

TO ALL COUNCILMEMBERS:

Additional Information

For

December 6, 2016

SCOTW #1 **PUBLIC HEARING #1**

1. Ordinance adopting interim amendments to the Whatcom County Comprehensive Plan and Whatcom County Code Title 15 (Buildings and Construction), Title 20 (Zoning), Title 21 (Land Division Regulations), and Title 24 (Health Code) relating to water resources (related legislation: see ordinance below) (AB2016-309A)

Pages 618 - 649

DISTRIBUTED: December 6, 2016

TIME: 11:30 a.m.

Submitted by: Councilmember Donovan

Amend AB2016-309A; 24.11.060, A, 5, as a new "OR":

Or

- c. – A record that the project was substantively active, and / or substantially completed, prior to October 26, 2016.
 - i. Evidence that a project was substantively active and in process, and / or substantially completed prior to October 26, 2016 includes (some combination of): The applicant paid fees to Whatcom County directly related to the project (including short subdivision fees, land disturbance permit fees, project permit, etc.) prior to October 26, 2016, OR the applicant spent substantial funds on consultant services related to the proposal, AND the applicant has records of meetings or appointments with Whatcom County PDS staff related to the project within [two] years prior to October 26, 2016, AND / or, Some combination of the following:
 - 1) The applicant has a designed, approved septic system installed on the property prior to October 26, 2016;
 - 2) The applicant has installed a functioning well on the property prior to October 26, 2016;
 - 3) The applicant has established (from DOH?) that the well water is potable prior to October 26, 2016;
 - 4) The applicant has established a state approved private water system to serve the property (and no more than 4 total properties) prior to October 26, 2016;
 - 5) The applicant has completed a wetlands study for the property prior to October 26, 2016;
 - 6) The applicant has delineated wetlands and buffers prior to October 26, 2016;
 - 7) The applicant hired an archaeological consultant and completed a study of the property prior to October 26, 2016;
 - 8), The applicant has completed a natural resource assessment
 - ii. This condition applies only to applications for residential developments of no more than [four] total properties that use, on average, no more than 500 gallons of water per day, per property.
 - iii. A permit issued under this section does not grant the applicant water rights.
 - iv. A permit issued under this section is conditional; The applicant may be required to mitigate water use so as not to impair rights that are senior. Mitigation may include water conservation, the use of low flow plumbing fixtures, and other conservation methods.