

DRAFT WCC Sections Affected by January 4, 2013 Compliance Order

WCC TITLE 20 ZONING.

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20.32 Residential Rural (RR) District

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20.32.253 Maximum density and minimum lot size.

Comment [g1]: Issue 1 – Variety of rural densities.
 C.O. p. 29-32

The following districts with their associated lot sizes as indicated below, are only allowed within Rural Neighborhoods and Rural Communities, as ~~outlined-described~~ in the Comprehensive Plan: RR-2A, RR-1, RR-2, RR-3. The RR-5A and RR-10A districts are allowed ~~throughout-in~~ the rural areas; the Comprehensive Plan contains policies regarding application of these districts within the Residential Rural Designation. For boundary line adjustments on lots not conforming to minimum lot sizes in this zoning district, lot size averaging may be used by calculating the average lot size of legal lots of record within 500 feet of the outside perimeter of the lots proposed for boundary line adjustment.

| District | Gross Density | Minimum Lot Size | | Min. Reserve Area (Cluster Subdivisions) |
|--|--------------------------|------------------|---------------|--|
| | | Conventional | Cluster | |
| RR-1, RR-2, RR-3, RR-5A: without public water | 1 dwelling unit/5 acres | 5 acres | N/A | N/A |
| RR-10A without public water | 1 dwelling unit/10 acres | 10 acres | N/A | N/A |
| 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% |

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|--|---|----------------|----------------|-----|
| RR-3 | 3 dwelling units/1 acre | 12,000 sq. ft. | 8,000 sq. ft. | 25% |
| RR-2A | 1 dwelling unit/2 acres | 2 acres | 15,000 sq. ft. | 30% |
| RR-5A | 1 dwelling unit/5 acres | 5 acres | 15,000 sq. ft. | 30% |
| RR-10A | 1 dwelling unit/10 acres | 10 acres | 15,000 sq. ft. | 30% |
| RR-5A and RR-2A subject to Rural Residential Density Overlay | Maximum: 1 dwelling unit/ 1 acre per 20.32.252(2) | see 20.32.252 | 15,000 sq. ft. | 30% |

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20.32.300 Lot clustering, reserve area and reserve tract.

Comment [g2]: Issue 2 – Lot Clustering: Revised by Planning Commission 4/25/13

20.32.305 Lot clustering.

(1) The purpose of lot clustering is to provide an alternative method of creating economical building lots with spatially efficient sizes. Clustering is intended to reduce development cost, increase energy efficiency and reserve areas of land which are suitable for agriculture, forestry, or open space ~~or possible future development~~.

(2) The clustering option is also intended to help preserve open space and the character of areas and reduce total impervious surface area thereby reducing runoff while assuring continued viable undeveloped natural vegetated corridors for wildlife habitat, protection of watersheds, preservation of wetlands, preservation of aesthetic values including view corridors, and preservation of potential trail and recreation areas.

20.32.310 Design standards.

The creation of new building lots, pursuant to this section, shall be governed by the following recommended design standards:

(1) Clustered building lots may be only created through the subdivision or short subdivision process.

(2) Building lots ~~should~~shall be designed and located to the fullest extent possible to be compatible with valuable or unique natural features, as well as physical constraints of the site.

(3) ~~Where practical, t~~he majority of building sites ~~should~~shall be arranged in a cluster or concentrated pattern to be compatible with physical site features, ~~allow for the efficient conversion of the "reserve tract" to other uses in the future,~~ and have no more than two common encroachments on existing county roads. The arrangement of clustered building lots is intended to discourage development forms commonly known as linear, straight-line or highway strip patterns.

(4) Common access to clustered building lots ~~should~~shall be provided by short length roads or loop roads. In ~~addition~~urban growth areas and urban growth area reserves, interior streets shall be designed to allow access to the "reserve tract" for the purpose of future approved development in urban growth areas and urban growth area reserves.

20.32.315 Reserve area.

(1) A note on the subdivision plat shall establish a reserve area per the definition in WCC 20.97.344 that is protected in perpetuity so long as it is not within an urban growth area. The minimum percentage of the parent parcel required to be within a reserve area is shown in WCC 20.32.253.

(2) A reserve area may contain infrastructure necessary for the subdivision, including but not limited to underground utilities, stormwater ponds, and on-site septic system components, and, in reserve areas designated for agriculture, structures used for agricultural purposes. Above-ground hard surface infrastructure such as roads and water tanks may be included in a reserve tract, but the area they occupy shall not be included in the reserve area percentage required in WCC 20.32.253.

Comment [g3]: Issue 2 – Lot Clustering: Added by Planning Commission 4/25/13

Comment [g4]: Issue 2 – Lot Clustering: Revised by Planning Commission 4/11/13 (was part of .320)

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, or 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 and that development within a "reserve area" easement is consistent with the uses permitted in reserve areas in this chapter.

Comment [g5]: Issue 2 – Lot Clustering: Revised by Planning Commission 4/25/13

(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) 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 subsections (1), (2) and (3) of this section 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." Any remaining density beyond the number of lots created on the plat may be assigned to either the lots or the reserve tract, but future subdivision shall not reduce the size of the reserve area below the minimum percentage of the original parent parcel required in WCC 20.32.253.

Comment [g6]: Issue 2 – Lot Clustering: Revised by Planning Commission 4/25/13

(5) The above requirements in 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.

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20.34 Rural Residential-Island (RR-I) District

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20.34.300 Lot clustering, ~~reserve area~~, reserve tract and density transfer.

20.34.305 Lot clustering.

(1) The purpose of lot clustering is to preserve the rural character of Lummi Island and to provide an alternative method of creating economical building lots with spatially efficient sizes. Clustering is intended to reduce development cost, increase energy efficiency and reserve areas of land which are suitable for agriculture, forestry, or open space in accordance with the adopted zoning density requirements, as applied to the entire subdivision or short subdivision.

(2) The clustering option is also intended to help preserve open space and reduce total impervious surface area thereby reducing runoff while assuring continued viable undeveloped natural vegetated corridors for wildlife habitat, protection of watersheds, preservation of wetlands, preservation of aesthetic values including view corridors, and preservation of potential trail and recreation areas.

20.34.310 Design standards.

The creation of new building lots, pursuant to this section, shall be governed by the following recommended design standards:

(1) Clustered building lots may be only created through the subdivision or short subdivision process.

(2) Building lots ~~should~~ shall be designed and located to the fullest extent possible to be compatible with valuable or unique natural features, as well as physical constraints of the site.

(3) ~~Where practical, t~~he majority of building sites ~~should~~ shall be arranged in a cluster or concentrated pattern to be compatible with physical site features, and have no more than two common encroachments on existing county roads. The arrangement of clustered building lots is intended to discourage development forms commonly known as linear, straight-line or highway strip patterns.

(4) Common access to clustered building lots ~~should~~ shall be provided by short length roads or loop roads. In addition, interior streets shall be designed to allow access to the "~~conservation~~reserve tract."

20.34.315 Reserve area.

(1) A note on the subdivision plat shall establish a reserve area per the definition in WCC 20.97.344 that is protected in perpetuity so long as it is not within an urban growth area. The minimum percentage of the parent parcel required to be within a reserve area is shown in WCC 20.32.253.

Comment [g8]: Issue 2 – Lot Clustering: Added by Planning Commission 4/25/13

(2) A reserve area may contain infrastructure necessary for the subdivision, including but not limited to underground utilities, stormwater ponds, and on-site septic system components, and, in reserve areas designated for agriculture, structures used for agricultural purposes. Above-ground hard surface infrastructure such as roads and water tanks may be included in a reserve tract, but the area they occupy shall not be included in the reserve area percentage required in WCC 20.34.252.

Comment [g9]: Issue 2 – Lot Clustering: Revised by Planning Commission 4/11/13 (was part of .320)

20.34.320 Conservation Reserve tract.

Comment [g10]: Issue 2 – Lot Clustering: “Conservation tract” in RR-I zone replaced with “Reserve Tract” for consistency with Lummi Island Subarea Plan

For the purposes of this section, “~~conservationreserve~~ tract” is defined as that portion of a proposed subdivision or short subdivision which is intended for agricultural, forestry, or open space purposes which does not exceed adopted zoning density requirements, as applied to the entire subdivision or short subdivision. All “~~conservationreserve~~ 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 “~~conservationreserve~~ tract” may be retained by the subdivider, conveyed to residents of the subdivision or conveyed to a third party.

(2) The “conservation 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 and that development within a “reserve area” easement is consistent with the uses permitted in reserve areas in this chapter.

Comment [g11]: Issue 2 – Lot Clustering: Revised by Planning Commission 4/25/13

(3) The ~~conservationreserve~~ tract is created and is unbuildable beyond any building density remaining at the time of land division. This is intended to ensure that the ~~conservationreserve~~ tract open space will remain in the same location adjacent to the clustered lot it serves.

(4) The purpose of the ~~conservationreserve~~ 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 “~~conservationreserve~~ tracts.” Any remaining density beyond the number of lots created on the plat may be assigned to either the lots or the reserve tract, but future subdivision shall not

reduce the size of the reserve area below the minimum percentage of the original parent parcel required in WCC 20.34.252.

Comment [g12]: Issue 2 – Lot Clustering: Revised by Planning Commission 4/25/13

(5) That the above stated requirements in subsections (2), (3), and (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.

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20.36 Rural (R) District

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20.36.253 Maximum density and minimum lot size.

Comment [g13]: Issue 1 – Variety of rural densities. C.O. p. 29-32

The R-2A district is allowed only within areas designated as Rural Neighborhoods, as described in the Comprehensive Plan. R-5A and R-10A districts are allowed in the Rural areas; the Comprehensive Plan contains policies regarding application of these districts within the Rural designation. The R-10A district is allowed in Urban Growth Area Reserve designations.

For boundary line adjustments on lots not conforming to minimum lot sizes in this zoning district, lot size averaging may be used by calculating the average lot size of legal lots of record within 500 feet of the outside perimeter of the lots proposed for boundary line adjustment.

| District | Gross Density | Minimum Lot Size | | Min. Reserve Area (Cluster Subdivisions Outside of Urban Growth Areas) | Min. Reserve Area (Cluster Subdivisions in Urban Growth Areas) |
|---------------------------|-------------------------|------------------|----------------|--|--|
| | | Conventional | Cluster | | |
| R-2A without public water | 1 dwelling unit/5 acres | 5 acres | 1 acre | 20% | 80% |
| R-2A with public water | 1 dwelling unit/2 acres | 2 acres | 12,500 sq. ft. | 6555% | 80% |

Comment [g14]: Issue 2 – Lot Clustering: Percentages revised by Planning Commission 4/25/13 to reflect that development can no longer take place within the reserve area

Comment [g15]: Issue 2 – Lot Clustering: R zones do not exist in UGAs so this column is not needed

Exhibit B: WCC Title 20 Amendments
 April 25, 2013 Planning Commission Recommendations

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|--|---|------------------|----------------|-------------------|----------------|
| R-5A without public water | 1 dwelling unit/5 acres | 5 acres | 1 acre | 55 50% | 80% |
| R-5A subject to Agricultural Protection Overlay (Chapter 20.38 WCC) | 1 dwelling unit/5 acres | Not applicable | 15,000 sq. ft. | 75% | Not applicable |
| R-5A with public water | 1 dwelling unit/5 acres | 5 acres | 12,500 sq. ft. | 75 65% | 80% |
| R-5A with public water subject to Rural Residential Overlay | Maximum: 1 dwelling unit/2 acres per 20.36.252(2) | see 20.36.252(2) | 15,000 sq. ft. | 75 65% | Not applicable |
| R-10A without public water | 1 dwelling unit/10 acres | 10 acres | 1 acre | 70 60% | 80% |
| R-10A subject to Agricultural Protection Overlay (Chapter 20.38 WCC) | 1 dwelling unit/10 acres | Not applicable | 15,000 sq. ft. | 75% | Not applicable |
| R-10A with public water | 1 dwelling unit/10 acres | 10 acres | 12,500 sq. ft. | 80 70% | 80% |
| Public facilities approved under WCC 20.36.151 | Not applicable | No minimum | No minimum | Not applicable | Not applicable |

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20.36.300 Lot clustering, ~~reserve area~~ and reserve tract.

Comment [g16]: Issue 2 – Lot Clustering: Revised by Planning Commission 4/25/13

20.36.305 Lot clustering.

(1) The purpose of lot clustering is to provide an alternative method of creating economical building lots with spatially efficient sizes. Clustering is intended to reduce development cost, increase energy efficiency and reserve areas of land which are suitable for agriculture, forestry, or open space. ~~or possible future development.~~

Comment [g17]: Issue 2 – Lot Clustering: Revised by Planning Commission 4/11/13

(2) The clustering option is also intended to help preserve open space and the character of areas and reduce total impervious surface area thereby reducing runoff while assuring continued viable undeveloped natural vegetated corridors for wildlife habitat, protection of watersheds, preservation of wetlands, preservation of aesthetic values including view corridors, and preservation of potential trail and recreation areas.

(3) Lot clustering is required for residential developments on parcels 10 acres or greater when:-

~~(a) The property is located within a short-term planning area and public water and sewer are not available; or~~

~~(b) The the property is located within an urban growth area reserve long-term planning area.~~

20.36.310 Design standards.

The creation of new building lots, pursuant to this section, shall be governed by the following recommended design standards:

(1) Clustered building lots may be only created through the subdivision or short subdivision process.

(2) Building lots ~~should~~shall be designed and located to the fullest extent possible to be compatible with valuable or unique natural features, as well as physical constraints of the site.

(3) ~~Where practical, the~~ the majority of building sites ~~should~~shall be arranged in a cluster or concentrated pattern to be compatible with physical site features, ~~allow for the efficient conversion of the "reserve tract" to other uses in the future,~~ and have no more than two common encroachments on existing county roads. The arrangement of clustered building lots is intended to discourage development forms commonly known as linear, straight-line or highway strip patterns.

(4) Common access to clustered building lots ~~should~~shall be provided by short length roads or loop roads. In addition, interior streets shall be designed to allow

access to the "reserve tract" for the purpose of future approved development in urban growth areas and urban growth area reserves.

(5) Where the boundaries of a proposed cluster subdivision includes land in more than one rural zone designation (R2-A, R-5A and R-10A) the following shall apply:

(a) The total number of units permitted shall be computed by separately calculating the number of lots allowed in each zone district based on the amount of land area within the district. The number of lots allowed in each district shall be totaled to arrive at the total number of lots.

(b) Lot clusters may be distributed or arranged on property(s) covered by the subdivision such that density from an R-5A or R-10A portion of a subdivision may be transferred to an adjacent portion of the subdivision with a different rural zoning designation (R-2A, R-5A or R-10A); provided, the total number of lots for the entire subdivision does not exceed the number calculated in subsection (5)(a) of this section; and provided further, that the lot design is consistent with subsections (1) through (4) of this section. Density from R-2A portions of the subdivision may not be transferred to R-5A or R-10A portions of the subdivision.

(6) In order to preserve rural character, no more than 16 residential lots shall be permitted in one cluster and there shall be at least 500 feet of separation between any new clusters, except when the cluster subdivision is located on a parcel or contiguous parcels in the same ownership, greater than 20 acres.

20.36.315 Reserve area.

(1) A note on the subdivision plat shall establish a reserve area per the definition in WCC 20.97.344 that is protected in perpetuity so long as it is not within an urban growth area. The minimum percentage of the parent parcel required to be within a reserve area is shown in WCC 20.36.253.

(2) A reserve area may contain infrastructure necessary for the subdivision, including but not limited to underground utilities, stormwater ponds, and on-site septic system components, and, in reserve areas designated for agriculture, structures used for agricultural purposes. Above-ground hard surface infrastructure such as roads and water tanks may be included in a reserve tract, but the area they occupy shall not be included in the reserve area percentage required in WCC 20.36.253.

Comment [g18]: Issue 2 – Lot Clustering; Revised by Planning Commission 4/25/13

Comment [g19]: Issue 2 – Lot Clustering; Added by Planning Commission 4/25/13

Comment [g20]: Issue 2 – Lot Clustering; Revised by Planning Commission 4/11/13 (was part of .320)

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, or 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 and that development within a "reserve area" easement is consistent with the uses permitted in reserve areas in this chapter.

Comment [g21]: Issue 2 – Lot Clustering; Revised by Planning Commission 4/25/13

(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.~~

Comment [g22]: Issue 2 – Lot Clustering; deleted because no R zoning exists in any UGA

(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." Any remaining density beyond the number of lots created on the plat may be assigned to either the lots or the reserve tract, but future subdivision shall not reduce the size of the reserve area below the minimum percentage of the original parent parcel required in WCC 20.36.253.

Comment [g23]: Issue 2 – Lot Clustering; Revised by Planning Commission 4/25/13

(5) 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.

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20.82 Public Utilities

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20.82.030 Conditional uses.

The following uses shall require a conditional use permit or major project permit and shall be subject to a threshold determination in accordance with the Whatcom County SEPA Ordinance:

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(3) New water lines with a nominal pipe size greater than eight inches except for the following, which are permitted outright:

(a) New water lines located and installed by a public utility or municipality within urban growth areas, or limited areas of more intensive rural development (LAMIRDs), or Rural Neighborhoods, or:

(b) New water lines outside urban growth areas or limited areas of more intensive rural development (LAMIRDs) in conformance with a state approved water comprehensive plan pursuant to RCW 43.20.260 and consistent with the Whatcom County Comprehensive Plan, which shall be permitted outright so long as they are water transmission lines per WCC 20.97.452, or provide service at an intensity historically and typically found in rural areas, per RCW 36.70A.030(17), including but not limited to agricultural uses. Water service for uses or densities not permitted in rural or resource areas shall not be extended or expanded outside urban growth areas or limited areas of more intensive rural development (LAMIRDs), except where necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development, per RCW 36.70A.110(4).

Comment [g24]: Issue 8 – Water lines

Comment [g25]: Issue 8 – Water lines: Revised by Planning Commission 4/11/13

Comment [g26]: Issue 8 – Water lines: Revised by Planning Commission 4/11/13

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20.97 Definitions

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20.97.344 Reserve area.

Comment [g27]: Issue 2 – Lot Clustering: Added by Planning Commission 4/25/13

When the lot clustering method of land division or subdivision is used, the “reserve area” is an easement on a proposed division, subdivision or short subdivision which is reserved for agricultural, forestry, or open space purposes in perpetuity, or for other future-approved development purposes as specified in Whatcom County Code.

20.97.345 Reserve tract.

Comment [g28]: Issue 2 – Lot Clustering: Revised by Planning Commission 4/25/13

When the lot clustering method of land division or subdivision is used, the “reserve tract” is that portion of a proposed cluster division, subdivision or short subdivision which is not one of the cluster lots. A reserve area easement may cover all or part of a reserve tract. A portion of a reserve tract may be developed but above-ground development shall not occur within a reserve area easement.

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20.97.452 Water Transmission Lines

Comment [g29]: Issue 8 – Water lines – this definition is the same as WAC 246-290-010(267) definition

“Water transmission lines” means pipes used to convey water from source, storage, or treatment facilities to points of distribution or distribution mains, and from source facilities to treatment or storage facilities. This also can include transmission mains connecting one section of distribution system to another section of distribution system as long as this transmission main is clearly defined on the plans and no service connections are allowed along the transmission main.

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WCC TITLE 24 HEALTH CODE

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24.11 Drinking Water.

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24.11.050 General requirements.

- A. Applicants must submit all required forms, letters and documents to the director.
- B. The director will consider applications for water availability proposing to use groundwater, spring water, surface water, sea water or rainwater.
- C. The director shall evaluate the availability of a public water system prior to approving the use of a private water system. If it is determined that a public water

system is available and willing to provide water, the applicant must connect to that public water system when:

1. The applicant proposes to use surface water, spring water, rainwater, or contaminated groundwater; or
2. The applicant proposes to build on a lot located in a short subdivision or long subdivision that Whatcom County approved based on the availability of public water; or
3. The existing public water system has ~~transmission water~~ lines adjacent to the property line of the applicant and connection is consistent with RCW.36.70A.110(4); or
4. The existing public water system has defined a "service area boundary" in accordance with the Whatcom County Coordinated Water System Plan which includes the property of the applicant.

Comment [g30]: Issue 8 – Water lines