

PROPERTY INFORMATION

DELTA TECH, LOTS 21 & 22



Flat serviced light industrial lot located in the Delta Tech Industrial Park. Each Lot is roughly 1.1 Acres. Zoned Light Industrial, see offering memo for zoning and additional info. PUD H20, Cascade Gas, Heavy Power, and Fire Flow and Potable Water in street. Regional Septic System Pipes in street, lot needs septic settling tank installed prior to hooking up to regional septic system. Buyer to assume all costs associated with hooking up to utilities. Very sandy soil, great location for a business. Grandview Road is located off full exchange on I-5. Grandview is an all weather heavy haul road accessible year round.

- **LOT 21: \$325,000**
- **LOT 22: \$325,000**

DELTA TECH, LOTS 21 & 22

PROPERTY INFORMATION

Location Facts & Demographics

Demographics are determined by a 10 minute drive from 2633 Delta Ring Rd, Ferndale, WA 98248

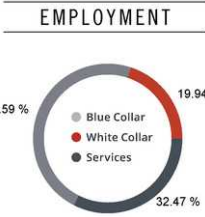
CITY, STATE
Ferndale, WA

POPULATION
9,969

AVG. HHSIZE
2.71

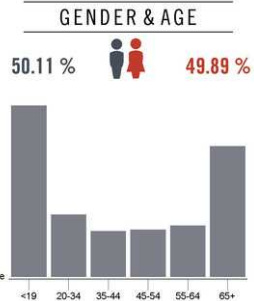
MEDIAN HH INCOME
\$55,368

HOME OWNERSHIP
Renters: **866**
Owners: **2,697**



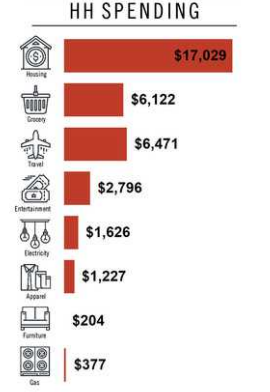
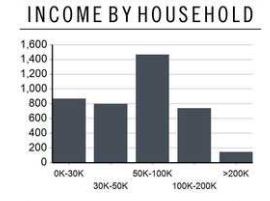
45.62% Employed
2.60% Unemployed

EDUCATION
High School Grad: **34.92%**
Some College: **26.79%**
Associates: **6.95%**
Bachelors: **21.31%**



RACE & ETHNICITY
White: **81.95%**
Asian: **1.70%**
Native American: **0.16%**
Pacific Islanders: **0.00%**
African-American: **0.00%**
Hispanic: **9.40%**
Two or More Races: **6.78%**

Catylist Research



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PROPERTY INFORMATION



DELTA TECH, LOTS 21 & 22



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ZONING INFORMATION

20.66.010 PURPOSE.

THE PURPOSE OF THE LIGHT IMPACT INDUSTRIAL DISTRICT IS TO IMPLEMENT THE COMPREHENSIVE PLAN BY PROVIDING FOR THE PLANNED DEVELOPMENT OF LARGE LAND AREAS, IN APPROPRIATE LOCATIONS WITHIN URBAN GROWTH AREAS, PRIMARILY FOR INDUSTRIAL AND SUBORDINATE USES WHICH PROVIDE SUPPORT SERVICES TO THE DISTRICT. LIGHT INDUSTRIAL USES ARE PRIMARILY RELATED TO SERVICES, AND DISTRIBUTION, MANUFACTURE AND ASSEMBLY OF FINISHED PRODUCTS THAT HAVE A RELATIVELY LIGHT IMPACT ON ADJACENT USES AND DISTRICTS. FURTHERMORE, IT IS THE PURPOSE OF THIS DISTRICT TO ENCOURAGE THE MASTER PLANNING OF THE ENTIRE INDUSTRIAL SITE IN

ENSURING COMPATIBILITY BETWEEN INDUSTRIAL OPERATIONS, AS WELL AS THE EXISTING AND FUTURE CHARACTER OF ADJACENT AREAS. IT IS ALSO A PURPOSE OF THIS DISTRICT TO ACCOMMODATE LIMITED COMMERCIAL USES THAT ARE INCOMPATIBLE WITH OTHER COMMERCIAL USES. (ORD. 2011-043 EXH. A, 2011; ORD. 99-070 § 2, 1999; ORD. 98-083 EXH. A § 66, 1998; ORD. 84-38, 1984).

20.66.050 PERMITTED USES.

UNLESS OTHERWISE PROVIDED HEREIN, PERMITTED AND ACCESSORY USES SHALL BE ADMINISTERED PURSUANT TO THE APPLICABLE PROVISIONS OF CHAPTERS 16.08 WCC (SEPA), 20.80 WCC (SUPPLEMENTARY REQUIREMENTS) AND 22.05 WCC (PROJECT PERMIT PROCEDURES), AND WCC TITLES 21 (LAND DIVISION REGULATIONS) AND 23 (SHORELINE MANAGEMENT PROGRAM).

.051 THE MANUFACTURING AND PROCESSING OF FOOD OF A NATURE THAT MEETS THE PURPOSE AND PERFORMANCE STANDARDS OF THIS DISTRICT EXCLUDING PRIMARY PROCESSING OF MEAT AND FISH PRODUCTS.

.052 FABRICATION OF OFFICE, COMPUTING AND ACCOUNTING MACHINE.
.076 CHURCHES.

.077 PUBLIC USES AND COMMUNITY FACILITIES INCLUDING POLICE AND FIRE STATIONS, LIBRARIES, ACTIVITY CENTERS, COMMUNITY CENTERS, PARK AND RECREATION FACILITIES IDENTIFIED IN AN ADOPTED CITY OR COUNTY COMPREHENSIVE PLAN OR PARK PLAN, AND OTHER SIMILAR NONCOMMERCIAL USES, EXCLUDING STATE EDUCATION FACILITIES.

.078 OTHER USES SIMILAR IN NATURE TO THE USES LISTED ABOVE WHICH ARE CONSISTENT WITH THE PURPOSE AND INTENT OF THE DISTRICT, HAVE SIMILAR EFFECTS ON SURROUNDING LAND USES, AND CAN MEET THE PERFORMANCE STANDARDS FOR THIS DISTRICT.

.079 ONE ONE-STORY DETACHED ACCESSORY STORAGE BUILDING PER LOT; PROVIDED, THAT THE FLOOR AREA SHALL NOT EXCEED 200 SQUARE FEET AND SHALL ONLY BE USED FOR PERSONAL STORAGE AND NOT FOR HABITATION OR BUSINESS; AND PROVIDED FURTHER, THAT THE STORAGE BUILDING SHALL CONTAIN NO INDOOR PLUMBING BUT MAY BE SERVED WITH ELECTRICAL POWER FOR LIGHTING.

.080 TRAILS, TRAILHEADS, RESTROOM FACILITIES AND ASSOCIATED PARKING AREAS FOR NO MORE THAN 30 VEHICLES.

.081 FREIGHT RAILROAD SWITCHING YARDS AND TERMINALS.

.082 KENNELS.

.085 TYPE I SOLID WASTE HANDLING FACILITIES, WHEN LOCATED WITHIN OF THE CHERRY POINT MAJOR PORT INDUSTRIAL URBAN GROWTH AREA.

.086 TYPE II SOLID WASTE HANDLING FACILITIES, WHEN LOCATED WITHIN OF THE CHERRY POINT MAJOR PORT INDUSTRIAL URBAN GROWTH AREA.

.087 TYPE 2 CANNABIS PRODUCTION FACILITIES, SUBJECT TO WCC 20.80.690.

.088 CANNABIS PROCESSING FACILITIES, SUBJECT TO WCC 20.80.690.

.094 SECURE COMMUNITY TRANSITION FACILITIES FOR SEX OFFENDERS, WHEN LOCATED OUTSIDE OF THE CHERRY POINT MAJOR PORT INDUSTRIAL URBAN GROWTH AREA.

(1) A SECURE COMMUNITY TRANSITION FACILITY SHALL NOT BE LOCATED ADJACENT TO, IMMEDIATELY ACROSS THE STREET OR PARKING LOT FROM, OR WITHIN THE LINE OF SIGHT OF EXISTING RISK POTENTIAL FACILITIES, WHICH ARE:

(A) PUBLIC SCHOOLS;

(B) PRIVATE SCHOOLS;

(C) SCHOOL BUS STOPS;

(D) LICENSED DAY CARE;

(E) LICENSED PRESCHOOL FACILITIES;

(F) PUBLIC PARKS;

(G) PUBLICLY DEDICATED TRAILS;

(H) SPORTS FIELDS;

(I) PLAYGROUNDS;

(J) RECREATIONAL AND COMMUNITY CENTERS;

(K) CHURCHES, SYNAGOGUES, TEMPLES OR MOSQUES;

(L) PUBLIC LIBRARIES;

(M) PUBLIC AND PRIVATE YOUTH CAMPS; AND

ZONING INFORMATION

.053 MANUFACTURE OF MISCELLANEOUS TEXTILE GOODS AND FABRICATION OF APPAREL INCLUDING CLOTHING, HATS, CAPS, MILLINERY FUR PRODUCTS; AND MISCELLANEOUS FABRICATED TEXTILE PRODUCTS.

.054 FABRICATION OF FURNITURE AND FIXTURES INCLUDING HOUSEHOLD, OFFICE AND PUBLIC BUILDING FURNITURE; AND PARTITIONS, SHELVING AND LOCKERS.

.055 FABRICATION OF PAPER PRODUCTS INCLUDING PAPERBOARD CONTAINERS, BOXES, CARRYON BOXES AND PAPER CONTAINERS.

.056 PRINTING AND PUBLISHING NEWSPAPERS, PERIODICALS AND BOOKS; COMMERCIAL PRINTING; BOOK BINDING; AND MANUFACTURE OF MANIFOLD BUSINESS FORMS AND GREETING CARDS.

.057 FABRICATION OF LEATHER PRODUCTS INCLUDING BELTING; PACKING; CUT STOCK AND FINDINGS FOR SHOES AND BOOTS; SHOES; FOOTWEAR; GLOVES AND MITTENS; LUGGAGE; PERSONAL LEATHER GOODS AND HANDBAGS.

.058 FABRICATION OF GLASS PRODUCTS INCLUDING GLASS PRODUCTS FROM PREPARED MATERIALS; STONE CUTTING; AND MONUMENTS.

.059 PROCESSING AND PACKAGING OF DRUG, PHARMACEUTICALS, PERFUMES AND COSMETICS.

.060 FABRICATION OF ELECTRICAL EQUIPMENT INCLUDING INDUSTRIAL APPARATUS AND HOUSEHOLD APPLIANCES, RADIO AND TELEVISION SETS; COMMUNICATIONS EQUIPMENT; ELECTRICAL COMPONENTS AND ACCESSORIES; AND ELECTRIC LIGHTING EQUIPMENT AND LAMPS.

.061 FABRICATION OF INSTRUMENTS, PHOTOGRAPHIC GOODS, OPTICAL GOODS, WATCHES AND CLOCKS, AND INCLUDING ENGINEERING, SCIENTIFIC, SURGICAL, MEDICAL, DENTAL AND OPHTHALMIC PRODUCTS.

.062 MANUFACTURE AND FABRICATION OF JEWELRY, SILVERWARE, PLATED WARE, MUSICAL INSTRUMENTS AND PARTS, TOYS, SPORTING AND ATHLETIC GOODS; PENS, PENCILS AND OTHER OFFICE AND ARTISTIC SUPPLIES; NOVELTIES, BUTTONS AND NOTIONS; AND MISCELLANEOUS MANUFACTURE.

.063 RAIL, TRUCK AND FREIGHT TERMINALS; WAREHOUSING AND STORAGE; PARCEL DELIVERY SERVICE; FREIGHT FORWARDING; INSPECTION WEIGHING SERVICES; AND PACKAGING AND CRATING.

.064 BOAT BUILDING AND REPAIR.

.065 COMMUNICATIONS INCLUDING TELEPHONE EXCHANGES, AND RADIO AND TELEVISION STATIONS. BROADCAST TOWERS REQUIRE A CONDITIONAL USE PERMIT PURSUANT TO WCC 20.82.030(5).

.066 BUSINESS FIRM HEADQUARTERS AND PROFESSIONAL OFFICES.

.067 CONSTRUCTION CONTRACTORS' BUSINESS OFFICES AND STORAGE AND EQUIPMENT YARDS.

.068 WHOLESALE TRADE OR STORAGE OF DURABLE AND NONDURABLE GOODS INCLUDING AUTOMOBILE PARTS AND SUPPLIES; TIRES AND TUBES; FURNITURE AND HOME FURNISHINGS; LUMBER AND OTHER CONSTRUCTION MATERIALS; SPORTING GOODS, TOYS AND HOBBY GOODS; METAL SERVICE CENTERS AND OFFICES; ELECTRICAL GOODS; HARDWARE, PLUMBING AND HEATING EQUIPMENT; MACHINERY EQUIPMENT AND SUPPLIES; JEWELRY, WATCHES AND PRECIOUS STONES; OTHER DURABLE GOODS; PAPER AND PAPER PRODUCTS; DRUGS, PROPRIETARIES AND SUNDRIES; APPAREL, PIECE GOODS AND NOTIONS; GROCERIES AND RELATED PRODUCTS; BEER, WINE AND DISTILLED BEVERAGES; WASTE BOTTLES; WASTE BOXES; RAGS; WASTE PAPER; WIPING RAGS AND MISCELLANEOUS NONDURABLE GOODS; PROVIDED, HOWEVER, THAT TRADE, STORAGE OR PROCESSING OF SULPHUR SHALL BE PROHIBITED.

.069 BUILDING MATERIAL YARDS, IF SCREENED BY A FENCE AND/OR VEGETATION AS SPECIFIED IN WCC 20.80.355; PROVIDED, THAT SCREENING SHALL NOT BE REQUIRED BETWEEN TWO CONTIGUOUS YARDS WHERE THE OPERATOR OF EACH YARD AGREES THAT SUCH SCREENING IS UNNECESSARY.

.070 EATING ESTABLISHMENTS, CONVENIENCE GROCERY STORES, CAFES AND GAS STATIONS OPERATING PRIMARILY FOR THE CONVENIENCE OF EMPLOYEES, CLIENTS AND CUSTOMERS OF THE DISTRICT; PROVIDING THE FOLLOWING CRITERIA ARE MET:

(1) MAXIMUM FLOOR AREA IS 3,000 SQUARE FEET PER USE;

(2) NO MORE THAN TWO PUMP ISLANDS FOR EACH GAS STATION;

(3) CENTRALLY LOCATED WITHIN THE DISTRICT TO PRIMARILY SERVE THE INDUSTRIAL USES OF THIS DISTRICT AND NOT TO PRIMARILY SERVE ADJACENT NONINDUSTRIAL USES.

.071 MANUFACTURE, PROCESSING, TREATMENT OR FABRICATION OF METAL PRODUCTS AND MACHINERY; PROVIDED, THAT SMELTERS AND REMELTING MILLS, AND THE MANUFACTURING OF TURBINES, OIL MACHINERY, MINING MACHINERY, INDUSTRIAL PROCESS OVENS, PAPER, AND TEXTILE OR ROLLING MILL MACHINERY SHALL BE PROHIBITED.

.072 MANUFACTURE, PROCESSING, TREATMENT AND FABRICATION OF LUMBER, MILLWORK, MOBILE HOMES, TRAVEL TRAILERS, CAMPERS, MISCELLANEOUS WOOD PRODUCTS AND OTHER BUILDINGS, ROOFING AND CONSTRUCTION MATERIALS; PROVIDED, THAT ALL ODOR AND NOISE PRODUCING PROCESSES SHALL BE CONDUCTED WITHIN AN ENCLOSED STRUCTURE EQUIPPED WITH SUCH SCRUBBING, FILTERING EQUIPMENT OR NOISE REDUCTION EQUIPMENT AS IS NECESSARY TO MITIGATE THE ODOR AND/OR NOISE PRODUCED.

.073 FABRICATION OF RUBBER PRODUCTS FROM FINISHED RUBBER ONLY AND MANUFACTURE OF MISCELLANEOUS PLASTIC PRODUCTS FROM PURCHASED RESINS ONLY.

.074 MANUFACTURE OF GLASS, GLASS PRODUCTS, POTTERY AND RELATED PRODUCTS, AND CUTTING AND SHAPING OF STONE PRODUCTS.

.075 BOTTLING PLANTS.

N) OTHER USES IDENTIFIED BY THE STATE DEPARTMENT OF SOCIAL AND HEALTH SERVICES PURSUANT TO RCW 71.09.020(11).

"WITHIN THE LINE OF SIGHT" SHALL MEAN THAT IT IS POSSIBLE TO REASONABLY VISUALLY DISTINGUISH AND RECOGNIZE INDIVIDUALS. AN UNOBSTRUCTED VISUAL DISTANCE OF 600 FEET SHALL BE CONSIDERED TO BE WITHIN THE LINE OF SIGHT. LINE OF SIGHT MAY BE CONSIDERED TO BE LESS THAN 600 FEET IF THE APPLICANT CAN DEMONSTRATE THAT VISUAL BARRIERS EXIST OR WOULD BE CREATED THAT WOULD VISUALLY SCREEN THE RISK POTENTIAL FACILITY FROM THE SECURE COMMUNITY TRANSITION FACILITY.

(2) NO MORE THAN ONE SECURE COMMUNITY TRANSITION FACILITY, WITH A MAXIMUM OF THREE PEOPLE (OTHER THAN STAFF), SHALL BE LOCATED WITHIN WHATCOM COUNTY.

.095 BATTERY ENERGY STORAGE SYSTEMS OF ANY STORAGE CAPACITY.

.096 SELF-SERVICE STORAGE FACILITIES. (ORD. 2023-018 § 1 (EXH. A), 2023; ORD. 2022-048 § 1 (EXH. A), 2022; ORD. 2022-12 § 1 (EXH. A), 2022; ORD. 2022-011 § 1 (EXH. A), 2022; ORD. 2015-006 EXH. A, 2015; ORD. 2005-079 § 1, 2005; ORD. 2004-026 § 1, 2004; ORD. 2004-014 § 2, 2004; ORD. 2003-029 § 1 (ATT. A § 11), 2003; ORD. 99-062, 1999; ORD. 96-056 ATT. A § P1, 1996; ORD. 94-056, 1994; ORD. 91-075, 1991; ORD. 89-117, 1989; ORD. 88-13, 1988; ORD. 87-12, 1987; ORD. 87-11, 1987; ORD. 86-56, 1986; ORD. 84-38, 1984).

20.66.100 ACCESSORY USES.

.101 EMPLOYEE RECREATION FACILITIES AND PLAY AREAS.

.102 TEMPORARY BUILDINGS FOR CONSTRUCTION PURPOSES FOR A PERIOD NOT TO EXCEED THE DURATION OF SUCH CONSTRUCTION.

.103 TESTING AND EXPERIMENTATION IN CONNECTION WITH A PRINCIPALLY PERMITTED USE.

.104 OTHER ACCESSORY USES AND BUILDINGS, INCLUDING SECURITY AND CARETAKER RESIDENCES, CUSTOMARILY APPURTENANT TO A PRINCIPALLY PERMITTED USE.

.105 RETAIL SALES OF MERCHANDISE MANUFACTURED, ASSEMBLED OR STORED ON THE SITE AND CONSISTENT WITH THE DEFINITION OF ACCESSORY USES AS DEFINED IN CHAPTER 20.97 WCC (DEFINITIONS).

.106 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.

.107 MINI-DAY CARE CENTERS AND DAY CARE CENTERS OPERATED BY, MAINTAINED BY OR FUNDED BY BUSINESS IN THE DISTRICT FOR THE PURPOSE OF SERVING THE CHILD CARE NEEDS OF EMPLOYEES WHOSE PLACE OF EMPLOYMENT LIES WITHIN THIS ZONE DISTRICT.

.108 ELECTRIC VEHICLE RAPID CHARGING STATIONS AND BATTERY EXCHANGE FACILITIES, ACCESSORY TO GAS STATIONS. (ORD. 2012-001 § 1 (EXH. A), 2012; ORD. 2009-034 § 1 (ATT. A), 2009; ORD. 99-068, 1999; ORD. 89-10, 1989; ORD. 87-12, 1987; ORD. 87-11, 1987; ORD. 84-38, 1984).

20.66.130 ADMINISTRATIVE APPROVAL USES.

THE FOLLOWING USES ARE PERMITTED WITH ADMINISTRATIVE APPROVAL PURSUANT TO WCC 22.05.028:

.131 AN ADULT BUSINESS ENCLOSED WITHIN A BUILDING, WHEN LOCATED IN A CITY'S URBAN GROWTH AREA; PROVIDED, THAT:

(1) THE BUILDING THAT CONTAINS THE ADULT BUSINESS AND SIGNS RELATING TO THE BUSINESS ARE NOT WITHIN 1,000 FEET OF ANY OF THE FOLLOWING:

(A) THE OUTSIDE BOUNDARY OF ANY PARCEL THAT ALREADY CONTAINS A PUBLIC SCHOOL, PRIVATE SCHOOL, OR DAY CARE;

(B) THE OUTSIDE BOUNDARY OF ANY PARCEL THAT ALREADY CONTAINS A CHURCH OR OTHER HOUSE OF WORSHIP;

(C) AN EXISTING PUBLIC PARK;

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(D) THE OUTSIDE BOUNDARY OF ANY PARCEL THAT ALREADY CONTAINS A PUBLIC LIBRARY;

(E) A RESIDENTIAL OR RURAL ZONING DISTRICT (INCLUDING URBAN RESIDENTIAL, URBAN RESIDENTIAL MEDIUM DENSITY, URBAN RESIDENTIAL-MIXED, RESIDENTIAL RURAL, RURAL ONE DWELLING/TWO ACRES, RURAL ONE DWELLING/FIVE ACRES, AND RURAL ONE DWELLING/10 ACRES AND RESIDENTIAL ZONES WITHIN THE CITY LIMITS);

(F) INTERSTATE 5 OR A STATE HIGHWAY; OR

(G) THE OUTSIDE BOUNDARY OF ANY PARCEL THAT ALREADY CONTAINS ANOTHER ADULT BUSINESS.

(2) DIRECTIONAL SIGNS PERMITTED UNDER WCC 20.80.470 ARE NOT SUBJECT TO THE 1,000-FOOT BUFFER OF SUBSECTION (1) OF THIS SECTION.

(3) ADULT BUSINESSES ARE PROHIBITED WITHIN THE LIGHT IMPACT INDUSTRIAL ZONE LOCATED SOUTHEAST OF THE BELLINGHAM INTERNATIONAL AIRPORT AND NORTH OF ALDERWOOD AVENUE.

(4) AN ADULT BUSINESS SHALL NOT SELL, PROVIDE OR ALLOW PERFORMANCES, FILMS, PUBLICATIONS, OR OTHER ACTIVITIES THAT ARE PROHIBITED BY STATE LAW OR COUNTY ORDINANCE.

(5) PLANNING AND DEVELOPMENT SERVICES SHALL SEND A NOTICE OF THE PROPOSAL TO ALL OWNERS OF PROPERTY WITHIN 1,000 FEET OF THE EXTERNAL BOUNDARIES OF THE SUBJECT PROPERTY AT LEAST 15 CALENDAR DAYS PRIOR TO THE DECISION DATE. PUBLIC NOTICE SHALL BE PUBLISHED IN THE NEWSPAPER OF RECORD AT LEAST FIVE CALENDAR DAYS PRIOR TO THE DECISION DATE. THIS IS IN ADDITION TO THE REQUIREMENT OF WCC 22.05.028. (ORD. 2018-006 § 3 (EXH. C), 2018; ORD. 2016-035 § 1 (EXH. A), 2016; ORD. 2001-038 § 2, 2001).

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20.66.150 CONDITIONAL USES.

.151 MANUFACTURE OF HYDRAULIC CEMENT; CONCRETE GYPSUM AND PLASTER PRODUCTS;
AND ABRASIVE ASBESTOS AND MISCELLANEOUS NONMETALLIC MINERAL PRODUCTS.

.152 MANUFACTURE OF SANDS.

.153 REPAIR, SERVICE AND ACCESSORY SALES FOR MOTOR VEHICLES, BOATS AND FARM
IMPLEMENTS PROVIDED:

(1) THE USE OR USES ARE NOT EXPECTED TO GENERATE SIGNIFICANTLY MORE TRAFFIC THAN THAT WHICH WOULD ORDINARILY BE EXPECTED BY
AN INDUSTRIAL USE OF COMPARABLE INTENSITY; AND

(2) IT CAN BE ESTABLISHED THAT SUFFICIENT UNDEVELOPED, USABLE PROPERTY ZONED LII IS AVAILABLE FOR THE OUTRIGHT PERMITTED USES
WITHIN THE PLANNING SUBAREA FOR THE PROJECTED LIFE OF THE PLAN AS DETERMINED BY THE PLANNING DEPARTMENT. APPLICANT WILL BE
RESPONSIBLE FOR FURNISHING NECESSARY INFORMATION.

.156 GOLF COURSES AND COMMERCIAL RECREATION FACILITIES RELATED TO GOLF COURSES.

.157 TRAILHEADS WITH PARKING AREAS FOR MORE THAN 30 VEHICLES.

.158 PUBLIC AND PRIVATE PARKS FACILITIES NOT INCLUDED IN AN ADOPTED CITY OR COUNTY COMPREHENSIVE PLAN OR PARK PLAN.

.159 ATHLETIC FIELDS.

.180 MAJOR PASSENGER INTERMODAL TERMINALS.

.183 STATE EDUCATION FACILITIES WHEN LOCATED OUTSIDE OF THE CHERRY POINT MAJOR PORT INDUSTRIAL URBAN GROWTH AREA.

.184 STATE AND LOCAL CORRECTION FACILITIES WHEN LOCATED OUTSIDE OF THE CHERRY POINT MAJOR PORT INDUSTRIAL URBAN GROWTH
AREA.

.185 TYPE I SOLID WASTE HANDLING FACILITIES, WHEN LOCATED OUTSIDE OF THE CHERRY POINT MAJOR PORT INDUSTRIAL URBAN GROWTH
AREA.

.186 TYPE II SOLID WASTE HANDLING FACILITIES, WHEN LOCATED OUTSIDE OF THE CHERRY POINT MAJOR PORT INDUSTRIAL URBAN GROWTH
AREA.

.187 TYPE III SOLID WASTE HANDLING FACILITIES; PROVIDED, THAT:

(1) THE FACILITY OR SITE WILL NOT BE LOCATED WITHIN THE 100-YEAR FLOODPLAIN OR THE LAKE WHATCOM WATERSHED. THE FACILITY OR SITE
WILL NOT BE LOCATED WITHIN ANY AREA IDENTIFIED IN AN ADOPTED CRITICAL AREAS ORDINANCE UNLESS OUTSIDE OF THE FLOODPLAIN AND AT
LEAST THREE FEET IN ELEVATION HIGHER THAN THE FLOODWAY ELEVATION;

(2) SOLID WASTE HANDLING FACILITIES SHALL BE LOCATED AT LEAST 1,500 FEET FROM THE FOLLOWING:

(A) ALL ZONING DISTRICT BOUNDARIES, EXCEPT COMMERCIAL FORESTRY AND INDUSTRIAL ZONES;

(B) PUBLIC PARKS, PUBLIC RECREATION AREAS, OR PUBLICLY-OWNED WILDLIFE AREAS;

(C) ARCHAEOLOGICAL AND HISTORICAL SITES THAT ARE REGISTERED WITH THE STATE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION;

(D) SHORELINES THAT ARE WITHIN THE JURISDICTION OF THE SHORELINE MANAGEMENT PROGRAM;

(E) RIVERS, STREAMS OR CREEKS THAT CONTAIN DOCUMENTED THREATENED OR ENDANGERED FISH SPECIES;

(F) THIS 1,500-FOOT²¹ BUFFER DOES NOT APPLY TO:

(I) STRUCTURES USED FOR OFFICES, STORAGE AREAS FOR EQUIPMENT, AND WEIGH SCALES. THESE FACILITIES SHALL BE SET BACK FROM THE
PROPERTY LINE 100 FEET OR THE STANDARD ZONING DISTRICT SETBACK, WHICHEVER IS GREATER;

(II) INERT LANDFILLS;

(3) INERT LANDFILLS SHALL BE LOCATED AT LEAST 500 FEET FROM THE FOLLOWING:

(A) ALL ZONING DISTRICT BOUNDARIES, EXCEPT COMMERCIAL FORESTRY AND INDUSTRIAL ZONES;

(B) PUBLIC PARKS, PUBLIC RECREATION AREAS, OR PUBLICLY-OWNED WILDLIFE AREAS;

(C) ARCHAEOLOGICAL AND HISTORICAL SITES THAT ARE REGISTERED WITH THE STATE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION;

(D) SHORELINES THAT ARE WITHIN THE JURISDICTION OF THE SHORELINE MANAGEMENT PROGRAM;

(E) RIVERS, STREAMS OR CREEKS THAT CONTAIN DOCUMENTED THREATENED OR ENDANGERED FISH SPECIES;

(F) THIS 500-FOOT BUFFER DOES NOT APPLY TO:

(I) STRUCTURES USED FOR OFFICES, STORAGE AREAS FOR EQUIPMENT, AND WEIGH SCALES. THESE FACILITIES SHALL BE SET BACK FROM THE
PROPERTY LINE 100 FEET OR THE STANDARD ZONING DISTRICT SETBACK, WHICHEVER IS GREATER;

(4) THE FACILITY OR SITE WILL NOT RESULT IN FILLING OR EXCAVATION, LOCATION OF STRUCTURES OR BUILDINGS, DRIVEWAYS OR MACHINERY
USE EXCEPT FOR VEGETATION MAINTENANCE WITHIN 100 FEET OF ANY PROPERTY LINE AND EXCEPT FOR DRIVEWAYS WITHIN 150 FEET OF ANY
COUNTY OR STATE ROAD RIGHT-OF-WAY;

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(5) THE FACILITY OR SITE WILL HAVE VEHICULAR APPROACHES DESIGNED TO MINIMIZE CONFLICT BETWEEN AUTOMOBILE AND TRUCK TRAFFIC, WILL MAINTAIN THE CARRYING CAPACITY OF COUNTY ROADS, AND WILL BE LOCATED ON A ROAD CLASSIFIED AS ALL WEATHER, EXCEPT WHERE USE IS SHOWN TO BE INTERMITTENT AND EASILY DELAYED UNTIL EMERGENCY CONDITIONS HAVE PASSED;

(6) THE FACILITY OR SITE HAS COMPLIED WITH THE PROVISIONS OF WCC 22.05.026 AND ALL OTHER ORDINANCES AND LAWS REGULATING SOLID WASTE FACILITIES AND SITES, SUCH AS BUT NOT LIMITED TO WCC TITLE 24, THE WHATCOM COUNTY SEPA ORDINANCE, AS WELL AS STATE AND FEDERAL REGULATIONS CONCERNING SOLID WASTE FACILITIES AND SITES; AND

((7) ALL LANDFILLS HAVE A FINAL CLOSURE PLAN MEETING THE REQUIREMENTS OF WCC TITLE 24 AND OF CHAPTER 173-350 WAC, AND THE CLOSURE PLAN INCLUDES:

(A) RECLAMATION IN TWO TO 10 ACRE INCREMENTS, AS APPROPRIATELY RESPONSIVE TO THE SIZE AND INTENSITY OF THE PARTICULAR ACTIVITY, WITH SEEDING TO BE ACCOMPLISHED ANNUALLY BUT NO LATER THAN SEPTEMBER 30TH; AND

(B) PERMANENT VEGETATIVE COVER THAT WILL MAINTAIN IN HEALTHY GROWING CONDITION WITH THE LEVEL OF MAINTENANCE THAT IS COVERED THROUGH THE FINANCIAL ASSURANCE FOR POST-CLOSURE ACTIVITIES;

(8) THE BUFFER AREAS AND VISUAL SCREENING SHALL INCLUDE A MINIMUM OF 50 FEET WIDE OF LANDSCAPING MEETING THE REQUIREMENTS OF WCC 20.80.300 (LANDSCAPING);

(9) SOLID WASTE FACILITIES OR SITES SHALL BE LOCATED OUTSIDE THE 10-YEAR TIME OF TRAVEL BOUNDARY OF A PUBLIC WATER SYSTEM'S DELINEATED WELLHEAD PROTECTION AREA;

(10) SOLID WASTE FACILITIES OR SITES THAT HANDLE PUTRESCIBLE WASTE WILL BE LOCATED AT LEAST 10,000 FEET FROM AIRPORTS SERVING TURBINE-POWERED AIRCRAFT AND AT LEAST 5,000 FEET FROM AIRPORTS SERVING PISTON-POWERED AIRCRAFT. THESE BUFFERS SHALL BE MEASURED

FROM THE BOUNDARY OF THE AIRPORT OPERATIONS ZONE OR, IF THE AIRPORT IS NOT WITHIN AN AIRPORT OPERATIONS ZONE, FROM THE BOUNDARY OF THE AIRPORT PROPERTY;

(11) IN ADDITION, THE WHATCOM COUNTY HEARING EXAMINER MAY IMPOSE CONDITIONS OF APPROVAL WHICH MAY BE NECESSARY TO PROTECT THE VALUE AND ENJOYMENT OF EXISTING ADJACENT USES.

.192 MENTAL HEALTH FACILITIES THAT PROVIDE CRISIS CARE.

.193 SUBSTANCE ABUSE FACILITIES THAT PROVIDE CRISIS CARE.

.194 OUTPATIENT MENTAL HEALTH FACILITIES.

.195 OUTPATIENT SUBSTANCE ABUSE TREATMENT FACILITIES, INCLUDING OPIATE SUBSTITUTION TREATMENT CLINICS.

.196 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. (ORD. 2005-068 § 2, 2005; ORD. 2004-026 § 1, 2004; ORD. 2004-014 § 2, 2004; ORD. 2001-038 § 2, 2001; ORD. 99-070 § 2, 1999; ORD. 94-056, 1994; ORD. 91-013, 1991; ORD. 90-11, 1990; ORD. 88-76, 1988; ORD. 87-12, 1987; ORD. 87-11, 1987; ORD. 84-38, 1984).

20.66.200 PROHIBITED USES.

ALL USES NOT LISTED AS PERMITTED, ACCESSORY, ADMINISTRATIVE APPROVAL, OR CONDITIONAL USES ARE PROHIBITED, INCLUDING BUT NOT LIMITED TO THE FOLLOWING, WHICH ARE LISTED HERE FOR PURPOSES OF CLARITY:

.201 RESERVED.

.202 ADULT BUSINESSES EXCEPT THOSE ALLOWED AS AN ADMINISTRATIVE APPROVAL USE UNDER WCC 20.66.131.

.203 IN THE BELLINGHAM URBAN GROWTH AREA THE FOLLOWING USES ARE PROHIBITED: PRIMARY MANUFACTURING AND PROCESSING OF RUBBER, PLASTICS, CHEMICALS, PAPER, ASBESTOS AND PRODUCTS DERIVED THEREOF, AND PRIMARY METAL INDUSTRIES.

.204 NEW FOSSIL FUEL REFINERY OR NEW FOSSIL FUEL TRANSSHIPMENT FACILITIES.

.205 AERIAL APPLICATION OF CHEMICALS, INCLUDING BUT NOT LIMITED TO PESTICIDES AND INSECTICIDES, PREVIOUSLY REGULATED BY THE DNR AS CLASS I, II, III OR IV-SPECIAL FOREST PRACTICES, WHEN LOCATED WITHIN AN URBAN GROWTH AREA.

.206 SLASH BURNING, WHEN LOCATED WITHIN AN URBAN GROWTH AREA. (ORD. 2022-035 EXH. A, 2022; ORD. 2021-046 § 3 (EXH. C), 2021; ORD. 2018-006 § 3 (EXH. C), 2018; ORD. 2016-011 § 1 (EXH. L), 2016; ORD. 99-078, 1999; ORD. 99-070 § 2, 1999).

20.66.250 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. (ORD. 97-57 § 1, 1997; ORD. 96-046 § 1, 1996).

20.66.251 LARGE COMMERCIAL RETAIL.

RETAIL ESTABLISHMENTS WITH A FLOOR AREA LESS THAN 35,000 SQUARE FEET ARE ALLOWED IN THE LIGHT IMPACT INDUSTRIAL (LII) ZONE. RETAIL ESTABLISHMENTS WITHIN THE LIGHT IMPACT INDUSTRIAL ZONE ARE ALLOWED UP TO 65,000 SQUARE FEET; PROVIDED, THAT:

(1) THE FLOOR AREA OF ADJACENT STORES SHALL BE AGGREGATED IN CASES WHERE THE STORES (A) ARE ENGAGED IN SELLING OF SIMILAR OR RELATED MERCHANDISE AND OPERATE UNDER COMMON OWNERSHIP OR MANAGEMENT; (B) SHARE CHECK STANDS, A WAREHOUSE, OR A DISTRIBUTION FACILITY; OR (C) OTHERWISE OPERATE AS AN ASSOCIATED, INTEGRATED OR COOPERATIVE BUSINESS ENTERPRISE.

(2) TWO THOUSAND SQUARE FEET OF INTERIOR LOFT FLOOR AREA FOR PURPOSES OF STORAGE OR MECHANICAL EQUIPMENT IS EXEMPT FROM THE 65,000 SQUARE FEET MAXIMUM FLOOR AREA.

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3) RETAIL ESTABLISHMENTS WITH A FLOOR AREA EXCEEDING 35,000 SQUARE FEET REQUIRE CONNECTION TO PUBLIC SANITARY SEWER AND WATER SERVICES AT URBAN LEVELS OF SERVICE. (ORD. 2016-011 § 1 (EXH. Q), 2016; ORD. 2008-039 § 1 (EXH. A), 2008).

20.66.255 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. (ORD. 99-045 § 1, 1999).

20.66.350 BUILDING SETBACKS.

BUILDING SETBACKS SHALL BE ADMINISTERED PURSUANT TO WCC 20.80.200, 20.80.254 AND 20.66.550. (ORD. 99-078, 1999).

20.66.400 HEIGHT LIMITATIONS.

NO MAXIMUM 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 TO, WHERE APPLICABLE, THE GENERAL REQUIREMENTS OF WCC 20.80.675. (ORD. 84-38, 1984).

20.66.450 LOT COVERAGE.

THE MAXIMUM BUILDING COVERAGE SHALL NOT EXCEED 60 PERCENT OF THE LOT SIZE.

20.66.500 OPEN SPACE.

REPEALED BY ORD. 97-057. (ORD. 96-046, 1996; ORD. 87-12, 1987; ORD. 87-11, 1987; ORD. 84-38, 1984).

20.66.550 BUFFER AREA.

.551 WHEN A PARCEL SITUATED WITHIN THIS DISTRICT ADJOINS AN URBAN RESIDENTIAL, URBAN RESIDENTIAL MEDIUM DENSITY, URBAN RESIDENTIAL-MIXED, RURAL, OR RESIDENTIAL RURAL DISTRICT, SETBACKS 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.

.553 REQUIRED BUFFERS MAY BE PROVIDED OFF-SITE BY WRITTEN AGREEMENT IN THE FORM OF A DEED RESTRICTION ON THE OFF-SITE PARCEL THAT RUNS WITH THE LAND AND SHALL BE FILED WITH THE COUNTY AUDITOR. THE OFF-SITE BUFFER AGREEMENT SHALL BE WRITTEN SO THAT IT MAY BE REVISED OR RESCINDED IN THE EVENT THAT LAND USE OR ZONING DESIGNATIONS ARE CHANGED IN SUCH A WAY THAT THE BUFFER BECOMES NO LONGER NECESSARY. (ORD. 2019-013 § 1 (EXH. A), 2019; ORD. 2005-079 § 1, 2005; ORD. 99-078, 1999; ORD. 89-117, 1989).

20.66.600 SIGN REGULATIONS.

SIGN REGULATIONS SHALL BE ADMINISTERED PURSUANT TO WCC 20.80.400.

20.66.650 DEVELOPMENT CRITERIA.

(ORD. 96-056 ATT. A § A1, 1996).

20.66.651 LANDSCAPING.

REFER TO WCC 20.80.300 FOR LANDSCAPING REQUIREMENTS. (ORD. 89-117, 1989).

20.66.652 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.

20.66.653 DRAINAGE.

ALL DEVELOPMENT ACTIVITIES ARE SUBJECT TO THE STORMWATER MANAGEMENT PROVISIONS OF WCC 20.80.630 THROUGH 20.80.635. NO PROJECT PERMIT SHALL BE ISSUED PRIOR TO MEETING THOSE REQUIREMENTS. (ORD. 2019-013 § 1 (EXH. A), 2019; ORD. 96-056 ATT. A § A2, 1996; ORD. 94-022, 1994).

20.66.654 DRIVEWAYS.

CONSISTENT WITH WCC 20.80.640, DRIVEWAY PLANS SHALL BE REVIEWED BY THE COUNTY ENGINEER OR STATE DEPARTMENT OF TRANSPORTATION. (ORD. 2013-057 § 1 (EXH. A), 2013; ORD. 84-38, 1984).

20.66.655 ACCESS.

ACCESS SHALL CONFORM TO THE PROVISIONS OF WCC 20.80.565 AND 20.80.660.

20.66.656 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.

20.66.657 ENCLOSURE.

ALL MANUFACTURING OR FABRICATION PROCESSES WHICH PRODUCE PHYSICAL OFF-SITE IMPACTS OF A DETRIMENTAL NATURE SHALL BE SUFFICIENTLY ENCLOSED TO MITIGATE THE IMPACT. (ORD. 84-38, 1984).

20.66.700 PERFORMANCE STANDARDS.

20.66.701 POLLUTION CONTROL AND NUISANCE ABATEMENT.

EACH INDUSTRY IS REQUIRED TO CONTINUOUSLY EMPLOY THE BEST POLLUTION CONTROL AND NUISANCE ABATEMENT TECHNOLOGY WHEN REASONABLE AND PRACTICABLY AVAILABLE FOR EACH PARTICULAR INDUSTRY; PROVIDED, THAT WHERE FEDERAL, STATE, OR REGIONAL LAWS OR REGULATIONS PROVIDE FOR THE LEVEL OF TECHNOLOGY TO BE EMPLOYED, THE APPROPRIATE STANDARDS SHALL APPLY.

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20.66.702 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.

20.66.703 GROUND VIBRATION.

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.

20.66.704 ODORS.

(1) EXCEPT AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION, 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.

(2) FOR CANNABIS PRODUCTION OR PROCESSING FACILITIES, ODOR SHALL BE REGULATED PURSUANT TO WCC 20.80.690(3)(G). (ORD. 2022-011 § 1 (EXH. A), 2022).

20.66.705 NOISE.

NO USE IN THIS DISTRICT SHALL EXCEED THE MAXIMUM ENVIRONMENTAL NOISE LEVEL ESTABLISHED BY CHAPTER 173-60 WAC. (ORD. 91-075, 1991).

20.66.706 TOXIC GASES AND FUMES.

THERE SHALL BE NO EMISSION OF TOXIC GASES OR FUMES. (ORD. 91-075, 1991).

20.66.707 LIQUID POLLUTANTS.

THERE SHALL BE NO OFF-SITE RELEASE TO SOIL OR SURFACE DRAINAGE WAYS OF WATER BORNE OR LIQUID POLLUTANTS. (ORD. 91-075, 1991).

20.66.708 APPEARANCE.

NEW FACILITIES DEVELOPED IN THE BELLINGHAM URBAN GROWTH AREA SHALL 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 SUCH USES SHALL NOT CHANGE THE ESSENTIAL CHARACTER OF THE SAME AREA. (ORD. 2018-006 § 3 (EXH. C), 2018; ORD. 99-078, 1999).

20.66.709 MARIJUANA ODOR.

REPEALED BY ORD. 2022-011. (ORD. 2015-006 EXH. A, 2015).