deny all administrative approval use applications. Decisions for all administrative approval use permits except adult businesses shall be based upon compliance with:

(a) the criteria established for the proposed use in the appropriate zone district;

(b) the Comprehensive Plan policies governing the associated land use designation;

(c) in rural areas, consideration will be given to the cumulative impacts of permitted uses in relation to the governing Comprehensive Plan policies and zoning district; and

(d) the requirement of this section and of WCC 20.84.220.

Decisions for administrative approval use permits for adult businesses shall be based solely upon the criteria in subsection (7) of this section.

....

20.97 Definitions

20.97.121.1 Existing uses.

"Existing uses" - when referencing uses within a LAMIRD – means a legally established use that existed on either:

July 1, 1990 if inside a Rural Center or other Type I LAMIRD area; or

September 20, 2005 if inside a Type II or III LAMIRD area.

20.97.194 LAMIRD.

“LAMIRD” means a limited area of more intense rural development as described in the Whatcom County Comprehensive Plan, land use chapter. LAMIRDs are characterized by existing uses and separated into three different types as follows:

Type 1 LAMIRDs are commercial, industrial, residential or mixed use areas surrounded by logical outer boundaries, and as defined in the Comprehensive Plan and WA State law (RCW 36.70A.070(5)(d)(i)).

Type 2 LAMIRDs are small-scale recreational or tourist areas as defined in the Comprehensive Plan and WA State law (RCW 36.70A.070(5)(d)(ii)).

Type 3 LAMIRDs are isolated business uses as defined in the Comprehensive Plan and WA State law (RCW 36.70A.070(5)(d)(iii)).

20.97.282 Outdoor recreation facilities.

“Outdoor recreation facilities” means land which is used for outdoor recreational activities by the general public or whose membership is not restricted to persons residing within a specific area. Such facilities shall include, but not necessarily be limited to, tennis and/or racquetball courts, soccer, basketball, climbing walls, baseball batting cages, and swimming pools.

20.97.323.1 Public Community Facility.

“Public community facility” means a publicly funded community service facility, including but not limited to a fire station, law enforcement station, public school, library, or water/sewer treatment facility; and excluding correction facilities.

20.97.356 Rural Business.

“Rural business” means a business that provides limited commercial services and job opportunities for rural residents, and is a specific designation under the Comprehensive Plan. Typical uses within a Rural Business designation include the production or manufacturing of goods; the production, repair and servicing of specialized tools and equipment; and the provision of services, including professional, management, consulting, construction, and repair services. Although typically rural in nature, the uses within the Rural Business designation are typically greater in intensity than Cottage Industries within the Rural zone district.

20.97.356.1 Rural Center

“Rural Center” means an area that has been designated in the Comprehensive Plan as a mixed-use LAMIRD based on historic development patterns, as defined in WA State law (RCW 36.70A.070(5)(d)(i) and (iv)).

20.97.357 Rural zoning districts.

“Rural zoning districts” means zoning districts that allow rural, agricultural, recreation and forestry activities ~~and do not require sewer and/or water prior to development~~. These zoning districts include; R2A, R5A, R10A, ROS, Agriculture, and Forestry. This definition is intended for the purpose of regulating clearing activity only.

20.97.445 Urban zoning districts.

“Urban zoning districts” means zoning districts that allow industrial and commercial activities, and high and medium density residential densities. These zoning districts include: UR, URM, RR, RR-I, NC, GC, TC, RC, GI, LII, GM, HII, RIM, and AO. This definition is intended for the purpose of regulating clearing activity only.