

Chapter Two LAND USE

.....

RURAL LANDS – INTRODUCTION

.....

Rural Character and Lifestyle

Rural Whatcom County is the portion of the County not planned for either urban or resource use and its character differs from that of the County's urban and resource areas. While agriculture and forestry are practiced in the rural areas, it is generally on a smaller scale than in the resource areas that are set aside specifically for those purposes. The rural areas provide an important buffer between urban areas and resource lands, and the character of the rural areas is differentiated from the urban areas by less intensive uses and densities, and greater predominance of vegetation, wildlife habitat, and open space.

Small unincorporated communities have existed in the rural areas for many decades but have not become urban centers. Land uses in these communities are more intensive than those in the surrounding rural areas, and provide rural residents places to shop, eat, play, etc, and access public services such as schools, libraries, and post offices without having to travel to cities. The businesses in these communities are important contributors to the economy of Whatcom County. Even outside these settlements, residents of the rural areas have established home occupations, cottage industries, and small-scale businesses that are an important part of the County's traditional rural economy.

Historically, rural Whatcom County has been a place of great variety. Residential densities vary greatly from homes on 10 or 20 acre lots to lots smaller than one acre in the rural communities and neighborhoods that have been established over the years. The scale and intensity of rural businesses varies from the home occupations, cottage industries, and resource-based industries to the more intensive commercial and manufacturing uses, though the County's largest commercial and industrial uses have been established in the urban areas.

Whatcom County's rural lifestyle is one where residents enjoy views of a green landscape dotted by homes and barns, and have an appreciation for clean water and air. Residents can work and shop in small rural communities, or earn a living on their own rural lands, but these enterprises do not detract from the overall sense of openness and predominance of the landscape in the rural area. Rural Whatcom County has long been a place to raise children with the values of hard work and responsible stewardship of the land, and where residents can grow food and livestock for themselves or for market. While rural property owners do not expect to be provided with urban-level

services, they enjoy a quality of life and sense of self-sufficiency not ordinarily found in the urban areas.

In the rural element of this chapter, Whatcom County establishes policy consistent with the findings of the legislature and with the above vision of rural character and lifestyle that will:

- Help preserve rural-based economies and tradition lifestyles,
- Encourage the economic prosperity of rural residents
- Foster opportunities for small-scale, rural-based employment and self employment,
- Permit the operation of rural-based agriculture, commercial, recreational, and tourist businesses that are consistent with existing and planned land use patterns,
- Be compatible with the use of the land by wildlife and for fish and wildlife habitat,
- Foster the private stewardship of the land and preservation of open space, and
- Enhance the rural sense of community and quality of life.

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

Policy 2DD-1: Concentrate growth in urban areas per the population projections in Chapter 1 of this plan, and recognize rural lands as an important transition area between urban areas and resource areas. By February 1 of each year the department will publish a report that monitors residential development activity outside the urban growth areas during the previous year and compares that data with the adopted population growth projection for those areas. If it is apparent that growth occurring outside the urban growth areas is inconsistent with adopted projections, the County shall take action to address the discrepancy. Actions may include changing the allocation of the projected population growth during the comprehensive plan update required per RCW 36.70A.130(1), or changing development regulations to limit growth outside the urban growth areas. In addition, as the County and cities review the capacity for growth in the urban growth areas, the county should coordinate with the cities to ensure that policies are in place that are consistent with encouraging growth in the urban areas and reducing demand for development in rural areas.

Policy 2DD-2: Protect the character of the rural area through the County's development regulations. In addition to the policies of this plan that provide measures governing rural development, the following County's key development regulations are incorporated into this plan by reference to assure that the plan contains measures to protect rural character:

A. Measures to contain or otherwise control rural development and reduce the inappropriate conversion of undeveloped land into sprawling, low-density development:

1. Limit the expansion of areas of more intensive development and higher rural densities through Policies 2A-8, 2A-9, 2DD-1, 2DD-8, 2GG-2, 2GG-3, 2JJ-1 through 8, 2KK 1 and 2, 2LL-1 through 4, and 2MM-1 through 4 of this plan.

Comment [g1]: Issue 1 – Variety of rural densities (cite Policy 2GG-3 as a measure to control rural development) C.O. p. 29-32

2. Provide options to reserve areas of land suitable for agriculture, forestry, or open space through lots clustering in the following Zoning Code provisions, adopted herein by reference:

Comment [g2]: Issue 2 – Lot clustering (any revision to WCC sections adopted by reference here is also a CP amendment)

- a. WCC 20.32.305, .310, and .320, Lot clustering, Residential Rural District;
- b. WCC 20.34.305, .310, and .320, Lot clustering, Rural Residential Island District;
- c. WCC 20.36.305, .310, and .320, Lot clustering, Rural District;
- d. WCC 20.71.350, .351, and .352, Lot clustering, Water Resource Protection Overlay District.

3. Prohibit short subdivisions outside of urban growth areas and limited areas of more intensive rural development that would require extension of public sewer except for health or safety reasons through the following Whatcom County Land Division regulations adopted herein by reference:

- a. WCC 21.04.090, Sewage Disposal, Short Subdivisions
- b. WCC 21.05.090 Sewage Disposal, Preliminary Long Subdivisions

B. Measures to assure visual compatibility of rural development with the surrounding rural area:

1. Ensure that the visual landscapes traditionally found in rural areas and communities are preserved through limitations on structural coverage of lots in the following Zoning Code provisions, adopted herein by reference:

- a. WCC 20.32.450 Lot coverage, Residential Rural District;
- b. WCC 20.36.450 Lot coverage, Rural District.

2. Require that lots developed under the lot clustering option be designed and located to be compatible with valuable or

unique natural features as well as physical constraints of the site through standards provided in the following Zoning Code provisions, adopted herein by reference:

- a. WCC 20.32.310 Lot clustering design standards, Residential Rural District;
 - b. WCC 20.34.310 Lot clustering design standards, Rural Residential-Island District;
 - c. WCC 20.36.310 Lot clustering design standards, Rural District;
 - d. WCC 20.71.351 Lot clustering design standards, Water Resource Protection Overlay District.
3. Protect the aesthetic assets of the rural areas and soften the impact of structures through landscape buffers and setback requirements provided in the following Zoning Code provisions, adopted herein by reference:
- a. WCC 20.80.200 Setback requirements;
 - b. WCC 20.80.300 Landscaping.
4. In the Point Roberts Rural Community, regulate visual aspects of development through the standards in the following Zoning Code provisions, adopted herein by reference:
- a. WCC 20.72.350 Building setbacks/buffer areas, Point Roberts Special District;
 - b. WCC 20.72.651 Facility design, Point Roberts Special District;
 - c. WCC 20.72.653 Tree canopy retention, Point Roberts Special District;
 - d. WCC 20.72.654 Site design/view corridors, Point Roberts Special District.
- C. Measures to protect critical areas and surface and groundwater resources:
1. Protect the functions and values of critical areas (geologically hazardous areas, frequently flooded areas, critical aquifer recharge areas, wetlands, and habitat conservation areas) and the ecological processes that sustain them, through WCC 16.16 Critical Areas provisions, adopted herein by reference.

2. Minimize the adverse effects of discharges from on-site sewage systems on ground and surface waters through WCC 24.05, adopted herein by reference.
3. Preserve and protect unique and important water resources through development standards in WCC 20.71 Water Resource Protection Overlay District, adopted herein by reference:
4. Protect surface and ground water resources through stormwater management standards established in the County's Development Standards per WCC 20.80.630 and 12.08.035 and referenced in the following Zoning Code provisions, adopted herein by reference:
 - a. 20.32.656 Drainage, Residential Rural District;
 - b. 20.34.659 Drainage, Rural Residential-Island District;
 - c. 20.36.656 Drainage, Rural District;
 - d. 20.37.655 Drainage, Point Roberts Transitional District;
 - e. 20.44.652 Drainage, Recreation and Open Space District;
 - f. 20.59.704 Drainage, Rural General Commercial District;
 - g. 20.60.655 Drainage, Neighborhood Commercial District;
 - h. 20.61.704 Drainage, Small Town Commercial District;
 - i. 20.63.654 Drainage, Tourist Commercial District;
 - j. 20.64.655 Drainage, Resort Commercial District;
 - k. 20.67.653 Drainage, General Manufacturing District;
 - l. 20.69.655 Drainage, Rural Industrial and Manufacturing District.
5. Assure that subdivisions meet requirements for critical areas, shoreline management, and stormwater management through the standards in the following Whatcom County Land Division regulations, adopted herein by reference:
 - a. WCC 21.04.034 Application Procedures, Short Subdivisions
 - b. WCC 21.05.037 Hearing Examiner Notice Hearing and Decision, Preliminary Long Subdivisions

6. Limit water withdrawals resulting from land division through the standards in the following Whatcom County Land Division regulations, adopted herein by reference:
 - a. WCC 21.04.090 Water supply, Short Subdivisions
 - b. WCC 21.05.080 Water supply, Preliminary Long Subdivisions
 7. Regulate groundwater withdrawals by requiring purveyors of public water systems and private water system applicants to comply with Washington State Department of Ecology ground water requirements per WCC 24.11.050, adopted herein by reference.
 8. Limit phosphorus entering Lake Whatcom and Lake Samish due to the application of commercial fertilizers to residential lawns and public properties through WCC 16.32, adopted herein by reference.
 9. Protect vital drinking water, sensitive habitats, and recreational resources within the Department of Ecology's designated Western Washington Phase II Municipal Stormwater Permit area and the Lake Whatcom watershed by prohibiting illicit discharges to the county's stormwater collection system through WCC 16.36 Illicit Discharge Detection and Elimination Program, adopted herein by reference.
- D. Measures to protect against conflicts with the use of agricultural, forest, and mineral resource lands:
1. Ensure separation of new residences from agricultural and forestry uses through setback requirements in the following Zoning Code provisions, adopted herein by reference:
 - a. WCC 20.80.255 Agricultural District, Supplementary Requirements;
 - b. WCC 20.80.256 Forestry districts, Supplementary Requirements;
 - c. WCC 20.80.258 All districts, Supplementary Requirements.
 2. Ensure separation of businesses from agricultural uses through setback requirements in the following Zoning Code provisions, adopted herein by reference:
 - a. WCC 20.59.600 Buffer area, Rural General Commercial District;

Comment [g3]: Issue 8 – Water lines (any changes to WCC sections adopted by reference here is also a CP amendment)

- b. WCC 20.60.550 Buffer area, Neighborhood Commercial District;
 - c. WCC 20.61.600 Buffer area, Small Town Commercial District;
 - d. WCC 20.63.600 Buffer area, Tourist Commercial District;
 - e. WCC 20.64.550 Buffer area, Resort Commercial District;
 - f. WCC 20.67.550 Buffer area, General Manufacturing District;
 - g. WCC 20.69.550 Buffer area, Rural Industrial and Manufacturing District.
3. Require that all discretionary project permits within one half mile of areas designated in this plan as Rural, Agriculture, Commercial Forestry, or Rural Forestry, or within 300 feet of areas designated as Mineral Resource Lands, be subject to disclosure practices in the in the following Whatcom County Code provisions, adopted herein by reference:
- a. WCC 20.40.662 Use of Natural Resources, Agriculture District;
 - b. WCC 20.42.652 Use of Natural Resources, Rural Forestry District;
 - c. WCC 20.43.662 Use of Natural Resources, Commercial Forestry District;
 - d. WCC 20.14.02 Right to Farm;
 - e. WCC 20.14.04 Right to Practice Forestry;
 - f. WCC 20.14.16 Mineral Resource Land Disclosure.

.....

RURAL LANDS – LAND USE

Rural Designation

Lands outside the County's urban and resource areas include a variety of uses and densities. Traditionally, Whatcom County's rural areas have been characterized by a spectrum of uses ranging from farms and large-lot residential areas to recreational communities and small towns. The more intensive uses in that spectrum

(commercial/industrial areas and residential areas with densities greater than one unit per five acres) are contained within the boundaries of Rural Community, Rural Tourism, or Rural Business designations (LAMIRDs) and Rural ~~Residential Overlays~~ Neighborhood designations.

The remainder of the rural areas are designated Rural and contain traditional rural residential and farm uses as well as small home-based and conditionally-permitted businesses. The rural character of the lands designated as Rural should not be compromised by the encroachment of more intensive development. Commercial and industrial uses in the rural areas not contained within a Rural Community designation must meet GMA criteria for small-scale tourism or isolated business uses (RCW 36.70A.070(5)(d)(ii) and (iii)).

Portions of the rural area that historically contain larger lots have been zoned for densities of one dwelling per ten acres. These areas provide for a variety of densities important to the rural character and must be retained. Rezones from R10A to allow higher densities are limited to those R10A areas that are adjacent to established higher densities.

Comment [g4]: Issue 1 -- Variety of rural densities. C.O. p. 29-32

Comment [g5]: Revised by Planning Commission 4/25/13

Goal 2GG: **Designate Rural areas to contain a variety of uses and densities while retaining their traditional rural character.**

Policy 2GG-1: Provide a variety of residential choices at rural densities which are compatible with the character of each of the rural areas.

Policy 2GG-2: The Rural designation includes areas of traditional rural uses and gross residential densities at or below one unit per five acres. To reduce the inappropriate conversion of undeveloped land into sprawling, low density development in the rural area, more intensive development shall be contained within Rural Community, Rural Tourism, or Rural Business designations, which are limited areas of more intensive rural development (LAMIRDs), and predominantly residential areas with established densities greater than one unit per five acres shall be contained in Rural Neighborhood designations.

Policy 2GG-3: Uses and densities within the Rural designation should reflect established rural character. Rezones within the Rural designation should be consistent with the established rural character and densities. ~~in the general area of the proposed rezone.~~ Land in the R10A district may be rezoned to a rural zone that allows a higher density only if:

Comment [g6]: Issue 1 -- Variety of rural densities. C.O. p. 29-32

A. Rezoning area abuts zoning of higher density or intensity (parcels are abutting even if there is a public or private road between them), or

B. All the following items are satisfied:

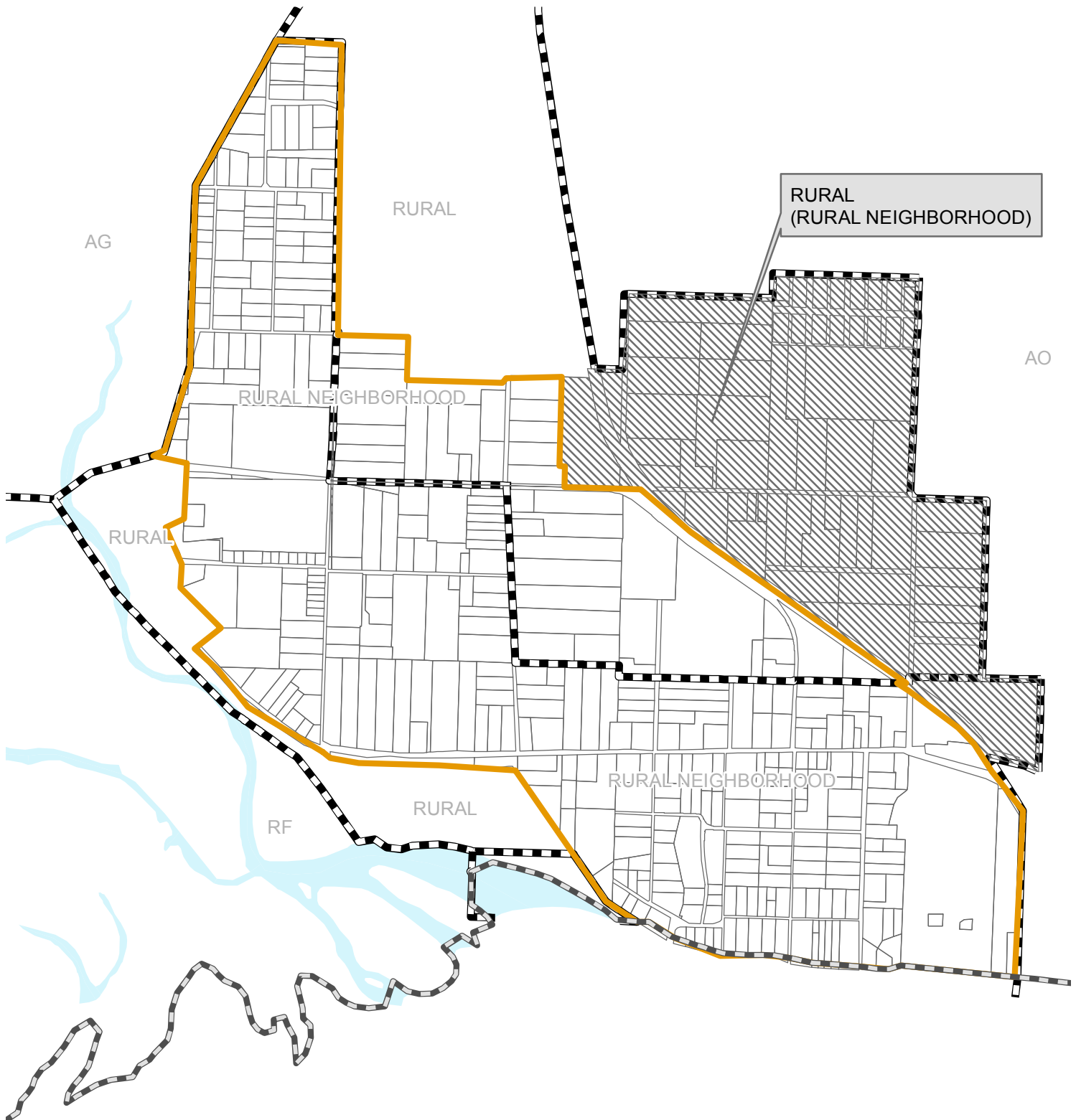
Comment [g7]: Revised by Planning Commission 4/25/13

1. Residential density (the average size of parcels that contained a residence as of January 1, 2013) within 500 feet of the area to be rezoned is less than 7.5 acres.
2. The proposed rezoning area is not in a designated urban growth area reserve.

- Policy 2GG-4: Minimize potential conflicts of rural residential development near designated natural resource lands to prevent adverse impacts on resource land uses.
- Policy 2GG-5: Provide landowners with incentives and options to develop their property at densities that may be less than the underlying zone, when necessary to protect critical areas and high-value resource lands.
- Policy 2GG-6: 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 2GG-7: Development within Rural designations shall be consistent with rural character as described in this chapter.

.....

Fort Bellingham / Marietta



File #: PLN2012-00012

Proposed Comprehensive Plan Land Use Changes (PC Recommendation)

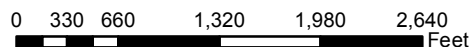
 Proposed Rural Neighborhood Boundary

 Existing Comprehensive Plan Boundary

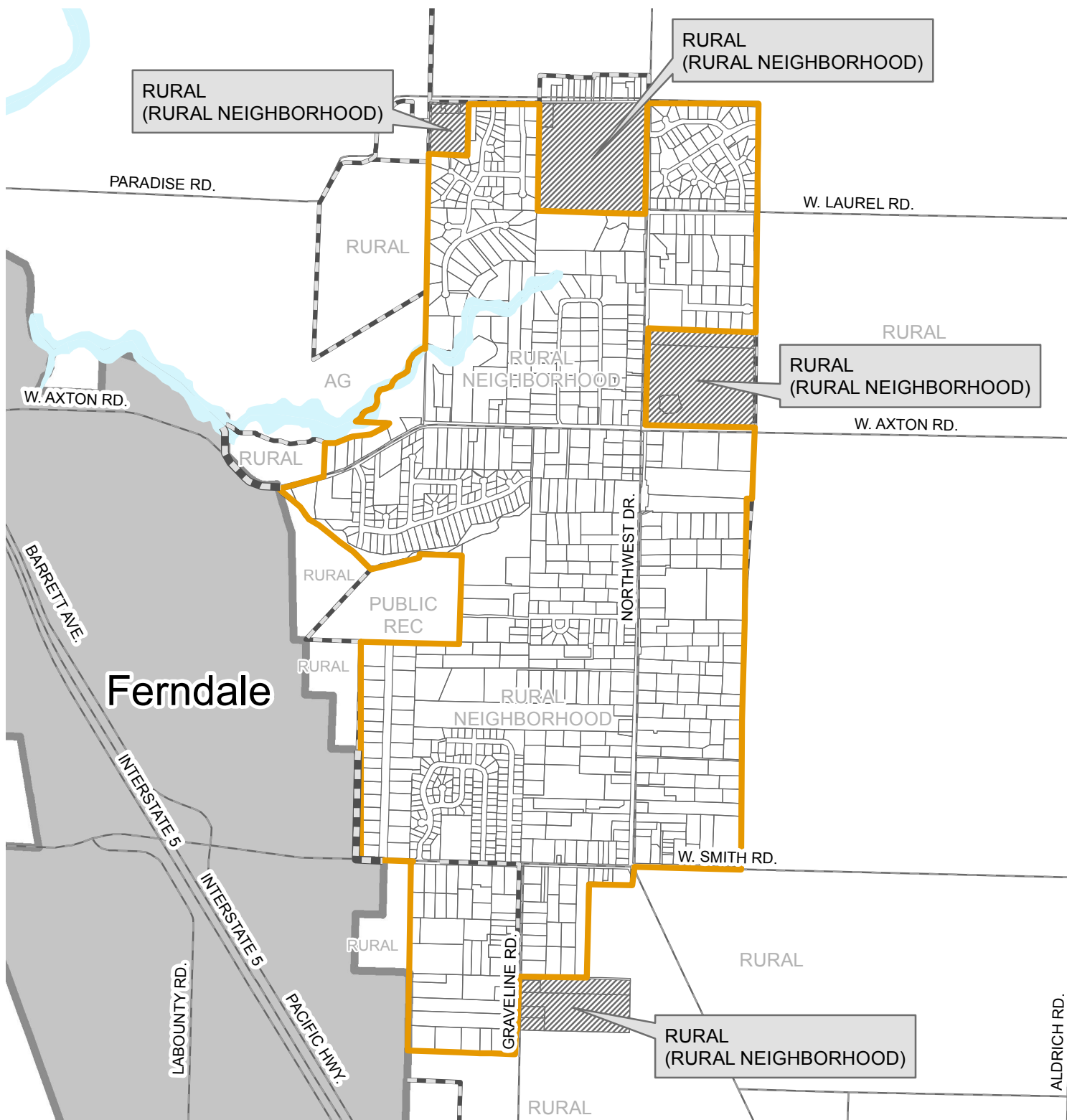
Proposed CP Designation - RURAL (not in parentheses)
 Existing CP Designation - (RURAL NEIGHBORHOOD)

USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:

Whatcom County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Whatcom County harmless from and against any damage, loss, or liability arising from any use of this map.



North Bellingham



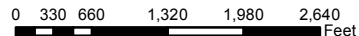
File #: PLN2012-00012

Proposed Comprehensive Plan Land Use Changes (PC Recommendation)

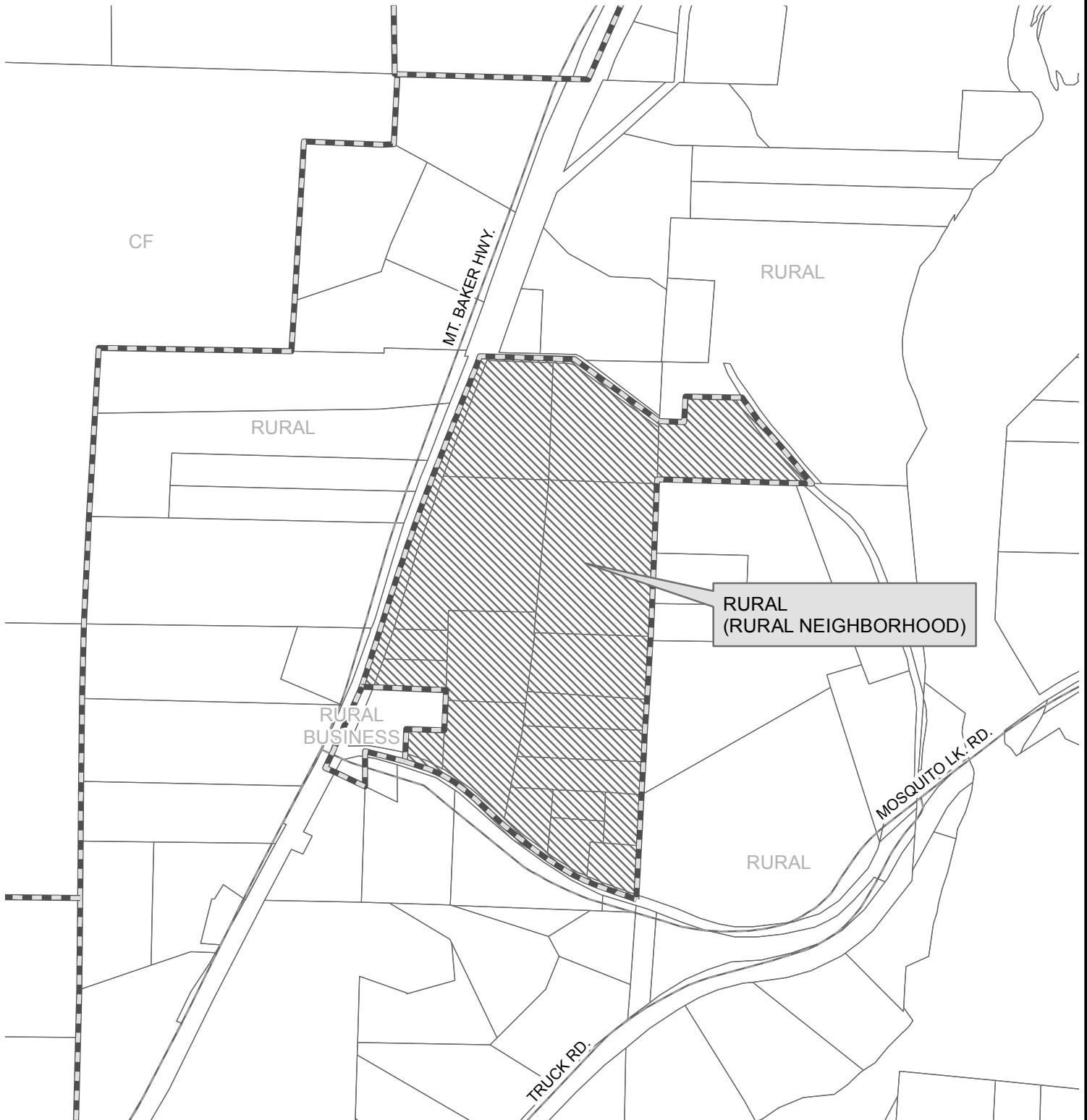
- Proposed Rural Neighborhood Boundary
- Existing Comprehensive Plan Boundary

Proposed CP Designation - RURAL BUSINESS (not in parentheses)
 Existing CP Designation - (TRANS CORRIDOR)

USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:
 Whatcom County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Whatcom County harmless from and against any damage, loss, or liability arising from any use of this map.



Welcome



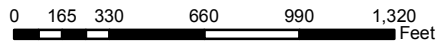
File #: PLN2012-00012
Proposed Comprehensive Plan Change

USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:

Whatcom County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Whatcom County harmless from and against any damage, loss, or liability arising from any use of this map.



Proposed Comprehensive Plan designation - Rural Neighborhood (not in parentheses)
Existing Comprehensive Plan designation - (Rural)



March 6, 2013 by gld