

WHATCOM COUNTY
Planning & Development Services
5280 Northwest Drive,
Bellingham, WA 98226-9013
360-676-6907, TTY 800-833-6384
360-738-2525 Fax



J.E. "Sam" Ryan
Director

**WHATCOM COUNTY
PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
APPLICATION FOR ZONING AMENDMENTS**

Please check one of the following:

- ☐ STANDARD MAP AMENDMENT Complete Sections A, B, C, & F ☐ SITE SPECIFIC REZONE Complete Sections A, B, D, & F ☒ ZONING TEXT AMENDMENT Complete Sections A, E, & F

Do not write in this section of the application-for official use only.

Date Received: _____ File #: PLN2015-00003

Date Complete: _____ Initials of reviewer: _____

A. GENERAL INFORMATION-All applicants must complete this section.

1. APPLICANT'S NAME:

Whatcom County Planning and Development Services Department

SIGNATURE:

A handwritten signature in blue ink, appearing to read "Sam Ryan", is written over a horizontal line.

MAILING ADDRESS:

5280 Northwest Dr.

Bellingham, WA 98226

E-MAIL ADDRESS

gfaddis@co.whatcom.wa.us

BUSINESS PHONE: 360.676.6907 HOME PHONE: _____

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2. AGENT'S NAME: _____

MAILING ADDRESS: _____

E-MAIL ADDRESS _____

BUSINESS PHONE: _____

3. TOPIC OF PROPOSED AMENDMENT:

CODE ENFORCEMENT ~~CHAPTER~~ TITLE, WITH AMENDMENTS TO TITLES 15, 16, 20
WCC

4. Please give a complete but short description of the proposed amendment.

SEE ATTACHED

5. Explain how the proposed amendment is consistent with the goals, policies, and overall intent of the Comprehensive Plan by listing specific goals or policies and explaining how the proposal complies with each of them.

SEE ATTACHED

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external boundaries of the subject property as shown by the records of the county assessor.

g) A completed Environmental Checklist.

E. ZONING TEXT AMENDMENTS

16. Are there any other circumstances that justify the proposed change?

SEE ATTACHED

F. AUTHORIZATION:

Signature of Applicant(s) or Agent:

(I, we) certify that (I, we) are the owner(s) of record of all the above described property and that we will pay for legal notice in the newspaper:

Chris Feb - PLANNER PDS

Date: *12/10/14*

Date: _____

Date: _____

Date: _____

A.(4)

The purpose for proposing a new Whatcom County code enforcement ordinance/WCC Title is to establish an efficient, streamlined system to address code violations of WCCs 15, 16.16, and 20. This proposal will also include WCC text amendments to Titles 2, 15, 16.16, and 20 to insure consistency with the new proposed ordinance/WCC Title.

A.(5)

It is the expressed and specific intent of the new proposed ordinance/WCC Title to provide for and promote public health, safety and welfare of the general public.

E.(16)

This proposal is being made in response to requests made by the Whatcom County Executive's office, and the Whatcom County Council to develop a more efficient system for managing complaints received for code violations under the jurisdiction of Whatcom County Planning and Development Services.

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SEPA Environmental Checklist

Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of Checklist for Non-Project Proposals:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply." In addition, complete the supplemental sheet for non-project actions (part C).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A Background

- 1 Name of proposed project, if applicable:
Code Enforcement Amendments
- 2 Name of applicant: Whatcom County Planning and Development Services
Applicant phone number: 360-676-6907
Applicant address: 5280 Northwest Dr. Bellingham WA 98226
- 3 Contact name: Garrett Faddis
Contact phone number: 360-676-6707 x50276
Contact address: 5280 Northwest Dr. Bellingham WA 98226
- 4 Date checklist prepared: December 15, 2014
- 5 Agency requesting checklist: Whatcom County PDS
- 6 Proposed timing or schedule (including phasing, if applicable):
Planning Commission 2015, County Council 2015
- 7 Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? Yes ☐ No ☒
If yes, explain:
- 8 List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:
None
- 9 Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal?
Yes ☐ No ☒
If yes, explain.
- 10 List any government approvals or permits that will be needed for your proposal, if known.
Adoption of ordinance to amend Whatcom County Code

- 11 Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Amend Whatcom County Code, adding a new Title 19, and amending Titles 2, 15, 16, and 20, to enact an improved system to address code violations.

- 12 Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Countywide, unincorporated areas

B Environmental Elements

1 Earth

a. General description of the site:

- ☐ Flat
- ☐ Rolling
- ☐ Hilly
- ☐ Steep Slopes
- ☐ Mountainous
- ☒ Other All types of terrain in affected zones countywide.

b. What is the steepest slope on the site (approximate percent slope)?

All slopes existing in the affected zones countywide.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

All soils existing in the affected zones countywide.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? Yes ☐ No ☐

If so, describe.

N/A - non project action

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed.

N/A - non project action

Indicate source of fill.

N/A

- f. Could erosion occur as a result of clearing, construction, or use?
Yes ☐ No ☐

If so, generally describe.

N/A - non project action

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A - non project action

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A - non project action

2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, or industrial wood smoke) during construction and when the project is completed?

None

If any, generally describe and give approximate quantities if known.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? Yes ☐ No ☒

If so, generally describe.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None

3. Water

a. Surface:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? Yes ☐ No ☐

If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

N/A - non project action

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? Yes ☐ No ☐

If yes, please describe and attach available plans.

N/A - non project action

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected.

Indicate the source of fill material. N/A - non project action

- (4) Will the proposal require surface water withdrawals or diversions? Yes ☐ No ☒

Give general description, purpose, and approximate quantities if known.

Does the proposal lie within a 100-year floodplain?

Yes ☐ No ☐

If so, note location on the site plan.

N/A - non project action

- (5) Does the proposal involve any discharges of waste materials to surface waters?

Yes ☐ No ☒

If so, describe the type of waste and anticipated volume of discharge

b. Ground

Will ground water be withdrawn, or will water be discharged to ground water? Yes ☐ No ☒

Give general description, purpose, and approximate quantities if known.

- (1) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals.....; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A - non project action

c. Water runoff (including stormwater):

- (1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known).

N/A - non project action

Where will this water flow?

Will this water flow into other waters? Yes ☐ No ☐

If so, describe.

(2) Could waste materials enter ground or surface waters?

Yes ☐ No ☐

If so, generally describe.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

N/A - non project action

4 Plants

a. Check types of vegetation found on the site:

- ☐ Deciduous tree: alder, maple, aspen, other
- ☐ Evergreen tree: fir, cedar, pine, other
- ☐ Shrubs
- ☐ Grass
- ☐ Pasture
- ☐ Crop or grain
- ☐ Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ Water plants: water lily, eelgrass, milfoil, other
- ☒ Other types of vegetation N/A - non project action

b. What kind and amount of vegetation will be removed or altered?

N/A - non project action

c. List threatened or endangered species known to be on or near the site.

N/A - non project action

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A - non project action

5. Animals

- a. Check any birds and animals, which have been observed on or near the site or are known to be on or near the site:

Birds:

- | | |
|--|-------------------------------------|
| <input type="checkbox"/> Hawk, | <input type="checkbox"/> Heron, |
| <input type="checkbox"/> Eagle, | <input type="checkbox"/> Songbirds; |
| <input type="checkbox"/> Other: N/A - non project action | |

Mammals:

- | | |
|--|----------------------------------|
| <input type="checkbox"/> Deer, | <input type="checkbox"/> Bear, |
| <input type="checkbox"/> Elk, | <input type="checkbox"/> Beaver; |
| <input type="checkbox"/> Other: N/A - non project action | |

Fish:

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> Bass, | <input type="checkbox"/> Salmon, |
| <input type="checkbox"/> Trout, | <input type="checkbox"/> Herring, |
| <input type="checkbox"/> Shellfish; | <input type="checkbox"/> Other: N/A - non project action |

- b. List any threatened or endangered species known to be on or near the site.

N/A - non project action

- c. Is the site part of a migration route? Yes ☐ No ☐

If so, explain.

N/A - non project action

- d. Proposed measures to preserve or enhance wildlife, if any:

N/A - non project action

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A - non project action

- b. Would your project affect the potential use of solar energy by adjacent properties? Yes ☐ No ☒

If so, generally describe.

N/A - non project action

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? Yes ☐ No ☐

If so, describe.

N/A - non project action

- (1) Describe special emergency services that might be required.

None.

- (2) Proposed measures to reduce or control environmental health hazards, if any:

None.

b. Noise

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

N/A - non project action

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A - non project action

- (3) Proposed measures to reduce or control noise impacts, if any:

N/A - non project action

8 Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

N/A - non project action

- b. Has the site been used for agriculture? Yes ☐ No ☐
If so, describe.

N/A - non project action

- c. Describe any structures on the site.

N/A - non project action

- d. Will any structures be demolished? Yes ☐ No ☐
If so, what?

N/A - non project action

- e. What is the current zoning classification of the site?

Various zones.

- f. What is the current comprehensive plan designation of the site?

Various designations.

- g. If applicable, what is the current shoreline master program designation of the site?

N/A - non project action

- h. Has any part of the site been classified as an "environmentally sensitive" area? Yes ☐ No ☐

If so, specify.

N/A - non project action

- i. Approximately how many people would reside or work in the completed project?

N/A - non project action

- j. Approximately how many people would the completed project displace?

N/A - non project action

- k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A - non project action

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A - non project action

9 Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A - non project action

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

☐ High
☐ Middle
☐ Low-income

- c. Proposed measures to reduce or control housing impacts, if any:

N/A - non project action

10 Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A - non project action

- b. What views in the immediate vicinity would be altered or obstructed?

N/A - non project action

- c. Proposed measures to reduce or control aesthetic impacts, if any:

N/A - non project action

11 Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A - non project action

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A - non project action

- c. What existing off-site sources of light or glare may affect your proposal?

N/A - non project action

- d. Proposed measures to reduce or control light and glare impacts, if any:

N/A - non project action

12 Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

N/A - non project action

- b. Would the proposed project displace any existing recreational uses? If so, describe.

N/A - non project action

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A - non project action

13 Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

N/A - non project action

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

N/A - non project action

- c. Proposed measures to reduce or control impacts, if any:

N/A - non project action

14 Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

N/A - non project action

- b. Is site currently served by public transit? Yes ☐ No ☐
If not, what is the approximate distance to the nearest transit stop?

N/A - non project action

- c. How many parking spaces would the completed project have? How many would the project eliminate?

N/A - non project action

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? Yes ☐ No ☐
If so, generally describe (indicate whether public or private).

N/A - non project action

- e. Will the project use (or occur in the immediate vicinity of)

- ☐ Water,
☐ Rail, or
☐ Air transportation?

If so, generally describe.

N/A - non project action

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

N/A - non project action

- g. Proposed measures to reduce or control transportation impacts, if any:

N/A - non project action

15 Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)?

Yes ☐ No ☒

If so, generally describe.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

N/A - non project action

16 Utilities

- a. Check utilities currently available at the site:

- | | |
|---|--|
| <input type="checkbox"/> Electricity, | <input type="checkbox"/> Natural gas, |
| <input type="checkbox"/> Water, | <input type="checkbox"/> Refuse service, |
| <input type="checkbox"/> Telephone, | <input type="checkbox"/> Sanitary sewer, |
| <input type="checkbox"/> Septic system, | <input type="checkbox"/> Other. |

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A - non project action

SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Date Submitted: 12/15/14

C Supplemental Sheet for Non-project Actions

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

- 1 How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposal would not increase discharges, emissions, or noise. Proposal is intended to more effectively address code violations that cause such impacts.

Proposed measures to avoid or reduce such increases are:

More effective procedures for responding to code violations.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposal is intended to more effectively address code violations that may adversely affect plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

More effective procedures for responding to code violations.

3. How would the proposal be likely to deplete energy or natural resources?

Proposal is intended to more effectively address code violations that may deplete natural resources.

Proposed measures to protect or conserve energy and natural resources are:

More effective procedures for responding to code violations.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposal is intended to more effectively address code violations that may adversely impact sensitive or protected areas.

Proposed measures to protect such resources or to avoid or reduce impacts are:

More effective procedures for responding to code violations.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposal is intended to more effectively address code violations that may adversely affect shorelines.

Proposed measures to avoid or reduce shoreline and land use impacts are:

More effective procedures for responding to code violations.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposal would not affect demands on transportation and public services or utilities.

Proposed measures to reduce or respond to such demand(s) are:

None.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No known conflicts.