



State of Washington Application for a Water Right

Please follow the attached instructions to avoid unnecessary delays.

For Ecology Use
Fee Paid <u>10.00</u>
Date <u>10-11-00</u> <u>44</u>

Section 1. APPLICANT - PERSON, ORGANIZATION, OR WATER SYSTEM

Name Goldstar Resorts, Inc. Peter Spencer
~~Home~~ Tel: (360) 371 - 5930
 Mailing Address 4880 Beachcomber Drive Bill Grant
Work Tel: (360) 371 - 7742
 City Blaine State WA Zip+4 98230 + _____ FAX: (360) 671 - 7616

Section 2. CONTACT - PERSON TO CALL ABOUT THE APPLICATION

Same as above

Name _____ Home Tel: (____) _____ - _____
 Mailing Address _____ Work Tel: (____) _____ - _____
 City _____ State _____ Zip+4 _____ + _____ FAX: (____) _____ - _____
 Relationship to applicant _____

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than 170 (gallons per minute or cubic feet per second) from a surface water source or ground water source (check only one) for the purpose(s) of Domestic // Industrial. **ATTACH A "LEGAL" DESCRIPTION OF THE PLACE OF USE. (See instructions.)** NOTE: A tax parcel number or a plat number is not sufficient.
 Estimate a maximum annual quantity to be used in acre-feet per year: 274 Acre-feet

Check if the water use is proposed for a short-term project. Indicate the period of time that the water will be needed:
 From ___/___/___ to ___/___/___

Section 4. WATER SOURCE

If SURFACE WATER	If GROUNDWATER
Name the water source and indicate if stream, spring, lake, etc. If unnamed, write "unnamed spring," "unnamed stream," etc.:	A permit is desired for <u>3</u> well(s).
Number of diversions: _____	
Source flows into (name of body of water):	Size & depth of well(s): <u>6/12" Diam. at 20 to 30 ft depth</u>

LOCATION

Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner:

¼ of	¼ of	Section	Township	Range(E/W)	County	If location of source is platted, complete below:		
						Lot	Block	Subdivision
<u>NW</u>	<u>SE</u>	<u>22</u>	<u>40</u>	<u>1E</u>	<u>Whatcom</u>			
<u>NE</u>	<u>NE</u>	<u>22</u>	<u>40</u>	<u>1E</u>	<u>Whatcom</u>			
<u>SW</u>	<u>SW</u>	<u>23</u>	<u>40</u>	<u>1E</u>	<u>Whatcom</u>			

For Ecology Use Date Received: 10/11/2000 Priority Date: 10/11/2000
 SEPA: Exempt/Not Exempt FERC License # _____ Dept. Of Health # _____
 Date Accepted As Complete 10/16/00 By DS Date Returned _____ By _____ WRIA: _____

Section 5. GENERAL WATER SYSTEM INFORMATION

A. Name of system, if named: Gateway Water System

B. Briefly describe your proposed water system. (See instructions.)

C. Do you already have any water rights or claims associated with this property or system? YES NO
PROVIDE DOCUMENTATION.

Section 6. DOMESTIC / PUBLIC WATER SUPPLY SYSTEM INFORMATION

(Completed for all domestic/public supply uses.)

A. Number of "connections" requested: _____ Type of connection See Application Page 4
(Homes, Apartment, Recreational, etc.)

B. Are you within the area of an approved water system? YES NO
If yes, explain why you are unable to connect to the system. Note: Regional water systems are identified by your County Health Department.

Complete C. and D. only if the proposed water system will have fifteen or more connections.

C. Do you have a current water system plan approved by the Washington State Department of Health? YES NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.

D. Do you have an approved conservation plan? YES NO
If yes, when was it approved? _____ Please attach the current approved version of your plan.

Section 7. IRRIGATION/AGRICULTURAL/FARM INFORMATION

(Complete for all irrigation and agriculture uses.)

A. Total number of acres to be irrigated: _____

B. List total number of acres for other specified agricultural uses:

Use _____ Acres _____
Use _____ Acres _____
Use _____ Acres _____

C. Total number of acres to be covered by this application: _____

D. Family Farm Act (Initiative Measure Number 59, November 3, 1977)

Add up the acreage in which you have a controlling interest, including only:

- ‡ Acreage irrigated under water rights acquired after December 8, 1977;
- ‡ Acreage proposed to be irrigated under this application;
- ‡ Acreage proposed to be irrigated under other pending application(s).

1. Is the combined acreage greater than 2000 acres? YES NO

2. Do you have a controlling interest in a Family Farm Development Permit? YES NO

If yes, enter permit no: _____

E. Farm uses:

Stockwater - Total # of animals _____ Animal type _____ (If dairy cattle, see below)

Dairy - # Milking _____ # Non-milking _____

Section 8. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water?

YES NO

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point, and some portion of the storage will be above grade, you must also apply for a reservoir permit. You can get a reservoir permit application from the Department of Ecology.

Section 9. DRIVING DIRECTIONS

Provide detailed driving instructions to the project site.

Take exit 270 from I-5 on Birch Bay - Lynden Road.
Project site is located Northeasterly of I-5 and spans Valley View Road.

Section 10. REQUIRED MAP

A. Attach a map of the project. (See instructions.)

Section 11. PROPERTY OWNERSHIP

A. Does the applicant own the land on which the water will be used?

YES NO

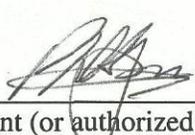
If no, explain the applicant's interest in the place of use and provide the name(s) and address(es) of the owner(s):

B. Does the applicant own the land on which the water source is located?

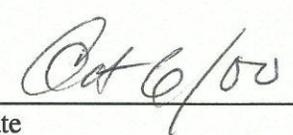
YES NO

If no, submit a copy of agreement:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though I may have been assisted in the preparation of the above application by the employees of the Department of Ecology, all responsibility for the accuracy of the information rests with me.



Applicant (or authorized representative)



Date

Same

Landowner for place of use (if same as applicant, write "same")

October 6, 2000

Date

Use this page to continue your answers to any questions on the application. Please indicate section number before answer.

Section 6.A.

The project consists of a multi-phased development located on several parcels of land totaling 70-acres, a portion of which has historically been used for commercial purposes. The proposed development includes a Flying J Travel Plaza (including fuel sales, restaurant, retail and hotel), retail stores, warehousing distribution, office space and RV park, all with an emphasis on cross-border commerce. (See the attached Whatcom County Code describing the zoning for the Gateway Industrial District.)

We are returning your application for the following reason(s):	
_____ Examination fee was not enclosed	APPLICANT PLEASE RETURN TO CASHIER, PO BOX 5128, LACEY, WA 98509-5128
_____ Section number(s) _____ is/are incomplete	APPLICANT PLEASE RETURN TO THE APPROPRIATE REGIONAL OFFICE
Explanation:	
Please provide the additional information requested above and return your application by _____ _____ (date).	

Ecology staff _____ Date _____

Ecology is an Equal Opportunity and Affirmative Action employer.

To receive this document in alternative format, contact the Water Resources Program at (360) 407-6604 (Voice) or (360) 407-6006 (TDD).

Section 3. LEGAL DESCRIPTION OF PLACE OF USE

That portion of the Northeast quarter of the Southwest quarter of Section 22, Township 40 North, Range 1 E.W.M., lying Northeasterly of Interstate Highway No. 5, EXCEPT roads;

That portion of the Northwest quarter of the Southeast quarter lying Northeasterly of Interstate Highway No. 5 of Section 22, Township 40 North, Range 1 E.W.M., together with all that portion of the East half of the East half of the Southwest quarter of the Southeast quarter lying Northeasterly of Interstate Highway No. 5, EXCEPT roads;

That portion of the Southeast quarter of the Southeast quarter of Section 22, Township 40 North, Range 1 E.W.M., lying northeasterly of Interstate Highway No. 5, EXCEPT roads; and

That portion of the Southwest quarter of the Southwest quarter described as follows: starting at the Northwest corner of the South half of the Southwest quarter of Section 23, Township 40 North, Range 1 E.W.M., thence south along the west line of said quarter section 755.8 feet; thence east parallel with the south line of said quarter section 703.99 feet; thence north parallel with the west line of said quarter section to the north line of said south half of said quarter section; thence west to the point of beginning, EXCEPT Valley View Road, along the west line thereof;

All located in Whatcom County, Washington.

Chapter 20.65

GATEWAY INDUSTRIAL (GI) DISTRICT

Sections:

- 20.65.010 Purpose.
- 20.65.050 Permitted uses.
- 20.65.100 Accessory uses.
- 20.65.200 Prohibited uses.
- 20.65.250 Minimum lot size.
- 20.65.255 Minimum lot frontage.
- 20.65.350 Building setbacks.
- 20.65.400 Height limitations.
- 20.65.450 Site design.
- 20.65.500 Open space.
- 20.65.550 Buffer area.
- 20.65.600 Sign regulations.
- 20.65.650 Development criteria.
- 20.65.651 Facility design.
- 20.65.652 Landscaping.
- 20.65.653 Off-street parking and loading.
- 20.65.654 Sewer, water, and drainage.
- 20.65.655 Driveways.
- 20.65.656 Access.
- 20.65.657 Lighting.
- 20.65.658 Binding site plan.
- 20.65.700 Performance standards.

20.65.010 Purpose.

The purpose of the Gateway Industrial District is to supply sufficient areas arranged in a concentrated form for land use activities which promote Canadian - American business activity. In addition, the intent of this district is to encourage land uses and associated densities which will be complementary with light impact industrial park standards while allowing reasonable transition uses of the properties. The district shall be located and implemented consistent with the goals, objectives and policies of the Comprehensive Plan. The district should be located near major international transportation corridors in such a fashion as to provide safe and convenient access that would not impact adjacent nonindustrial activities. Further, the district should be in areas where adequate public services including but not limited to all-weather roads, public sewer and water and stormwater drainage are available. The district provides for uses that present a positive development image to business travelers and may provide for commercial uses that serve the traveling public; however, commercial activities may not be dependent upon attracting freeway motorists except in areas within

1/4 mile of a full freeway interchange. (Ord. 98-083 Exh. A § 55, 1998).

20.65.050 Permitted uses.

The following permitted and accessory uses shall be allowed subject to an evaluation by the zoning administrator pursuant to the provisions of this chapter and Chapter 20.80 WCC. No permitted or conditional use shall be issued a building permit without provision of public sewer and water as defined in Chapter 20.97 WCC except as provided in WCC 20.65.058 and 20.65.654. Further, each permitted and accessory use shall be administered pursuant to the applicable provisions of the Whatcom County SEPA Ordinance, the Whatcom County Subdivision Ordinance and the Whatcom County Shoreline Management Program.

.051 General office buildings, business firm headquarters and professional offices.

.052 Custom brokerage houses, freight terminals, indoor warehousing and storage, parcel delivery service, freight forwarding, inspection weighing services, and indoor packaging and crating.

.053 Wholesale trade or sales of industrial equipment, including indoor storage of durable and nondurable goods, and outdoor storage of new or reconditioned equipment where such outdoor storage areas individually meet all of the design and development standards.

.054 Light impact industrial uses that are primarily related to services, distribution, manufacture and assembly of finished products, and are contained within buildings except as provided in WCC 20.65.103.

.055 The following uses within one-quarter mile of a freeway interchange; except, that where this boundary divides a single parcel up to 10 percent of the area of a parcel that lies outside of this boundary may be included within it for the purposes of lot coverage and open space provisions:

(1) Retail shops; provided, they do not exceed 10,000 square feet per shop in Planning Areas 1 and 2, identified on Map 6 of the Urban Fringe Subarea Plan and as described in the text of the Urban Fringe Subarea Plan Map 6: West Baker-view/1-5 Interchange Area, as adopted May 19, 1998. Retail shops in other areas may not exceed 35,000 square feet per retail shop.

(2) Tourist information centers.

(3) Post offices.

- (4) Repair garages, and towing services when based at a service station.
- (5) Banks and/or bank machines.
- (6) Hotels and motels.
- (7) Indoor or outdoor commercial recreational facilities.

.056 The following uses; provided, that maximum allowable floor area of buildings on parcels located beyond one-quarter mile of a freeway interchange shall not exceed 6,000 square feet per individual use or an aggregate of 30,000 square feet within a single development:

- (1) Barber and beauty shops.
- (2) Bakery shops.
- (3) Drug stores, hardware stores, food markets and other convenience retail shops.
- (4) Adult or child care centers.
- (5) Recreational vehicle parks and associated sales and service facilities.
- (6) Churches.
- (7) Service stations.
- (8) Laundry and dry cleaning establishments.
- (9) Eating and drinking establishments.
- (10) Commercial storage of personal recreational boats and trailers, recreational vehicles and accompanying mini-storage.

.057 Agriculture, including commercial horticulture and tree farming, but excluding intensive animal husbandry, with or without public services as long as services meet the requirements of the fire code and the health department.

.058 Public uses which because of locational requirements are necessary in the Gateway Industrial District.

.059 One residential unit for owner-manager or caretaker when part of a building in which the primary use is located.

.060 One existing single-family unit per lot.

.061 One storage building per lot; provided, that the storage building shall not exceed 120 square feet in floor area 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. (Ord. 99-062, 1999; Ord. 99-040 § 1, 1999; Ord. 99-033 § 1, 1999; Ord. 98-020 § 1, 1998; Ord. 90-27, 1990).

20.65.100 Accessory uses.

.101 Employee recreation facilities and play areas.

.102 Temporary buildings for construction purposes while a building permit is valid for the primary use for a period not to exceed two years or the duration of such construction, whichever is less.

.103 Screened outdoor storage not to exceed five percent of the gross indoor floor area except as provided for in WCC 20.65.053 for new or reconditioned industrial equipment. Outdoor storage may exceed five percent where such storage is completely roofed with side screening preventing view from arterials or interstate highways, and meets the development and other standards of this district.

.104 Retail sales and repair of merchandise manufactured, assembled or stored on the site and consistent with the definition of accessory uses in Chapter 20.97 WCC (Definitions).

.105 Other accessory uses and buildings, including security and caretaker residences, customarily appurtenant to and necessary for a principally permitted use.

.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 Child care facilities operated by, maintained by or funded by business in the district for the purpose serving the child care needs of employees whose place of employment lies within this zone district; provided, that child care facilities in a family dwelling shall conform to the definition of home occupation, WCC 20.97.180. (Ord. 99-068, 1999; Ord. 89-10, 1989).

20.65.200 Prohibited uses.

.201 All other uses.

.202 Adult businesses. (Ord. 99-070 § 2, 1999).

20.65.250 Minimum lot size.

.251 Hotels and motels shall have a minimum net parcel size of 20,000 square feet.

.252 Other uses shall have a minimum lot size consistent with the area required to meet the building setback, lot coverage and development standards of this district.

20.65.255 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, open space and development standards of the district. In no case shall the frontage be less than 30 feet. (Ord. 99-045 § 1, 1999).

20.65.350 Building setbacks.

Building setbacks shall be administered pursuant to WCC 20.80.200 except that all buildings shall have a minimum setback from all street classifications including interstate highways of 25 feet

Neighborhood Map



SUBJECT

CLUSTER

STATE SCHOOL LAND

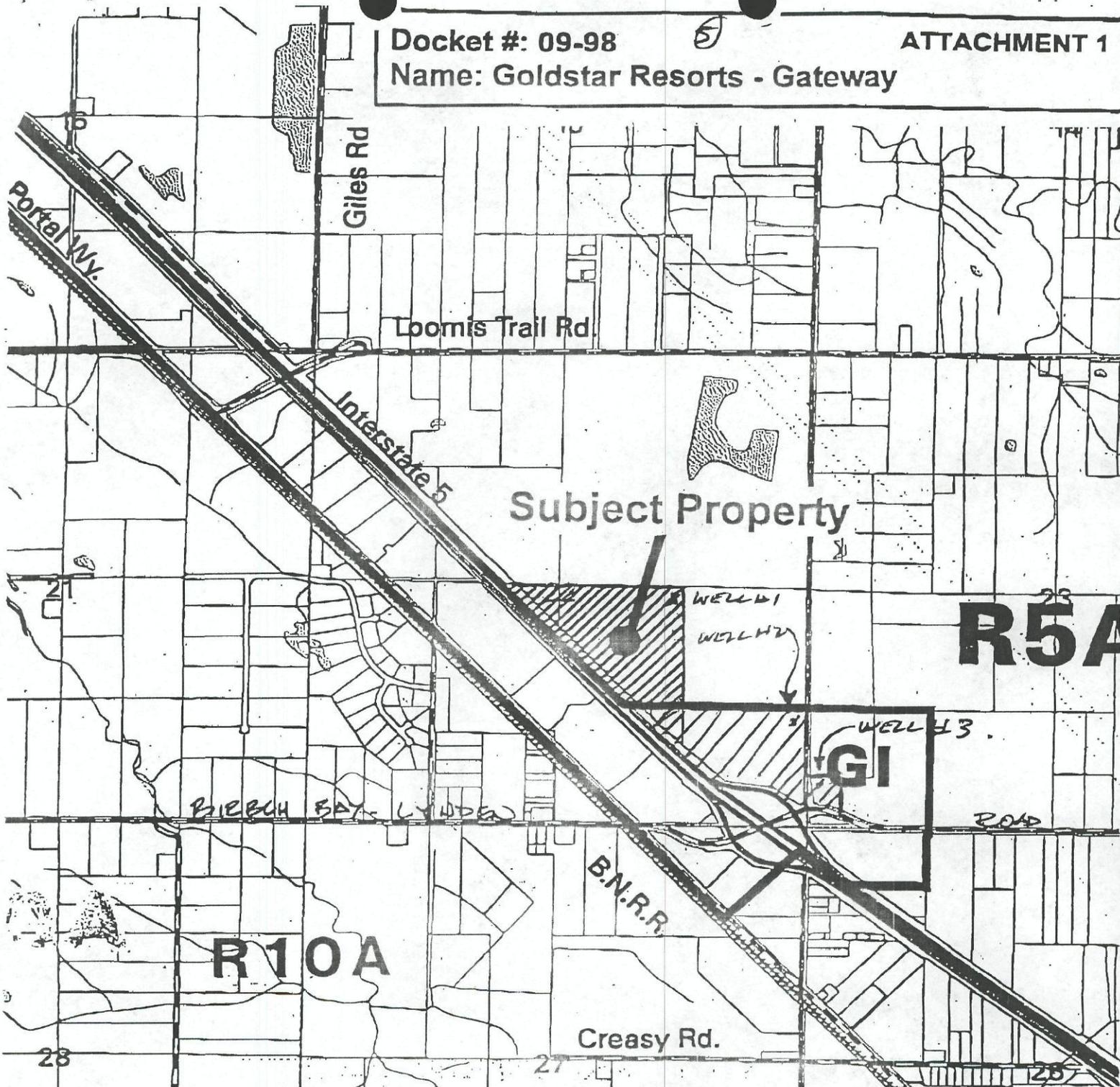
Enterprise
Cem. Co.

5

Docket #: 09-98

ATTACHMENT 1

Name: Goldstar Resorts - Gateway



SCALE 1:18000 (3.52"/Mile)

