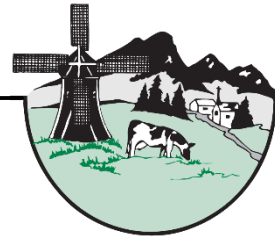


# CITY OF LYNDEN



Mayor  
Scott Korthuis

Council Members  
Gary Bode  
Ron De Valois  
Gerald Kuiken  
Nick H. Laninga  
Brent Lenssen  
Kyle Strengolt  
Mark Wohlrab

Regular City Council Meeting  
Annex - 205 Fourth Street  
November 21, 2022

## **Call to Order**

## **Pledge of Allegiance**

## **Roll Call**

## **Oath of Office**

1. Oath- Assistant Fire Chief, Kristie Watson

## **Summary Reports and Presentations**

## **Approval of Minutes**

2. Draft Council Minutes- November 7, 2022

## **Citizen Comment**

## **Consent Agenda**

3. Approval of Payroll and Claims
4. Lynden Municipal Airport Advisory Board Term Renewals
5. State advocacy contract with Gordon Thomas Honeywell 2023
6. Set Date for Final Public Hearing on the 2023 Preliminary Budget
7. Set Date for Public Hearing- Ordinance No. 1661 – Substitute Interim Zoning Ordinance regarding Community Residential Facilities
8. Resolution No. 1056 – Real Estate Property Tax Levy Increase 2023
9. Monthly Service Agreement with Security Solutions

## **Public Hearing**

10. Public Hearing for 2023 Preliminary Budget
11. Public Hearing - Ordinance No. 1659 -Real Estate Property Tax for 2023
12. Public Hearing- Proposed Nooksack Valley Disposal Rate Increase
13. Public Hearing - Ordinance No. 1660-Whatcom Buildable Lands Report

## **Unfinished Business**

**New Business**

- [14.](#) Ordinance No. 1659 – Real Estate Property Tax for 2023
- [15.](#) Resolution No 1058 - Interlocal Agreement regarding Countywide Planning Policies
- [16.](#) Interlocal Agreement – Whatcom Conservation District

**Other Business**

- [17.](#) Draft Public Works Committee Minutes from November 9, 2022
- [18.](#) Calendar

**Executive Session****Adjournment**

# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	11/21/2022	
<b>Name of Agenda Item:</b>	Oath of Office for LFD's new Assistant Chief	
<b>Section of Agenda:</b>	Oath of Office	
<b>Department:</b>	Fire Department	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input checked="" type="checkbox"/> Other: None
		<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
<b>Attachments:</b>	Oath of Office	
<b>Summary Statement:</b>	Lynden Fire Department has hired Kristie Watson as their new Assistant Chief. She will need to be sworn in as such during the council meeting	
<b>Recommended Action:</b>	Have Krisite Watson take oath and be sworn in as LFD's new Assistant Chief.	





# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Draft Council Minutes- Regular Meeting	
<b>Section of Agenda:</b>	Approval of Minutes	
<b>Department:</b>	Administration	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input type="checkbox"/> Public Safety <input type="checkbox"/> Finance <input type="checkbox"/> Public Works <input type="checkbox"/> Parks <input type="checkbox"/> Other: N/A	<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
<b>Attachments:</b>	Draft Council Minutes- Regular Meeting	
<b>Summary Statement:</b>	Draft Council Minutes- Regular Meeting	
<b>Recommended Action:</b>	For Council review.	

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



November 7, 2022

### 1. CALL TO ORDER

Mayor Korthuis called to order the November 7, 2022 regular session of the Lynden City Council at 7:00 p.m. at the city's council chambers.

### ROLL CALL

Members present: Councilors Gary Bode, Ron De Valois, Brent Lenssen, Nick Laninga, and Kyle Strengholt.

Members absent: Councilor Kuiken and Councilor Wohlrab absent with notice.

Staff present: Finance Director Anthony Burrows, Fire Chief Mark Billmire, Planning Director Heidi Gudde, Police Chief Steve Taylor, Public Works Director Steve Banham, City Administrator John Williams, City Clerk Pam Brown, and City Attorney Bob Carmichael.

**OATH OF OFFICE – None**

**SUMMARY REPORTS AND PRESENTATIONS – None**

### APPROVAL OF MINUTES

***Councilor De Valois moved, and Councilor Strengholt seconded to approve the October 17, 2022 regular meeting minutes. Motion approved on 5-0 vote.***

### CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Guide Meridian, Lynden

- Asked about the status of the Holden Judson statue.
- Invited Council to the November 10 Veteran's event at the library.
- Discussed the lack of mental health services for those in need.

# CITY OF LYNDEN

CITY COUNCIL  
MINUTES OF REGULAR MEETING



## 2. CONSENT AGENDA

### Payroll Liability to October 9, 2022 through October 22, 2022

#### **EFT & Other Liabilities**

##### **Non-L&I Liabilities**

Monthly EFT .....	\$495,012.02
Check Liability .....	\$0.00
Total Non-L&I Liabilities .....	\$495,012.02
Quarterly Liabilities .....	\$13,278.19
<b>Total EFT &amp; Other Liabilities</b>	<b>\$508,290.21</b>

### Approval of Claims – November 8, 2022

Manual Warrants No.	=	through	=		\$0.00
EFT Payment Pre-Pays					\$0.00
				Sub Total Pre-Pays	\$0.00
Voucher Warrants No.	<u>25926</u>	through	<u>26027</u>		\$487,736.28
EFT Payments					\$1,159,910.39
				Sub Total	\$1,647,646.67
				Total Accts. Payable	\$1,647,646.67

### Set the Public Hearing for the 2023 Property Tax Levy

On Monday, October 17, 2022 the Mayor introduced the 2023 Preliminary Budget to the City Council and the Public. As required by the budget process, in order to receive public comments before adoption, a public hearing is required for consideration of any public commentary regarding the property tax levy. At this time, the request is to set the property tax levy on Monday, November 21, 2022 at 7:00PM.

### Resolution No. 1057-Increase in the Revolving Cash Fund

Currently the Lynden Police Department (LPD) has a cash fund for the purpose of making change for citizen transactions. The LPD has cash drawers assigned to it, each one assigned to an individual with the understanding that they are responsible for the funds as stated in the Resolution. Due to operational need an increase in the revolving cash fund limit is required. Resolution No. 1057 would increase the cash limit of the Revolving Cash Fund from \$2,600 to \$3,200.

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



### Ordinance No. 1660 - Set Public Hearing for Whatcom Buildable Lands Report

Whatcom County, for the first time, joins six other counties in the state who are required to produce a Buildable Lands Report that examines achieved build-out densities and property availability on a county level. The planning period in focus for this first report is 2016 – 2036 with specific look at achieved build-out data from 2016 – 2020.

In this analysis the report strives to account for the constraints of critical areas and market factors and focuses on three goals: 1. Determine whether the city is achieving urban densities within UGAs by comparing growth assumptions to actual growth. 2. Determine whether there is sufficient land that is suitable for development in the future. 3. Identifying reasonable measure, if necessary, to reduce differences between comprehensive plan growth assumptions and actual development patterns.

The Planning Department has been working with Whatcom County and their consultant, Community Attributes, to develop a methodology and the report itself for the County. Whatcom County recently presented the report to their Planning Commission where it was recommended the following finding be added: “Staff and the Planning Commission recognize that the Buildable Lands Report does not address the issue of housing affordability.

Additional work that revisits the estimates of supply and demand that are feasible, realistic, and consistent with current regulatory requirements and infrastructure are needed and will be reviewed in the 2025 comprehensive plan updates.” The City may choose to adopt a similar finding at the time of adoption following the November 21, 2022 public hearing.

### Interlocal Agreement for North Whatcom County Local Government Water Resources Group

The Birch Bay Water and Sewer District, local Watershed Improvement Districts (W.I.D.’s), and Public Utility District #1, would like to form a local government group of north Whatcom water purveyors and interests to provide for coordination in the coming water right adjudication, to investigate and facilitate water resource solutions, and provide input on water resource issues for the 2025 update to the Whatcom County Comprehensive Plan.

Birch Bay Water & Sewer District and the W.I.D.s have already approved the ILA. This north county group would also be a vehicle to share legal and other resources and obtain funding for water resource solutions made necessary by water right adjudication. This Interlocal Agreement was discussed with the other small Cities at the October Small Cities Meeting hosted by Lynden. The Public Works Committee reviewed the Interlocal

# CITY OF LYNDEN

## CITY COUNCIL MINUTES OF REGULAR MEETING



Agreement at their meeting on July 6, 2022, and recommended forwarding to City Council for approval

***Motion made by Councilor Bode seconded by Councilor De Valois to approve the consent agenda as presented. Motion approved 5-0.***

### 3. PUBLIC HEARING

#### Public Hearing for the 2023 Budget

As published, 7:00PM on November 7, 2022 is the time and date set for the first Public Hearing on the 2023 Preliminary Budget as presented to the City Council by Mayor Korthuis at the October 17, 2022 City Council meeting.

***Mayor Korthuis opened the hearing at 7:07PM.***

***Mayor Korthuis closed the hearing at 7:07PM.***

There were no comments

***Public Hearing only, no Council action taken.***

#### Public Hearing for Resolution No. 1054, Adopting 2023 Revisions to the Engineering Design and Development Standards Project Manual

The Engineering Design and Development Standards Project Manual was originally adopted by City Council on April 5, 2004. Staff has gone to annually updating the standards and the last update was effective on January 1, 2022. These standards are required for City to comply with the state Growth Management Act. They include street, water, sewer, and storm drainage standards to be used for all new and replacement construction within the City.

In response to changes in technology and feedback from customers, additions, deletions and/or clarifications have been incorporated into the 2023 Project Manual. The manual also addresses access issues, permitting processes and procedures, and includes various forms necessary in the development process. Staff presents Resolution No. 1054 which lists all of the revisions for Council review. The Public Works Committee reviewed the proposed changes made by staff at their October 5, 2022, meeting and recommended that they be forwarded to City Council for consideration.

***Mayor Korthuis opened the hearing at 7:07 PM.***

***Mayor Korthuis closed the hearing at 7:07 PM.***

# CITY OF LYNDEN

CITY COUNCIL  
MINUTES OF REGULAR MEETING



There were no comments

***Motion made by Councilor Bode seconded by Councilor De Valois to approve and authorize the Mayor’s signature on Resolution No. 1054 adopting the 2023 Engineering Design and Development Standards Project Manual. Motion approved 5-0.***

4. UNFINISHED BUSINESS- None

5. NEW BUSINESS- None

6. OTHER BUSINESS

7. EXECUTIVE SESSION

Council met in executive session to discuss acquisition of real estate as allowed under RCW 42.30.110(10)(b) and discussion with legal counsel about current or potential litigation as allowed under RCW 42.30.110(1)(i). Council expects to be in executive session until 7:45 p.m. and is expected to take further action following the executive session. Council reconvened at 7:45 p.m.

***Motion made by Councilor Bode seconded by Councilor De Valois to authorize the Mayor to sign a revised Access and Maintenance Easement Agreement with Top Family Living Trust (“Trust”) that will grant an exclusive temporary construction easement for construction, inspection, alteration, ingress, and egress for the purposes of constructing a new portion of the Jim Kaemingk Sr. Trail located adjacent to the north boundary of the Top Property. The Agreement provides for a cost to cure payment of \$18,500 to be made before December 31, 2022 for the temporary easement. This action is being taken in lieu of the City taking condemnation action to secure the easement. Motion approved 5-0.***

# CITY OF LYNDEN

CITY COUNCIL  
MINUTES OF REGULAR MEETING



## 8. ADJOURNMENT

The November 7, 2022, regular session of the Lynden City Council adjourned at 7:46 p.m.

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Pamela D. Brown  
City Clerk

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Scott Korthuis  
Mayor

DRAFT

# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Approval of Payroll and Claims	
<b>Section of Agenda:</b>	Consent	
<b>Department:</b>	Finance	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
<b>Attachments:</b>	None	
<b>Summary Statement:</b>	Approval of Payroll and Claims	
<b>Recommended Action:</b>	Approval of Payroll and Claims	



# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Lynden Municipal Airport Advisory Board Term Renewals	
<b>Section of Agenda:</b>	Consent	
<b>Department:</b>	Public Works	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
<b>Attachments:</b>		
<b>Summary Statement:</b>		
<p>The terms for Don Korthuis, Corwin McCaig and Bryant Paulsen, who serve on the Airport Advisory Board, expire December 31, 2022. All three of these board members have agreed to serve another three-year term.</p> <p>According to Lynden Municipal Code Chapter 2.54.010, the board members shall be appointed by the Mayor with the approval of City Council, each to serve a three-year term. The Airport Board members operate in an advisory capacity to the Lynden City Council to make recommendations concerning the adoption of rules, regulations or policies for the management, operation and use of the airport, and the highways, roads, streets and territories adjacent to the airport.</p> <p>The Mayor and Public Works Committee reviewed the Airport Board term renewals at their November 9<sup>th</sup> meeting and concurred to forward the request to City Council for approval.</p>		
<b>Recommended Action:</b>		
<p>That City Council confirm the Mayor’s reappointment of Don Korthuis, Corwin McCaig, and Bryant Paulsen to the Lynden Municipal Airport Advisory Board for a three-year term, ending December 31, 2025.</p>		

# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	State advocacy contract with Gordon Thomas Honeywell 2023	
<b>Section of Agenda:</b>	Consent	
<b>Department:</b>	Finance	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
<b>Attachments:</b>		
Legislative Consulting Agreement		
<b>Summary Statement:</b>		
<p>Briahna Murray, Vice-President of Gordon Thomas Honeywell Governmental Affairs, has been Lynden’s State advocate advocated since 2015. That advocacy has resulted in more than \$9.0 million worth of capital earmarks for important City projects. The attached contract is virtually identical to its predecessors and continues the relationship with Ms. Murray and her firm.</p> <p>Key terms of this agreement include:          Scope: The full Scope of Work is delineated in Attachment A on page 4 of the consulting agreement. It includes a range of duties required to advance the City’s 2023 Legislative Agenda.          Cost: \$3,500 monthly for a total of \$42,000 in 2023. The rate is included in the proposed 2023 budget.</p>		
<b>Recommended Action:</b>		
Approve the Contract between the City and Gordon Thomas Honeywell for state-level legislative advocacy in the 2023 legislative session.		

**CITY OF LYNDEN  
CONSULTING AGREEMENT**

This Agreement is entered into by and between City of Lynden, a Washington Municipal Corporation (“City”) and Gordon Thomas Honeywell Government Relations (hereinafter referred to as “Consultant”), upon the following terms and conditions:

**A. Scope of Work.** Consultant will advise and assist the City of Lynden in accordance with Consultant’s Scope of Work, described in Attachment “A” hereto and incorporated herein, and Consultant will do and produce such other things as are set forth in the Scope of Work (the “Services”). Consultant’s Services will be consistent with the accepted practices for other similar services and in compliance with applicable laws, regulations, rules, orders, licenses and permits, now or hereinafter in effect, and Consultant shall furnish such documents as may be required to effect or evidence such compliance. Consultant’s Services shall be performed by Briahna Murray and within a time period prescribed by the City and pursuant to the direction of the Mayor or City Administrator or his designee.

**B. Compensation; Expenses.** City of Lynden will pay Consultant for satisfactorily rendered Services in accordance with the specific terms set forth in Attachment “A.”

**C. Invoices; Payment.** Consultant will furnish City of Lynden invoices at regular intervals, as set forth in Attachment “A.”

**D. Term.** Consultant shall promptly begin the Services hereunder on the date set forth in Attachment “A” and shall terminate same on the date set forth in Attachment “A,” unless earlier terminated by mutual agreement. City of Lynden or Consultant may terminate Consultant Services for convenience at any time prior to the termination date set forth in Attachment A, provided that either party provides 30-days’ notice.

**E. Ownership of Work Product.** The product of all work performed under this Agreement, including reports, and other related materials shall be the property of City of Lynden or its nominees, and City of Lynden or its nominees shall have the sole right to use, sell, license, publish or otherwise disseminate or transfer rights in such work product.

**F. Independent Contractor.** Consultant is an independent contractor and nothing contained herein shall be deemed to make Consultant an employee of City of Lynden, or to empower consultant to bind or obligate City of Lynden in any way. Consultant is solely responsible for paying all of Consultant’s own tax obligations, as well as those due for any employee/subcontractor permitted to work for Consultant hereunder.

**G. Release of Claims; Indemnity.** Consultant hereby releases, and shall defend, indemnify and hold harmless City of Lynden from and against all claims, liabilities, damages and costs arising directly or indirectly out of, or related to, Consultant’s fault, negligence, strict liability or produce liability of Consultant, and/or that of any permitted employee or subcontract or Consultant, pertaining to the Services hereunder.

**H. Assignment.** Consultant’s rights and obligations hereunder shall not be assigned or transferred without City of Lynden’s prior written consent; subject thereto, this Agreement shall be binding upon and inure to the benefit of the parties’ heirs, and successors.

**I. Governing Law; Severability.** This Agreement shall be governed by the laws of the State of Washington, U.S.A. (excluding conflict of laws provisions). If any term or provision of this Agreement is determined to be legally invalid or unenforceable by a court with lawful jurisdiction hereover (excluding arbitrators), such term or provision shall not affect the validity or enforceability of any remaining terms or provisions of this Agreement, and the court shall, so far as possible, construe the invalid portion to implement the original intent thereof.

**J. Arbitration.** Should any dispute arise concerning the enforcement, breach or interpretation of this Agreement, the parties shall first meet in a good faith attempt to resolve the dispute. In the event such dispute cannot be resolved by agreement of the parties, such dispute shall be resolved by binding arbitration pursuant to RCW 7.04A, as amended, and the Mandatory Rules of Arbitration (MAR); venue shall be placed in City of Lynden, Washington, the laws of the State of Washington shall apply, and the prevailing party shall be entitled to its reasonable attorney fees and costs.

**K. Entire Agreement; Etc.** This Agreement, and its incorporated attachments hereto, state the entire agreement between the parties regarding the subject matter hereof and supersede any prior agreements or understandings pertaining thereto. Any modification to this Agreement must be made in writing and signed by authorized representatives of both parties. Any provision hereof which may be reasonably deemed to survive the expiration or termination of this Agreement shall so survive, and remain in continuing effect. No delay or failure in exercising any right hereunder shall be deemed to constitute a waiver of any right granted hereunder or at law by either party.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year last written below which shall also be the effective date of this Agreement.

**Consultant:**  
Gordon Thomas Honeywell  
Government Relations

**City of Lynden:**

\_\_\_\_\_  
Briahna Murray, State Lobbyist, Partner

\_\_\_\_\_  
Scott Korthuis, Mayor

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**ATTACHMENT “A” TO  
CITY OF LYNDEN CONSULTING AGREEMENT**

- A. Scope of Work:** Consultant shall provide City of Lynden with the following governmental affairs services:
- Register as the City’s lobbyist with the Public Disclosure Commission
  - Work with City staff to develop a legislative agenda that advances the city’s interests, but accounts for the political climate.
  - Lobby for those items identified on the city’s legislative agenda, and additional items at the request of city leadership.
  - Engage the City’s legislative delegation and key committee members during the legislative interim to inform them on the City’s legislative requests.
  - Identify key opportunities for city staff to travel to Olympia and advance the City's interests.
  - Testify and/or sign-in on behalf of the City on legislation of interest.
  - Schedule meetings with state agencies, the Governor's Office, as necessary to best position the city's legislative agenda items for success.
  - Meet with legislative chairs and leadership to best advance the city's interests.
  - Meet with lobbyists from other interested stakeholders to garner support for the City's agenda items.
  - Monitor AWC activities and report any impact to the city.
  - Provide brief weekly reports to City staff on Olympia activities.
  - Brief City officials on legislative activity and attend City Council and City staff meetings as requested by the City Administrator or his designee.
  - Present an end-of-session report that recaps the legislative session in full.
- B. Compensation/Expenses:** City of Lynden shall pay Consultant a monthly fee of \$3,500.00 for the services listed above, including expenses.
- C. Invoices/Payments:** (a) Consultant shall furnish City of Lynden with invoices for services performed on a monthly basis, and (b) City of Lynden shall pay each of Consultant’s invoices within thirty (30) days after City’s receipt and verification of invoices.
- D. Term of Agreement:** Consultant’s services shall commence on January 1, 2023 and shall terminate on December 31, 2023. This agreement may be amended by mutual agreement to extend the contract for additional one-year terms.

# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Set Date for the Final Public Hearing on the 2023 Preliminary Budget	
<b>Section of Agenda:</b>	Consent	
<b>Department:</b>	Finance	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
<b>Attachments:</b>		
None		
<b>Summary Statement:</b>		
As published, 7:00PM on December 5, 2022 is the time and date set for the Final Public Hearing on the 2023 Preliminary Budget as presented to the City Council by Mayor Korthuis at the October 17th City Council meeting.		
<b>Recommended Action:</b>		
Set the date and conduct the required public hearing at that time.		

# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Set the Public Hearing to Consider Ord 1661 – Substitute Interim Zoning Ordinance regarding Community Residential Facilities	
<b>Section of Agenda:</b>	Consent	
<b>Department:</b>	Planning Department	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
<b>Attachments:</b>		
None at this time.		
<b>Summary Statement:</b>		
<p><b>(Due to publishing deadlines for the meeting notice, the hearing on this item must occur on December 5<sup>th</sup> rather than November 21<sup>st</sup> as originally proposed to the City Council.)</b></p> <p>The City Council has recently adopted Ord 1658, an emergency interim zoning ordinance pertaining to the prohibition of the establishment of community residential facilities within 500 feet of the City’s schools and within 300 feet of other community residential facilities.</p> <p>Continued legal review has resulted in a refinement of the interim zoning regulations as reflected in the attached substitute Ordinance 1661.</p> <p>Drafting and review of the final ordinance on community residential facilities which will amend LMC Chapter 19 continues with Committee review expected in mid-November and early December. Public hearing with the Planning Commission slated for December 15th. A sixty-day comment period with the State’s Department of Commerce will occur prior to a public hearing in early March.</p>		
<b>Recommended Action:</b>		
Motion to set a public hearing date of December 5, 2022, to consider a substitute interim zoning Ordinance 1661 regarding Community Residential Facilities.		



# CITY OF LYNDEN



## EXECUTIVE SUMMARY

<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Resolution No. 1056 – Real Estate Property Tax Levy Increase 2023	
<b>Section of Agenda:</b>	Consent	
<b>Department:</b>	Finance	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		<b>Legal Review:</b>
		<input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
<b>Attachments:</b>		
Resolution No. 1056 – Real Estate Property Tax Levy Increase 2023		
<b>Summary Statement:</b>		
<p>All taxing jurisdictions are required, due to the passage of Referendum 47 in 1997, to pass a resolution specifically indicating the increase in tax levy if any, from the previous year, excluding the increase due to new construction, improvements to property, or any increase in the value of state assessed property.</p> <p>The limit factor for a taxing jurisdiction with a population of 10,000 or over is the lesser of 1% or the rate of inflation. Given the current rate of inflation (6.46%) the City is allowed by statute RCW 84.55.005 to increase the Levy 1% or bank this capacity for future use.</p> <p>The City Council has deemed it necessary due to the City’s funding requirements to increase the regular property tax levy by the full 1% allowed.</p> <p>Resolution No. 1056 (attached) reflects the City Council's requirement to not "bank" any real property taxes in 2023 and approve the legally allowed 1% increase in the 2023 real property taxes.</p>		
<b>Recommended Action:</b>		
For the City Council to approve Resolution No. 1056 and authorize the Mayor’s signature.		

RESOLUTION NO. 1056

A RESOLUTION  
INCREASING THE REAL PROPERTY TAX LEVY  
FOR THE CITY OF LYNDEN, WASHINGTON

WHEREAS, the Lynden City Council has properly given notice of the public hearing held November 21, 2022 to consider the City of Lynden Property Tax Levy for the 2023 calendar year, pursuant to RCW 84.55.120; and

WHEREAS, the Council, after hearing, and after duly considering all relevant evidence and testimony presented, have determined that the City of Lynden requires an increase in property tax levy from the previous year, in addition to the increase resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, to discharge the expected expenses and obligations of the City of Lynden.

WHEREAS, under statute RCW 84.55.005(2) (c), the limit factor for a taxing jurisdiction with a population of 10,000 or over is the lesser of 1% or the rate of inflation; and

WHEREAS, RCW 84.55.005(1) defines "inflation" as the percentage change in the implicit price deflator for personal consumption expenditures for the United States as published for the most recent 12 month period by the Bureau of Economic Analysis of the federal Department of Commerce in September of the year before the taxes are payable; and

WHEREAS, "inflation" for September 2022 is 6.46%, meaning the taxes levied in the City of Lynden in 2022 for collection in 2023 by statute are allowed to increase 1% except for the amounts resulting from new construction and improvements to property, and any increase in the value of state assessed utility property; and

NOW THEREFORE, BE IT RESOLVED, the Lynden City Council authorizes a 1% (\$29,094.52) increase in the 2023 regular property tax levy, in addition to the increase resulting from new construction and improvements to property and any increase in the value of state-assessed property. The Lynden City Council does not wish to "bank" any additional capacity.

PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE, \_\_\_\_\_ IN FAVOR, \_\_\_\_\_ AGAINST AND SIGNED BY THE MAYOR THIS \_\_\_\_\_ DAY OF NOVEMBER 2022.

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

# CITY OF LYNDEN



## EXECUTIVE SUMMARY

<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Monthly Service Agreement with Security Solutions	
<b>Section of Agenda:</b>	Consent	
<b>Department:</b>	Parks	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
<b>Attachments:</b>		
Automated Lock System Monthly Agreement for Service from Security Solutions		
<b>Summary Statement:</b>		
<p>The Parks department proposed and reviewed the ability to lock park bathrooms in an attempt to utilize employee hours to their fullest potential during the work week and to offer opportunities to close different sites at different times based on facility use.</p> <p>Security Solutions has offered a proposal for monthly internet and cellular use to monitor the system saving us over \$40 a month since we already have a contract with them through the Fire Department.</p> <p>Parks Committee reviewed the updated proposal and recommended forwarding it to full council for approval.</p>		
<b>Recommended Action:</b>		
Motion to approve the Service Agreement proposal from Security Solutions and authorize the Mayor's signature on the agreement.		

All-In-One Commercial Agreement  
Kenneth Kirschenbaum, Esq., Tel. No. (516) 747-6700  
KIRSCHENBAUM CONTRACTS@Copyright 7-24-18

**SECURITY SOLUTIONS NORTHWEST INC**  
**1619 N. State Street**  
**Bellingham, WA 98225**  
**(360) 734-4940**

**STANDARD COMMERCIAL SECURITY AGREEMENT**

Date: \_\_\_\_\_

Subscriber's ( Company ) Name: \_\_\_\_\_ Telephone No.: \_\_\_\_\_

Site Address: \_\_\_\_\_ Cell Phone No.: \_\_\_\_\_

Billing Address (If different from site address): \_\_\_\_\_

1. SECURITY SOLUTIONS Northwest Inc. (hereinafter referred to as "SSNW" or "ALARM COMPANY") agrees to sell, install, and program, at Subscriber's premises, and Subscriber agrees to buy an electronic security system consisting of the equipment and services described in the **attached Schedule of Equipment and Services**.

Purchase Price: \$ NA plus Washington State taxes (if applicable)      Approximate date work to begin NA  
Down Payment: \$ NA      Estimated date work to be substantially completed NA  
Balance due upon completion of installation: \$ NA      Maximum Retainage allowed: 5%

2. **DESCRIPTION OF EQUIPMENT AND SERVICES:**

- Check Services Provided:  
 Central Station Monitoring     Service     Inspection     Remote Subscriber Access/Cameras     Access Control Administration  
 Alarm Signal Verification     Guard Response     Self-Monitoring     Other: (See Attached Schedule of Equipment and Services.)

3. **PASSCODE TO CPU SOFTWARE REMAINS PROPERTY OF SSNW:** Provided Subscriber performs this agreement for the full term, upon termination SSNW shall at its option provide to Subscriber the passcode to the CPU software or change the passcode to the manufacturer's default code. Software programmed by SSNW is the intellectual property of SSNW and any unauthorized use of same, including derivative works, is strictly prohibited and may violate Federal Copyright Laws, Title 17 of the United States Code, and may subject violator to civil and criminal penalties. The Equipment shall remain Subscriber's personal property and shall not be considered a fixture, or an addition to, alteration, conversion, improvement, modernization, remodeling, repair or replacement of any part of the realty, and Subscriber shall not permit the attachment thereto of any apparatus not furnished by SSNW. SSNW's signs and decals remain the property of SSNW and must be removed upon termination of this agreement.

4. **CHECK BOX FOR APPROPRIATE SERVICES: Only services selected are included:**  
**SERVICES AND RECURRING CHARGES: All charges are billed in advance and are plus tax, if applicable [select one option]:**  
**Billing shall be:**  Monthly     Quarter Annually     Semi-Annually     Annually

- (a) **CENTRAL STATION MONITORING CHARGES:** Subscriber agrees to pay SSNW:  
 (i) The sum of \$ \_\_\_\_\_, payable in advance for the installation and programming of the communication software and communication devices if separate from the alarm panel if not already installed.  
 (ii) The sum of \$ \_\_\_\_\_ per month for the monitoring of the Security System for the term of this agreement.

- (b) **SERVICE (Select i or ii)**  
 (i) Subscriber agrees to pay SSNW on a per call basis. If this agreement provides for service on a per call basis, Subscriber agrees to pay SSNW for all parts and labor at time of service. Subscriber is not obligated to call SSNW for per call service and SSNW is under no duty to provide service except its warranty service during warranty period. Service by anyone other than SSNW during warranty period relieves SSNW of any further obligations under the Limited Warranty. **Subscriber to initial for per call service option:** \_\_\_\_\_  
 (ii) Subscriber agrees to pay SSNW for service of the security equipment the sum of \$ \_\_\_\_\_ per month for the term of this agreement.

(c) **INSPECTION AND TESTING:** Subscriber agrees to pay SSNW \$ \_\_\_\_\_ per month for the term of this agreement for inspection service. If this option is selected SSNW will make \_\_\_\_\_ inspection(s) per year. Unless otherwise noted in the Schedule of Equipment and Services inspection service includes testing of all accessible components to insure proper working order. If the system is UL Certified, the inspection will comply with UL requirements. SSNW will notify Subscriber 3 days in advance of inspection date. It is Subscriber's responsibility to reschedule or permit access. Testing at inspection insures only those components are in proper working order at time of inspection unless otherwise reported to Subscriber at time of inspection. Inspection does not include repair. If sprinkler alarm or other device monitoring water flow is inspected the inspection does not include inspection or testing of sufficiency of water supply, for which SSNW has no responsibility or liability.

(d) **ALARM SIGNAL VERIFICATION:** Subscriber agrees to pay SSNW the sum of \$ \_\_\_\_\_ per month for the term of this agreement. If Subscriber selects Alarm Signal Verification as a service to be provided, or if Alarm Signal Verification is required by law, SSNW or its designated central station shall verify the alarm signal by electronic telephone communication, video verification or such other verification system deemed appropriate by SSNW or as required by local law and only verified alarm conditions shall be communicated to police or fire department.

(e) **REMOTE SUBSCRIBER ACCESS / VIDEO STREAMING DATA [VSD] / CCTV / AUDIO / SELF-MONITORING:** Subscriber agrees to pay SSNW the sum of \$ \_\_\_\_\_ per month for the term of this agreement. Select remote access / video / audio services to be provided:  
 Recording Device     Central Station Remote Video / Audio Monitoring for Live Streaming     Video Clips Monitored Upon Alarm Activation Only  
 Verification Recorded Video Clips     Cloud Service Data Storage and Retrieval     Remote Access By Subscriber  
 Video Data to Subscriber's Smart Phone     Self-Monitoring     Audio     Other (describe): \_\_\_\_\_

- (f) **ACCESS CONTROL ADMINISTRATION SERVICES:** Subscriber agrees to pay SSNW the sum of \$\_\_\_\_\_ per month for the term of this agreement. Access Control Administration services to be provided:
- Remote Access Administration     On-Site Administration     Data Storage     Data Backup
- (g) **GUARD RESPONSE:** Subscriber agrees to pay SSNW the sum of \$\_\_\_\_\_ per month for the term of this agreement which includes 2 guard response calls per calendar year. Additional guard responses are billed at current market rate.
- (h) **SELF-MONITORING:** Subscriber agrees to pay SSNW the sum of \$\_\_\_\_\_ per month for the term of this agreement, for self-monitoring services. Self-Monitoring is provided by third party vendors who facilitate signals and data from Subscriber's alarm system to Subscriber's Internet or Cellular connected device. Unless Subscriber has selected Central Station Monitoring, signals from Subscriber's security system will not be monitored by and no signals will be received by any professional central station.
- IN LIEU OF SEPARATE RECURRING CHARGES IN PARAGRAPHS 4(a)-(h) ABOVE, SUBSCRIBER SHALL PAY \$\_\_\_\_\_ PER MONTH WHICH INCLUDES ALL THE CHECKED SERVICES IN PARAGRAPHS 4(a)-(h).**
5. **TERM OF AGREEMENT / RENEWAL:** The term of this agreement shall be for a period of 5 years and shall automatically renew month to month thereafter under the same terms and conditions, unless either party gives written notice to the other of their intention not to renew the agreement at least 30 days prior to the expiration of any term. After the expiration of one year from the date hereof SSNW shall be permitted from time to time to increase all charges by an amount not to exceed nine percent each year and Subscriber agrees to pay such increase. SSNW may invoice Subscriber in advance monthly, quarterly, or annually at SSNW's option. Unless otherwise specified herein, all recurring charges for 4(a)-(h) services shall commence on the first day of the month next succeeding the date hereof, all payments being due on the first day of the month.
6. **CENTRAL STATION MONITORING SERVICES:** Upon receipt of an alarm signal, video, or audio transmission, from Subscriber's security system, SSNW or its designee central station shall make every reasonable effort to notify Subscriber and the appropriate municipal police or fire department [First Responders] depending upon the type of signal received. Not all signals or transmissions will require notification to the authorities and Subscriber may obtain a written response policy from SSNW. No response shall be required for supervisory, loss of communication pathway, trouble, or low battery signals. Subscriber acknowledges that signals transmitted from Subscriber's premises directly to municipal police or fire departments are not monitored by personnel of SSNW or SSNW's designee central station and SSNW does not assume any responsibility for the manner in which such signals are monitored or the response, if any, to such signals. Subscriber acknowledges that signals and transmissions are transmitted over telephone lines, wire, air waves, internet, VOIP, radio or cellular, or other modes of communication, and pass through communication networks wholly beyond the control of SSNW and are not maintained by SSNW except SSNW may own the radio network, and SSNW shall not be responsible for any failure which prevents transmission signals from reaching the central station monitoring center or damages arising therefrom, or for data corruption, theft or viruses to Subscriber's computers if connected to the alarm communication equipment. Subscriber agrees to furnish SSNW with a written Call List of names and telephone numbers of those persons Subscriber wishes to receive notification of alarm signals. Unless otherwise provided in the Call List, SSNW will make a reasonable effort to contact the first person reached or notified on the list either via telephone call, text, or email message. No more than one call to the list shall be required and any form of notification provided for herein, including leaving a message on an answering machine, shall be deemed reasonable compliance with SSNW's notification obligation. All changes and revisions shall be supplied to SSNW in writing. Subscriber authorizes SSNW to access the control panel to input or delete data and programming. If the equipment contains video or listening devices permitting central station to monitor video or sound then upon receipt of an alarm signal, central station shall monitor video or sound for so long as central station, in its sole discretion, deems appropriate to confirm an alarm or emergency condition. If Subscriber requests SSNW to remotely activate or deactivate the system, change combinations, openings or closings, or re-program system functions, Subscriber shall pay SSNW \$90.00 for each such service. SSNW may, without prior notice, suspend or terminate its services, in SSNW's sole discretion, in event of Subscriber's default in performance of this agreement or in event central station facility or communication network is nonoperational or Subscriber's alarm system is sending excessive false alarms or runaway signals. Central station is authorized to record and maintain audio and video transmissions, data and communications, and shall be the exclusive owner of such property. All Subscriber information and data shall be maintained confidentially by SSNW.
7. **REPAIR SERVICE:** Repair service pursuant to paragraph 4(b)(ii), includes all parts and labor, and SSNW shall service upon Subscriber's request the security system installed in Subscriber's premises between the hours of 9 a.m. and 5 p.m. Monday through Friday, within reasonable time after receiving notice from Subscriber that service is required, exclusive of Saturdays, Sundays and legal holidays. All repairs, replacement or alteration of the security system made by reason of alteration to Subscriber's premises, or caused by unauthorized intrusion, water, insects, vermin, lightning, or electrical surge, or caused by any means other than normal usage, wear and tear, shall be made at the cost of the Subscriber. Batteries, electrical surges, lightning damage, software upgrades and repairs, communication devices no longer supported by communication pathways, obsolete components and components exceeding manufacturer's useful life are not included in service and will be repaired or replaced at Subscriber's expense payable at time of service. No apparatus or device shall be attached to or connected with the security system as originally installed without SSNW's written consent.
8. **SUBSCRIBER REMOTE ACCESS:** If Remote Access is included in the Schedule of Equipment and Services to be installed and services provided by SSNW, the equipment will transmit data via Subscriber's high-speed Internet, cellular or radio communication service from remote device supplied by SSNW or Subscriber's Internet or wireless connection device which is compatible with SSNW's remote services. SSNW will grant access to server permitting Subscriber to monitor the security system, access the system to arm, disarm and bypass zones on the system, view the remote video camera(s) and control other remote automation devices that may be installed or, when system design permits, connect the system to the Internet, over which SSNW has no control. The remote services server is provided either by SSNW or a third party. SSNW shall install the camera(s) in a permissible legal location in Subscriber's premises to permit Subscriber viewing. SSNW shall have no responsibility for failure of data transmission, corruption or unauthorized access by hacking or otherwise and shall not monitor or view the camera data. Electronic data may not be encrypted and wireless components of the alarm system may not meet Advanced Encryption Standard specifications for encryption of electronic data established by the US National Institute of Standards and Technology or any other established criteria for encryption and SSNW shall have no liability for access to the alarm system by others.
9. **WIRELESS AND INTERNET ACCESS CAPABILITIES:** Subscriber is responsible for supplying high-speed Internet access and/or wireless services at Subscriber's premises. SSNW does not provide Internet service, maintain Internet connection, wireless access or communication pathways, computer, smart phone, electric current connection or supply, or in all cases the remote video server. In consideration of Subscriber making its monthly payments for remote access to the system, SSNW will authorize Subscriber access. SSNW is not responsible for Subscriber's access to the Internet or any interruption of service or down time of remote access caused by loss of Internet service, radio or cellular or any other mode of communication used by Subscriber to access the system. Subscriber acknowledges that Subscriber's security system can be compromised if the codes or devices used for access are lost or accessed by others and SSNW shall have no liability for such third party unauthorized access. SSNW is not responsible for the security or privacy of any wireless network system or router. Wireless systems can be accessed by others, and it is the Subscriber's responsibility to secure access to the system with pass codes and lock out codes. SSNW is not responsible for access to wireless networks or devices that may not be supported by communication carriers and upgrades to Subscriber's system will be at Subscriber's expense. If Subscriber is Self-Monitoring, no signals will be received unless Subscriber has access to the selected mode of communication pathway such as cellular, radio or Internet service.
10. **ACCESS CONTROL SYSTEM OPERATION AND LIMITATIONS / ACCESS CONTROL ADMINISTRATION:** If Access Control is selected as a service to be provided and included in the Schedule of Equipment and Services, Access Control equipment shall be connected to a computer supplied by the Subscriber and connected to Subscriber's computer network. If data storage or backup is a selected service SSNW or its designee shall store and/or backup data received from Subscriber's system for a period of one year. SSNW shall have no liability for data corruption or inability to retrieve data even if caused by SSNW's negligence. Subscriber's data shall be

maintained confidential and shall be retrieved and released only to Subscriber or upon Subscriber's authorization or by legal process. Internet access is not provided by SSNW and SSNW has no responsibility for such access or IP address service. SSNW shall have no liability for unauthorized access to the system through the Internet or other communication networks or data corruption or loss for any reason whatsoever. If Access Control Administration is selected as a service to be provided SSNW will maintain the data base for the operation of the Access Control System. Subscriber will advise SSNW of all change in personnel and or changes in access levels of authorization and restrictions, providing access card serial numbers or biometric data and such information that Subscriber deems necessary to identify personnel. All communication by Subscriber to SSNW regarding personnel access must be in writing via email or fax to addresses designated by SSNW. SSNW shall have remote Internet access to the Subscriber's designated access control computer to program and make data base updates to the system. Subscriber is responsible for maintaining its computer and computer network and Internet access.

- 11. AUDIO / VIDEO SYSTEM OPERATION AND LIMITATIONS:** If Audio / Video System is selected as a service to be provided and included in the Schedule of Equipment and Services, and if video equipment is attached to a recorder, it shall not be used for any other purpose. SSNW shall be permitted to access and make changes to the system's operation on site and over the internet. If data storage is selected service, SSNW shall store data received from Subscriber's system for one year. SSNW shall have no liability for data corruption or inability to retrieve data even if caused by SSNW's negligence. Subscriber's data shall be maintained confidential and shall be retrieved and released only to Subscriber or upon Subscriber's authorization or by legal process. Telephone or internet access is not provided by SSNW and SSNW has no responsibility for such access or IP address service. If system has remote access SSNW is not responsible for the security or privacy of any wireless network system or router, and it is the Subscriber's responsibility to secure access to the system with pass codes and lock outs. SSNW shall have no liability for unauthorized access to the system through the internet or other communication networks or data corruption or loss for any reason whatsoever. If audio or video devices are installed, Subscriber has been advised to independently ascertain that the audio or video devices are used lawfully. SSNW has made no representations and has provided no advice regarding the use of audio or video devices, and it is Subscriber's sole responsibility to use the camera and audio devices lawfully.
- 12. GUARD RESPONSE:** If guard response is specified as a service to be provided, upon receipt of an alarm signal, SSNW or its subcontractor shall as soon as may be practical send one or more of its guards to the Subscriber's premises. Unless the guard determines that the alarm is a false alarm and that no situation requiring police or fire department services exist, the guard shall notify the central station or police or fire department directly that an emergency situation exists and wait up to 15 minutes for the municipal police or fire department personnel or Subscriber to arrive at the premises and if permitted by the police shall assist in making a search of the premises to determine the cause of the alarm condition. If provided with keys to the premises the guard shall endeavor to secure the premises. However, Subscriber acknowledges that the guard is not required to enter the premises and shall not be required to remain stationed at Subscriber's premises for more than 15 minutes after initial arrival.

### LIMITED WARRANTY ON SALE

- 13.** In the event that any part of the security equipment becomes defective, SSNW agrees to make all repairs and replacement of parts without costs to the Subscriber for a period of ninety (90) days from the date of installation. SSNW reserves the option to either replace or repair the alarm equipment, and reserves the right to substitute materials of equal quality at time of replacement or to use reconditioned parts in fulfillment of this warranty. This warranty does not include batteries, electrical surges, lightning damage, software upgrades and repairs, communication devices that are no longer supported by communication pathways, obsolete components, and components exceeding manufacturer's useful life. SSNW is not the manufacturer of the equipment and other than SSNW's limited warranty Subscriber agrees to look exclusively to the manufacturer of the equipment for repairs under its warranty coverage if any. **Except as set forth in this agreement, SSNW makes no express warranties as to any matter whatsoever, including, without limitation to, unless prohibited by law, the condition of the equipment, its merchantability, or its fitness for any particular purpose and SSNW shall not be liable for consequential damages.** SSNW does not represent nor warrant that the security system may not be compromised or circumvented, or that the system will prevent any loss by burglary, hold-up, or otherwise; or that the system will in all cases provide the protection for which it is installed. **SSNW expressly disclaims any implied warranties, including implied warranties of merchantability or fitness for a particular purpose.** The warranty does not cover any damage to material or equipment caused by accident, misuse, attempted or unauthorized repair service, modification, or improper installation by anyone other than SSNW. Subscriber acknowledges that any affirmation of fact or promise made by SSNW shall not be deemed to create an express warranty unless included in this agreement in writing; that Subscriber is not relying on SSNW's skill or judgment in selecting or furnishing a system suitable for any particular purpose and that there are no warranties which extend beyond those on the face of this agreement, and that SSNW has offered additional and more sophisticated equipment for an additional charge which Subscriber has declined. Subscriber's exclusive remedy for SSNW's breach of this agreement or negligence to any degree under this agreement is to require SSNW to repair or replace, at SSNW's option, any equipment which is non-operational. This Limited Warranty is independent of and in addition to service contracted under paragraph 4(b)(ii) of this agreement. This Limited Warranty gives you specific legal rights and you may also have other rights which vary from state to state. If required by law, SSNW will procure all permits required by local law and will provide a Certificate of Workman's Compensation prior to starting work.

### GENERAL PROVISIONS

- 14. DELAY IN DELIVERY / INSTALLATION / RISK OF LOSS OF MATERIAL:** SSNW shall not be liable for any damage or loss sustained by Subscriber as a result of delay in delivery and/or installation of equipment, equipment failure, or for interruption of service due to electric failure, strikes, walk-outs, war, acts of God, or other causes, including SSNW's negligence or failure to perform any obligation. The estimated date work is to be substantially completed is not a definite completion date and time is not of the essence. In the event the work is delayed through no fault of SSNW, SSNW shall have such additional time for performance as may be reasonably necessary under the circumstances. Subscriber agrees to pay SSNW the sum of \$1,000 per day for each business day the work is re-scheduled or delayed by Subscriber or others engaged by Subscriber through no fault of SSNW on less than 24 hour notice to SSNW. If installation is delayed for more than one year from date hereof by Subscriber or other contractors engaged by Subscriber and through no fault of SSNW, Subscriber agrees to pay an additional 5% of the contract Purchase Price upon installation. Subscriber assumes all risk of loss of material once delivered to the job site. Should SSNW be required by existing or hereafter enacted law to perform any service or furnish any material not specifically covered by the terms of this agreement Subscriber agrees to pay SSNW for such service or material.
- 15. TESTING OF SECURITY SYSTEM:** The parties hereto agree that the security equipment, once installed, is in the exclusive possession and control of the Subscriber, and it is Subscriber's sole responsibility to test the operation of the security equipment and to notify SSNW if any equipment is in need of repair. Service, if provided, is pursuant to paragraphs 4 and 7. SSNW shall not be required to service the security equipment unless it has received notice from Subscriber, and upon such notice, SSNW shall, during the warranty or repair service plan period, service the security equipment to the best of its ability within 36 hours, exclusive of Saturday, Sunday and legal holidays, during the business hours of 9 a.m. and 5 p.m. Subscriber agrees to test and inspect the security equipment and to advise SSNW of any defect, error or omission in the security equipment. In the event Subscriber complies with the terms of this agreement and SSNW fails to repair the security equipment within 36 hours after notice is given, excluding Saturdays, Sundays, and legal holidays, Subscriber agrees to send notice that the security equipment is in need of repair to SSNW, in writing, by certified or registered mail, return receipt requested, and Subscriber shall not be responsible for payments due while the security equipment remains inoperable. In any lawsuit between the parties in which the condition or operation of the security equipment is in issue, the Subscriber shall be precluded from raising the issue that the security equipment was not operating unless the Subscriber can produce a post office certified or registered receipt signed by SSNW, evidencing that warranty service was requested by Subscriber.
- 16. CARE AND SERVICE OF SECURITY SYSTEM:** Subscriber agrees not to tamper with, remove or otherwise interfere with the Security System which shall remain in the same location as installed. All repairs, replacement or alteration of the security system made by reason of alteration to Subscriber's premises, or caused by unauthorized intrusion, lightning, or electrical surge, or caused by any means other than normal usage, wear and tear, shall be made at the cost of the Subscriber. Batteries, electrical surges, lightning damage, software upgrades and repairs, communication devices that are no longer supported by communication pathways, obsolete components and components exceeding manufacturer's useful life, are not included in warranty or service under paragraph 4(b) (ii) and will be repaired or replaced at

Subscriber's expense payable at time of service. No apparatus or device shall be attached to or connected with the security system as originally installed without SSNW's written consent.

- 17. ALTERATION OF PREMISES FOR INSTALLATION:** SSNW is authorized to make preparations such as drilling holes, driving nails, making attachments or doing any other thing necessary in SSNW's sole discretion for the installation and service of the security system, and SSNW shall not be responsible for any condition created thereby as a result of such installation, service, or removal of the security system, and Subscriber represents that the owner of the premises, if other than Subscriber, authorizes the installation of the security system under the terms of this agreement.
- 18. SUBSCRIBER'S DUTY TO SUPPLY ELECTRIC AND TELEPHONE SERVICE:** Subscriber agrees to furnish, at Subscriber's expense, all 110 Volt AC power, electrical outlet, ARC Type circuit breaker and dedicated receptacle, Internet connection, high-speed broadband cable or DSL and IP Address, telephone hook-ups, RJ31x Block or equivalent, as deemed necessary by SSNW.
- 19. LIEN LAW:** SSNW or any subcontractor engaged by SSNW to perform the work or furnish material who is not paid may have a claim against purchaser or the owner of the premises if other than the purchaser which may be enforced against the property in accordance with the applicable lien laws.
- 20. INDEMNITY / WAIVER OF SUBROGATION RIGHTS / ASSIGNMENTS:** Subscriber agrees to defend, advance expenses for litigation and arbitration, including investigation, legal and expert witness fees, indemnify and hold harmless SSNW, its employees, agents and subcontractors, from and against all claims, lawsuits, including those brought by third-parties or by Subscriber, including reasonable attorneys' fees and losses, asserted against and alleged to be caused by SSNW's performance, negligence or failure to perform any obligation under or in furtherance of this agreement. Parties agree that there are no third-party beneficiaries of this agreement. Subscriber on its behalf and any insurance carrier waives any right of subrogation Subscriber's insurance carrier may otherwise have against SSNW or SSNW's subcontractors arising out of this agreement or the relation of the parties hereto. Subscriber shall not be permitted to assign this agreement without written consent of SSNW. SSNW shall have the right to assign this agreement and shall be relieved of any obligations herein upon such assignment.
- 21. EXCULPATORY CLAUSE:** SSNW and Subscriber agree that SSNW is not an insurer, and no insurance coverage is offered herein. The security system, equipment, and SSNW's services are designed to detect and reduce certain risks of loss, though SSNW does not guarantee that no loss or damage will occur. SSNW is not assuming liability, and, therefore, shall not be liable to Subscriber or any other third party for any loss, economic or non-economic, in contract or tort, data corruption or inability to retrieve data, personal injury or property damage sustained by Subscriber as a result of equipment failure, human error, burglary, theft, hold-up, fire, smoke, water or any other cause whatsoever, regardless of whether or not such loss or damage was caused by or contributed to by SSNW's breach of contract, negligent performance to any degree in furtherance of this agreement, any extra contractual or legal duty, strict products liability, or negligent failure to perform any obligation pursuant to this agreement or any other legal duty.
- 22. INSURANCE / ALLOCATION OF RISK:** Subscriber shall maintain a policy of Comprehensive General Liability and Property Insurance for liability, casualty, fire, theft, and property damage under which Subscriber is named as insured and SSNW is named as additional insured and which shall cover any loss or damage SSNW's services are intended to detect to one hundred percent of the insurable value or potential risk. The parties intend that the Subscriber assume all potential risk and damage that may arise by reason of failure of the equipment, system or SSNW's services and that Subscriber will look to its own insurance carrier for any loss or assume the risk of loss. SSNW shall not be responsible for any portion of any loss or damage which is recovered or recoverable by Subscriber from insurance covering such loss or damage or for such loss or damage against which Subscriber is indemnified or insured. Subscriber and all those claiming rights under Subscriber waive all rights against SSNW and its subcontractors for loss or damages caused by perils intended to be detected by SSNW's services or covered by insurance to be obtained by Subscriber, except such rights as Subscriber or others may have to the proceeds of insurance.
- 23. LIMITATION OF LIABILITY:** SUBSCRIBER AGREES THAT SHOULD THERE ARISE ANY LIABILITY ON THE PART OF SSNW AS A RESULT OF SSNW'S BREACH OF THIS CONTRACT, NEGLIGENT PERFORMANCE TO ANY DEGREE OR NEGLIGENT FAILURE TO PERFORM ANY OF SSNW'S OBLIGATIONS PURSUANT TO THIS AGREEMENT OR ANY OTHER LEGAL DUTY, EQUIPMENT FAILURE, HUMAN ERROR, OR STRICT PRODUCTS LIABILITY, WHETHER ECONOMIC OR NON-ECONOMIC, IN CONTRACT OR IN TORT, THAT SSNW'S LIABILITY SHALL BE LIMITED TO THE SUM OF \$250.00 OR 6 TIMES THE MONTHLY PAYMENT FOR SERVICES BEING PROVIDED AT TIME OF LOSS, WHICHEVER IS GREATER. IF SUBSCRIBER WISHES TO INCREASE SSNW'S AMOUNT OF LIMITATION OF LIABILITY, SUBSCRIBER MAY, AS A MATTER OF RIGHT, AT ANY TIME, BY ENTERING INTO A SUPPLEMENTAL AGREEMENT, OBTAIN A HIGHER LIMIT BY PAYING AN ANNUAL PAYMENT CONSONANT WITH SSNW'S INCREASED LIABILITY. THIS SHALL NOT BE CONSTRUED AS INSURANCE COVERAGE.

SUBSCRIBER ACKNOWLEDGES THAT THIS AGREEMENT CONTAINS EXCULPATORY CLAUSE, INDEMNITY, INSURANCE, ALLOCATION OF RISK AND LIMITATION OF LIABILITY PROVISIONS.

- 24. LEGAL ACTION / BREACH / LIQUIDATED DAMAGES / AGREEMENT TO BINDING ARBITRATION:** The parties agree that due to the nature of the services to be provided by SSNW, the payments to be made by the Subscriber for the term of this agreement form an integral part of SSNW's anticipated profits; that in the event of Subscriber's default it would be difficult if not impossible to fix SSNW's actual damages. Therefore, in the event Subscriber defaults in any payment or charges to be paid to SSNW, Subscriber shall be immediately liable for any unpaid installation and invoiced charges plus 80% of the balance of all payments for the entire term of this agreement as LIQUIDATED DAMAGES and SSNW shall be permitted to terminate all its services, including but not limited to terminating monitoring service, under this agreement and to remotely re-program or delete any programming without relieving Subscriber of any obligation herein.

SUBSCRIBER ACKNOWLEDGES THAT THIS AGREEMENT CONTAINS A LIQUIDATED DAMAGE CLAUSE.

The prevailing party in any litigation or arbitration is entitled to recover its reasonable legal fees from the other party. In any action commenced by SSNW against Subscriber, Subscriber shall not be permitted to interpose any counterclaim. SUBSCRIBER AGREES THAT SUBSCRIBER MAY BRING CLAIMS AGAINST SSNW ONLY IN SUBSCRIBER'S INDIVIDUAL CAPACITY, AND NOT AS A CLASS ACTION PLAINTIFF OR CLASS ACTION MEMBER IN ANY PURPORTED CLASS OR REPRESENTATIVE PROCEEDING. ANY DISPUTE BETWEEN THE PARTIES OR ARISING OUT OF THIS AGREEMENT, INCLUDING ISSUES OF ARBITRABILITY, SHALL, AT THE OPTION OF ANY PARTY, BE DETERMINED BY BINDING AND FINAL ARBITRATION BEFORE A SINGLE ARBITRATOR ADMINISTERED BY ARBITRATION SERVICES INC., ITS SUCCESSORS OR ASSIGNS, PURSUANT TO ITS ARBITRATION RULES AT [WWW.ARBITRATIONSERVICESINC.COM](http://WWW.ARBITRATIONSERVICESINC.COM), EXCEPT THAT NO PUNITIVE OR CONSEQUENTIAL DAMAGES MAY BE AWARDED. The arbitrator shall be bound by the terms of this agreement and is authorized to conduct proceedings by telephone, video or by submission of papers. By agreeing to this arbitration provision, you are waiving your right to a jury trial, waiving your right to appeal the arbitration award and waiving your right to participate in a class action. Service of process or papers in any legal proceeding or arbitration between the parties may be made by First-Class Mail delivered by the U.S. Postal Service addressed to the party's address in this agreement or another address provided by the party in writing to the party making service. The parties submit to the jurisdiction and laws of Washington and agree that any litigation or arbitration between the parties may be commenced and maintained in the county where SSNW's principal place of business is located or Nassau County, New York. The parties waive trial by jury in any action between them unless prohibited by law. Any action between the parties must be commenced within one year of the accrual of the cause of action or shall be barred. All actions or proceedings by either party must be based on the provisions of this agreement. Any other action that Subscriber may have or bring against SSNW in respect to other services rendered in connection with this agreement shall be deemed to have merged in and be restricted to the terms and conditions of this agreement.

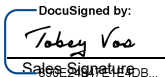
SUBSCRIBER ACKNOWLEDGES THAT THIS AGREEMENT CONTAINS AN AGREEMENT TO ARBITRATE DISPUTES AND THAT ARBITRATION IS BINDING AND FINAL AND THAT SUBSCRIBER IS WAIVING SUBSCRIBER'S RIGHT TO TRIAL IN A COURT OF LAW AND OTHER RIGHTS.

- 25. **SSNW'S RIGHT TO SUBCONTRACT SPECIAL SERVICES:** Subscriber agrees that SSNW is authorized and permitted to subcontract any services to be provided by SSNW to third parties who may be independent of SSNW, and that SSNW shall not be liable for any loss or damage sustained by Subscriber by reason of fire, theft, burglary or any other cause whatsoever caused by the negligence of third parties. Subscriber appoints SSNW to act as Subscriber's agent with respect to such third parties, except that SSNW shall not obligate Subscriber to make any payments to such third parties. Subscriber acknowledges that this agreement, and particularly those paragraphs relating to SSNW's disclaimer of warranties, exemption from liability, even for its negligence, limitation of liability and indemnification, inure to the benefit of and are applicable to any assignees, subcontractors, manufacturers, vendors and central station of SSNW.
- 26. **MOLD, OBSTACLES AND HAZARDOUS CONDITIONS:** Subscriber shall notify SSNW in writing of any undisclosed, concealed or hidden conditions in any area where installation is planned, and Subscriber shall be responsible for removal of such conditions. In the event SSNW discovers the presence of suspected asbestos or other hazardous material, SSNW shall stop all work immediately and notify Subscriber. It shall be Subscriber's sole obligation to remove such conditions from the premises, and if the work is delayed due to the discovery of suspected asbestos or other hazardous material or conditions then an extension of time to perform the work shall be allowed and Subscriber agrees to compensate SSNW for any additional expenses caused by the delay but not less than \$1000.00 per day until work can resume. If SSNW, in its sole discretion, determines that continuing the work poses a risk to SSNW or its employees or agents, SSNW may elect to terminate this agreement on 3-day notice to Subscriber and Subscriber shall compensate SSNW for all services rendered and material provided to date of termination. SSNW shall be entitled to remove all its equipment and uninstalled equipment and material from the job site. Under no circumstances shall SSNW be liable to Subscriber for any damage caused by mold or hazardous conditions or remediation thereof.
- 27. **NON-SOLICITATION:** Subscriber agrees that it will not solicit for employment for itself, or any other entity, or employ, in any capacity, any employee of SSNW assigned by SSNW to perform any service for or on behalf of Subscriber for a period of two years after SSNW has completed providing service to Subscriber. In the event of Subscriber's violation of this provision, in addition to injunctive relief, SSNW shall recover from Subscriber an amount equal to such employee's salary based on the average three months preceding employee's termination of employment with SSNW, times twelve, together with SSNW's counsel and expert witness fees.
- 28. **FALSE ALARMS / PERMIT FEES / WITNESS FEES:** Subscriber is responsible for all alarm permits and fees, agrees to file for and maintain any permits required by applicable law and indemnify or reimburse SSNW for any fees or fines relating to permits or false alarms. SSNW shall have no liability for permit fees, false alarms, false alarm fines, the manner in which police or fire department responds, or the refusal of the police or fire department to respond. In the event of termination of police or fire department response this agreement shall nevertheless remain in full force and Subscriber shall remain liable for all payments provided for herein. In the event Subscriber or any third party subpoenas or summons SSNW requiring any services or appearances, Subscriber agrees to pay SSNW \$150 per hour for such services and appearances. Subscriber shall reimburse SSNW for any central station charges for excessive, run-a-way or false alarm signals.
- 29. **SECURITY INTEREST / COLLATERAL:** To secure Subscriber's obligations under this agreement Subscriber grants SSNW a security interest in the security equipment installed by SSNW and SSNW is authorized to file a financing statement.
- 30. **CREDIT INVESTIGATION:** Subscriber and any guarantor authorize SSNW to conduct credit investigations from time to time to determine Subscriber's and guarantor's credit worthiness.
- 31. **FULL AGREEMENT / SEVERABILITY:** This agreement along with the Schedule of Equipment and Services constitute the full understanding of the parties and may not be amended, modified, or canceled, except in writing signed by both parties. Subscriber acknowledges and represents that Subscriber has not relied on any representation, assertion, guarantee, warranty, collateral agreement, or other assurance, except those set forth in this Agreement. Subscriber hereby waives all rights and remedies, at law or in equity, arising, or which may arise, as the result of Subscriber's reliance on such representation, assertion, guarantee, warranty, collateral agreement, or other assurance. To the extent this agreement is inconsistent with any other document or agreement, whether executed prior to, concurrently with or subsequent to this agreement the terms of this agreement shall govern. This agreement shall run concurrently with and shall not terminate or supersede any existing agreement between the parties unless specified herein. Should any provision of this agreement be deemed void, the remaining parts shall be enforceable.

**SUBSCRIBER ACKNOWLEDGES RECEIVING A FULLY EXECUTED COPY  
OF THIS AGREEMENT AND SCHEDULE OF EQUIPMENT AND SERVICES AT TIME OF EXECUTION.**

**SECURITY SOLUTIONS NORTHWEST INC.:**

**SUBSCRIBER:** \_\_\_\_\_  
Full Business Name

By:  \_\_\_\_\_  
Sales Representative

By: \_\_\_\_\_  
Signature by Authorized Officer

11/16/2022  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name Tax ID or EIN

\_\_\_\_\_  
Title Date



**Customer Information:**

Property Owner / Company: City of Lynden (Billing Info same as Lynden Fire Station)

Billing address of Property Owner: \_\_\_\_\_

Property Owner Telephone No.: \_\_\_\_\_ Email: \_\_\_\_\_ Cell Phone No: \_\_\_\_\_

Accounts Payable Contact: \_\_\_\_\_

A/P Telephone No.: \_\_\_\_\_ Email: \_\_\_\_\_  I would like to receive paperless invoices

Name of the Property Monitored: \_\_\_\_\_

Physical address of Property Monitored: \_\_\_\_\_

**Property Management:**  YES  NO

Property Management Company: \_\_\_\_\_

Property Management Contact: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Email: \_\_\_\_\_

Do you want Property Management to be billed?\_  YES  NO

Billing address of Property Management: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Email: \_\_\_\_\_  I would like to receive paperless invoices

**SECURITY SOLUTIONS NW**  
1619 N. State Street  
Bellingham, WA 98225  
(360) 734-4940

NAME OF LOCATION	ADDRESS	SSNW CONTRACT ID
<u>City Parks Restrooms (Bender Fields x 2, Aaron Dr, City Park)</u>		

**SCHEDULE OF EQUIPMENT AND SERVICES**

Describe Equipment (Model #): BRIVO Cloud Hosted Access Control

The BRIVO Cloud Hosted Access Control System (CHAC) is a network access control device that enables cloud management services. Various door locks and cylinders specified by the manufacturer can be used with the CHAC, and therefore, model numbers will vary. Tags with RFID chips that cannot be duplicated are also a part of the equipment of the system. The onsite access control panels will be used as necessary maintain connectivity to the door hardware and the cloud. Miscellaneous other equipment may be used during installation of the access control system.

Describe Services: The CHAC system enables the customer to remotely control and manage access to doors through the cloud interface. Customers can login to a web browser or through a mobile application to add new users, assign tags, delete users, block a tag, assign doors, and define which doors may be entered by whom on specific days and times. Customers can also remotely open a door in with the BRIVO system. Analytic features are offered and can be utilized to monitor events and view the history of the doors and users.

The customer agrees to pay SSNW the amount indicated below

- First Door Charge No Charge - Lynden Fire Has Base \$ \_\_\_\_\_
- Addt'l Hosted Doors Qty 4 @ ~~\$12.00~~ ea \$10.00 ea \$ 40.00
- Addt'l Managed Doors Qty \_\_\_\_\_ @ \$15.00 ea. \$ \_\_\_\_\_
- Cellular Communicator Qty 1 @ \$30.00 ea. \$ 30.00
- 2N Integration Qty \_\_\_\_\_ @ \$15.00 ea. \$ \_\_\_\_\_
- Mobile Pass - Package of 100 @ \$15.00 ea. \$ \_\_\_\_\_
- Mobile Pass - Package of 500 @ \$35.00 ea. \$ \_\_\_\_\_
- Mobile Pass - Package of 1000 @ \$65.00 ea. \$ \_\_\_\_\_
- \_\_\_\_\_ \$ \_\_\_\_\_
- \_\_\_\_\_ \$ \_\_\_\_\_
- \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL COST PER MONTH:** \$ 70.00

**SECURITY SOLUTIONS NORTHWEST:**

**SUBSCRIBER:**

DocuSigned by:  
Tobey Vos  
Sales@ssnw.com 1E4DB...

\_\_\_\_\_  
Full Business Name

11/16/2022  
Date

By: \_\_\_\_\_  
Signature of Authorized Officer

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date



ACCOUNT / SITE \_\_\_\_\_

ACCOUNT ADMINISTRATOR

Preferred Contact Method

Name \_\_\_\_\_  
Email \_\_\_\_\_  
Phone \_\_\_\_\_

Phone   
Email

IT CONTACT

Name \_\_\_\_\_  
Email \_\_\_\_\_  
Phone \_\_\_\_\_

Phone   
Email

OTHER AUTHORIZED CONTACTS (Able to request paid service and site info)

Name \_\_\_\_\_  
Email \_\_\_\_\_  
Phone \_\_\_\_\_

Phone   
Email

Name \_\_\_\_\_  
Email \_\_\_\_\_  
Phone \_\_\_\_\_

Phone   
Email

Name \_\_\_\_\_  
Email \_\_\_\_\_  
Phone \_\_\_\_\_

Phone   
Email

# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Public Hearing for the 2023 Preliminary Budget	
<b>Section of Agenda:</b>	Public Hearing	
<b>Department:</b>	Finance	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
<b>Attachments:</b>		
None		
<b>Summary Statement:</b>		
Per State law this would be the second of the two required hearings for public commentary on the 2023 Preliminary Budget as presented to the City Council by Mayor Korthuis at the October 17th City Council meeting.		
<b>Recommended Action:</b>		
Conduct the required Public Hearing and consider any commentary by the public regarding the 2023 Preliminary Budget.		

# CITY OF LYNDEN



## EXECUTIVE SUMMARY

<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Public Hearing for Ordinance No. 1659 Real Estate Property Tax for 2023	
<b>Section of Agenda:</b>	Public Hearing	
<b>Department:</b>	Finance	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
<b>Attachments:</b>		
Ordinance No. 1659 – Real Estate Property Tax for 2023		
<b>Summary Statement:</b>		
<p>As published, 7:00PM on November 21, 2022 is the time and date set for the Public Hearing on the 2023 Property Tax Levy as presented to the City Council by Mayor Korthuis at the October 17th City Council meeting. Upon completion of the public hearing with no items outstanding the 2023 Property Tax Levy will be presented to the City Council for adoption.</p>		
<b>Recommended Action:</b>		
Conduct the required Public Hearing and consider any commentary by the public regarding the 2023 Property Tax Levy.		

# CITY OF LYNDEN

EXECUTIVE SUMMARY – City Council



<b>Meeting Date:</b>	November 21, 2022.	
<b>Name of Agenda Item:</b>	Public Hearing for Comments on Proposed Nooksack Valley Disposal Rate Increase	
<b>Section of Agenda:</b>	Public Hearing	
<b>Department:</b>	Public Works	
<b><u>Council Committee Review:</u></b>	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		<b><u>Legal Review:</u></b>
		<input checked="" type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required
<b>Attachments:</b>		
1) Nooksack Valley Disposal Request for 2023 Rate Increase and Franchise Agreement Rate Adjustment 2) Franchise Agreement Rate Adjustment Addendum		
<b>Summary Statement:</b>		
<p>Nooksack Valley Disposal (NVD) is requesting a rate increase, effective January 1, 2023, for their solid waste services due to their increasing disposal fees. NVD currently has a 20-year franchise agreement with the City of Lynden (through 2036) for curbside garbage pickup and recycling program services. The Public Works Committee reviewed the proposed increase at their November 9<sup>th</sup> meeting and concurred to recommend approval to City Council.</p> <p>The public has been invited to comment on the proposed rate increases.</p> <p>If approved these new rates would become part of the existing Franchise Agreement and take effect January 1, 2023.</p>		
<b>Recommended Action:</b>		
<p>That City Council, after hearing public comments, approve and authorize the Mayor's signature on the Franchise Agreement Rate Adjustment Addendum.</p>		

# NOOKSACK VALLEY D • I • S • P • O • S • A • L

35

P.O. Box 267 250 Birch Bay-Lynden Rd. Lynden, WA 98264 (360) 354-3400

Mayor Scott Korthuis  
Lynden City Council  
Lynden, WA 98264



Dear Mayor Scott and Council Members,

Nooksack Valley Disposal has been happy to provide both garbage and recycling services to the City of Lynden for over 40 years. Because of increasing disposal fees and other rising costs, we are coming to the City with a rate increase request, to become effective January 1, 2023.

Recycling and Disposal Services has announced they will be increasing our garbage disposal fees effective January 1 2023. Our cost per ton will be increased by 10%, or \$11.45 per ton more than we are currently charged. In addition, we have experienced much higher costs in these past two years for wages, fuel, medical insurance and truck maintenance. We are requesting a 9% increase in our residential and commercial garbage rates. About half of this increase will go to paying the increase in our disposal fees, and half to other inflationary costs.

In the last few months, the price for recycling commodities have plummeted to their lowest level ever. Paper, cardboard, and plastic are currently charged over \$115 per ton at the processing facility in Ferndale. This is in addition to our increased costs as outlined above. As a result, we are requesting a \$1 per month increase to our base fee for residential recycling.

As outlined in our Municipal Solid Waste Agreement with the City of Lynden, Section 7A, we are giving request to revise our rates for residential and commercial services at least 60 days prior to their implementation. We have included a schedule with the current and proposed rates. The average household set out 2.6 carts of garbage per month this past year. The proposed increase would raise the average residential bill by \$2.56 per month in total for garbage and recycling.

We continue to strive to provide excellent customer service, while maintaining our position as one of the lowest priced and most efficient providers of garbage and recycling pickup in Northwest Washington. We will continue to have some of the lowest prices of any of the comparable nearby cities. We look forward to continuing our good relationship with the City and to providing clean, safe, and dependable garbage and recycling services in the years ahead.

Sincerely,

Dan Leidecker, President

Calvin Den Hartog, General Manager

*"Our business is picking up."*

 Printed on Recycled Paper



# NOOKSACK VALLEY D I S P O S A L

P.O. Box 267 250 Birch Bay-Lynden Rd. Lynden, WA 98264 (360) 354-3400

The following is a comparison of garbage/recycling rates from cities in the area. The rates compare what a 60-68 gallon cart emptied every-other-week or weekly would cost. Every-other-week recycling is included in all prices. Some cities do not offer carts, so an equivalent volume using a 32-gallon container is used for comparison.

<u>City</u>	<u>EOW</u>	<u>Weekly</u>	<u>2-yd Dumpster</u>
Lynden (current)	\$19.40 per month	\$33.00 per month	\$36.45 per dump
Lynden (proposed)	\$21.60 per month	\$36.20 per month	\$38.90 per dump
Anacortes	\$27.79 per month	\$43.07 per month	\$67.99 per dump
Bellingham	\$27.37 per month	\$50.13 per month	\$41.82 per dump
Duvall	\$31.32 per month	\$41.91 per month	\$43.75 per dump
Everett	\$27.33 per month	\$33.95 per month	\$35.61 per dump
Ferndale	\$22.52 per month	\$40.11 per month	\$63.93 per dump
Friday Harbor	\$36.00 per month	\$68.00 per month	\$100.00 per dump
Marysville	\$32.59 per month	\$50.68 per month	\$46.70 per dump
Monroe	\$22.69 per month	\$32.89 per month	\$43.74 per dump
Mt. Vernon	\$32.19 per month	\$46.34 per month	\$36.84 per dump
Oak Harbor	\$23.86 per month	\$39.99 per month	\$64.08 per dump
Sedro-Wooley	\$28.13 per month	\$38.52 per month	\$52.63 per dump

*The typical household in Lynden sets out an average of 2.6 carts per month.*

**Lynden Yardwaste Rates** are \$8.50 for EOW cart, \$11.50 for weekly cart, compared to \$12.12 for EOW and \$24.24 for 2 carts EOW in Bellingham and \$14.42 for EOW and \$28.84 for 2 carts EOW in Ferndale.

*"Our business is picking up."*

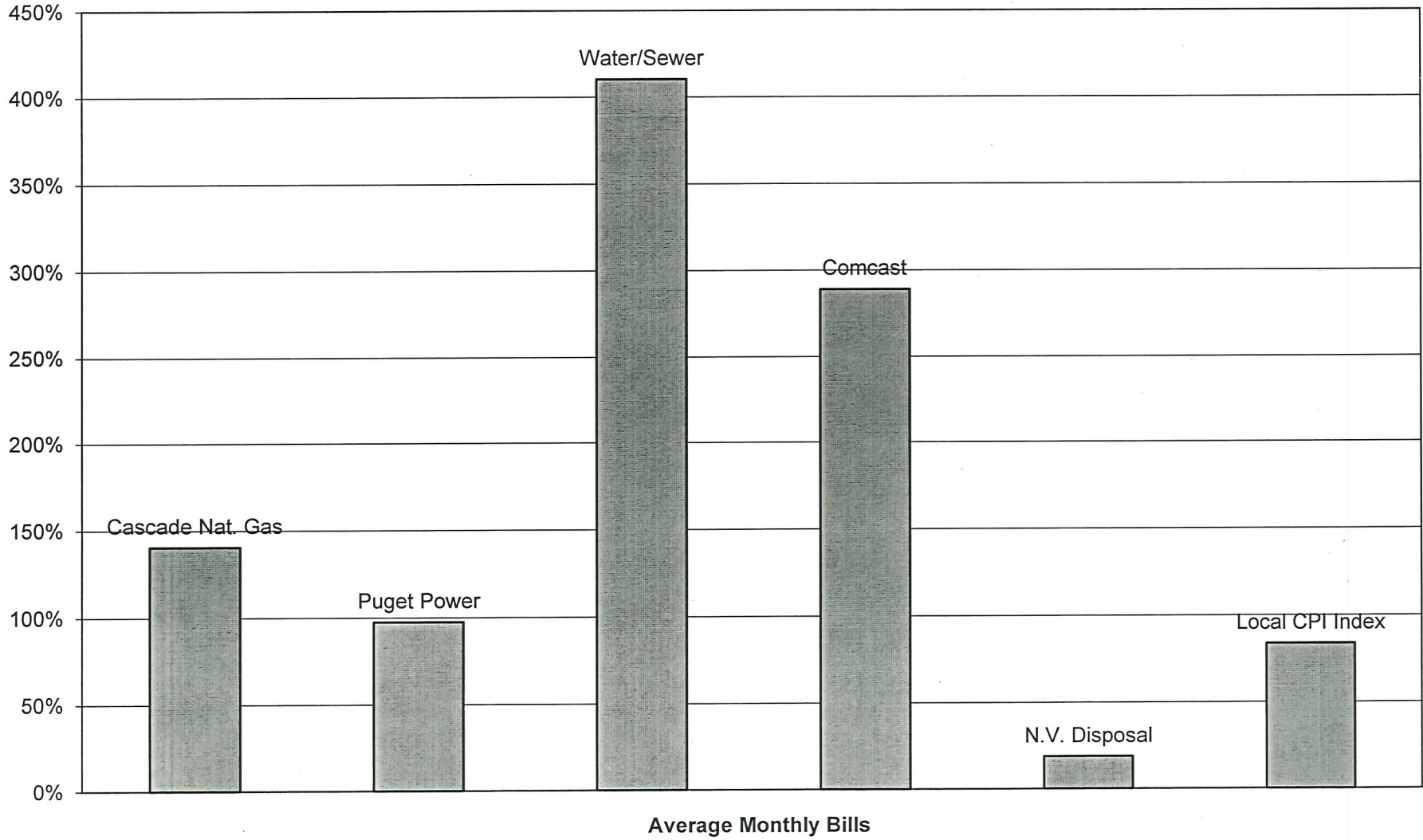




NOOKSACK VALLEY DISPOSAL AND RECYCLING  
 STATEMENT OF OPERATIONS - LYNDEN  
 FOR THE 12 MONTHS ENDING SEPTEMBER 30, 2022

	<u>Refuse</u>	<u>Recycling</u>
REVENUES:		
Residential	\$ 1,168,776	\$ 306,016
Commercial	\$ 1,234,600	
Pass-through dump fees	\$ 230,835	
 Total revenues	 \$ 2,634,211	 \$ 306,016
OPERATING EXPENSES:		
Wages	\$ 542,438	\$ 145,706
Dump fees/Recycle Fees	\$ 848,988	\$ 17,588
Pass-through dump fees	\$ 230,835	\$ -
Repairs and maintenance	\$ 69,772	\$ 12,823
Fuel and oil	\$ 136,322	\$ 23,834
Tires and tubes	\$ 20,166	\$ 4,359
Depreciation	\$ 149,238	\$ 20,521
Insurance	\$ 21,926	\$ 6,434
Medical insurance	\$ 72,830	\$ 22,793
Business taxes	\$ 60,778	\$ 6,673
Property taxes	\$ 5,463	\$ 916
Taxes and licenses	\$ 7,710	\$ 1,232
Payroll taxes	\$ 79,263	\$ 18,520
Retirement fund	\$ 66,108	\$ 15,777
Utilities	\$ 3,688	\$ 1,085
Telephone	\$ 956	\$ 283
Office	\$ 19,467	\$ 5,008
Postage	\$ 9,330	\$ 2,723
Advertising	\$ 1,901	\$ 562
Travel	\$ 632	\$ 178
Dues and subscriptions	\$ 7,583	\$ 1,263
Professional fees	\$ 11,501	\$ 1,870
Donations	\$ 1,951	\$ 325
Miscellaneous	\$ 1,785	\$ 283
 Total operating expenses	 \$ 2,370,633	 \$ 310,758
 INCOME (LOSS) FROM OPERATIONS	 \$ 263,578	 \$ (4,742)

### 1998-2022 Rate Changes



**Nooksack Valley Disposal and Recycling  
Current and Proposed Rates  
2022 and 2023**

<b><u>Residential</u></b>	<b><u>Current</u></b>	<b><u>Proposed</u></b>
Base Fee	\$ 6.00	\$ 7.00 per month
Per Cart	\$ 6.70	\$ 7.30 per dump
Optional Yardwaste	\$ 11.50	\$ 11.50 per month

**Commercial**

Can	\$ 4.15	\$ 4.40
Cart	\$ 7.70	\$ 8.40
1-yard	\$ 21.75	\$ 23.70 per dump
1.5 yard	\$ 28.10	\$ 30.60
2-yard	\$ 36.55	\$ 38.90

**Schools and Rest Homes**

1-yard	\$ 19.75	\$ 21.70 per dump
1.5 yard	\$ 26.10	\$ 28.60
2 yard	\$ 34.55	\$ 36.90

**Dumpster Rental Fees**

1-yard	\$ 10.00	\$ 12.00 per month
1.5 yard	\$ 11.00	\$ 13.00
2-yard	\$ 12.00	\$ 14.00

RATE ADJUSTMENT ADDENDUM  
PURSUANT TO  
FRANCHISE AGREEMENT  
BETWEEN NOOKSACK VALLEY DISPOSAL  
AND CITY OF LYNDEN

Pursuant to Section 7 of that certain Franchise Agreement granted to Nooksack Valley Disposal in 2016, Nooksack Valley Disposal proposes a rate adjustment (see below). The City Council of the City of Lynden approved the proposed rate adjustment at their November 21, 2022 meeting.

**2023 RATES**

**Residential**

Base Fee	\$ 7.00 per month
Per Cart	\$ 7.30 per dump
Optional Yard Waste	\$11.50 per month

**Commercial**

Can	\$ 4.40 per dump
Cart	\$ 8.40 per dump
1.0 Yard	\$23.70 per dump
1.5 Yards	\$30.60 per dump
2.0 Yards	\$38.90 per dump

**Schools and Rest Homes**

1.0 Yard	\$21.70 per dump
1.5 Yards	\$28.60 per dump
2.0 Yards	\$36.90 per dump

**Dumpster Rental Fees**

1.0 Yard	\$12.00 per month
1.5 Yards	\$13.00 per month
2.0 Yards	\$14.00 per month

The 2023 Rates replace the rates set forth in Section 6 of the Franchise Agreement. Any rates not replaced shall remain in full force and effect. This rate adjustment will be effective January 1, 2023.

City of Lynden

Nooksack Valley Disposal

\_\_\_\_\_  
By: Scott Korthuis, Mayor

\_\_\_\_\_  
By: Dan Leidecker, President

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Public Hearing on Whatcom Buildable Lands Report	
<b>Section of Agenda:</b>	Public Hearing	
<b>Department:</b>	Planning Department	
<b>Council Committee Review:</b>	<input checked="" type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
<b>Attachments:</b>		
Buildable Lands Report (also emailed to Council on 10/4/22 for early review), Draft Ord 1660		
<b>Summary Statement:</b>		
<p>Whatcom County, for the first time, joins 6 other counties in the state who are required to produce a Buildable Lands Report. A report that that examines achieved build-out densities and property availability on a county level. The planning period in focus for this first report is 2016 – 2036 with specific look at achieved build-out data from 2016 – 2020. In this analysis the report strives to account for the constraints of critical areas and market factors and focuses on three goals:</p> <ol style="list-style-type: none"> <li>1. Determine whether the city is achieving urban densities within UGAs by comparing growth assumptions to actual growth.</li> <li>2. Determine whether there is sufficient land that is suitable for development in the future.</li> <li>3. Identifying reasonable measure, if necessary, to reduce differences between comprehensive plan growth assumptions and actual development patterns.</li> </ol> <p>The Planning Department has been working with Whatcom County and their consultant, Community Attributes, to develop a methodology and the report itself for the County. Whatcom County recently presented the report to their Planning Commission where it was recommended the following finding be added:</p> <p><i>“Staff and the Planning Commission recognize that the Buildable Lands Report does not address the issue of housing affordability. Additional work that revisits the estimates of supply and demand that are feasible, realistic, and consistent with current regulatory requirements and infrastructure are needed and will be reviewed in the 2025 comprehensive plan updates.”</i></p> <p>The City may choose to adopt a similar finding at the time of adoption following the November 21<sup>st</sup> public hearing.</p>		
<b>Recommended Action:</b>		
Public hearing only. (Council decision will be sought after the County Council’s decision on the document).		

**ORDINANCE NO. 1660**

**AN ORDINANCE ADOPTING THE BUILDABLE LANDS REPORT 2022 – WHATCOM COUNTY REVIEW AND EVALUATION PROGRAM**

**WHEREAS**, the City of Lynden has worked in coordination with Whatcom County, the other Whatcom County municipalities, and a consultant to produce a final draft of the *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* (dated July 7, 2022); and

**WHEREAS**, the distinct Whatcom County municipalities, including the City of Lynden, are individually tasked to adopt the *Buildable Lands Report 2022* for their jurisdiction; and

**WHEREAS**, on November 21, 2022, the Lynden City Council held a public hearing to review the *Buildable Lands Report 2022* and to hear and consider any public discussion on the “Report”; and

**WHEREAS**, the Lynden City Council adopts the following findings of fact regarding the adoption of the *Buildable Lands Report 2022*:

**FINDINGS OF FACT**

1. The proposal is to adopt the *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* (July 7, 2022).
2. The Whatcom County SEPA Official determined on July 19, 2022 that adoption of the *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* is categorically exempt from SEPA review, under WAC 197-11-800(17) as information collection and research, and the City of Lynden SEPA official concurs with that exemption.
3. Lynden City Council set the public hearing for the review of the *Buildable Lands Report 2022* at their regular November 7, 2022 City Council meeting.
4. Following the November 7 meeting, notice of the public hearing was posted on the City’s website and was subsequently published in the Lynden Tribune on November 16, 2022.
5. Whatcom County and the City of Lynden recognize that the *Buildable Lands Report 2022* does not address the issue of housing affordability. Additional work that revisits the estimates of supply and demand that are feasible, realistic, and consistent with current regulatory requirements and infrastructure are needed and will be reviewed in the 2025 comprehensive plan updates.

6. The Growth Management Act (GMA) “Review and Evaluation Program” (buildable land) requirements became applicable to Whatcom County, and the cities therein, when the State Legislature adopted Engrossed Second Substitute Bill 5254 in 2017.
7. The GMA’s Review and Evaluation Program requirements (RCW 36.70A.215) include updating county-wide planning policies, developing a buildable lands program methodology, data collection, reviewing achieved densities, evaluating land suitable for development, and issuing a Buildable Lands Report. The information contained in the Buildable Lands Report will inform the next update of the City of Lynden Comprehensive Plan, which is due by June 30, 2025.
8. The County’s consultant held interviews with representatives of each jurisdiction and several key community stakeholders. This information was compiled in a *Stakeholder Interview Summary Whatcom County Review and Evaluation (Buildable Lands) Program* (CAI, May 2019).
9. The County’s consultant conducted research on topics with important implications for the buildable lands report, including local regulations, infrastructure, housing affordability, and growth trends. This included reviewing relevant portions of the Revised Code of Washington and Washington Administrative Code. This information was compiled in a *Background Information and Key Issues Report* (CAI, June 2019).
10. Whatcom County and the cities, with the assistance of a consultant, developed the *Whatcom County Review and Evaluation Program Public Participation Plan* (April 2020) and have followed that Plan.
11. Whatcom County and the cities developed draft Countywide Planning Policies (CWPPs) establishing the Review and Evaluation Program. The Lynden City Council approved the proposed procedures for amending the Countywide Planning Policies on March 16, 2020, and Resolution 1058 - the Interlocal Agreement amending the CWPPs on November 21, 2022.
12. Whatcom County and the cities, with the assistance of a consultant, drafted the *Whatcom County Review and Evaluation Program Methodology* to implement the 2017 state amendments to the GMA. Stakeholders reviewed and provided comments on preliminary draft versions of this Methodology in 2021. Modifications to the draft Methodology were made based upon stakeholder comments in 2021.
13. Whatcom County and the cities, with the assistance of a consultant, developed Data Reporting Tool templates for collection of data on development and local government ordinances over the review period. The templates are intended to

facilitate uniform collection of data by the County and cities.

14. The County and cities entered information in the Data Reporting Tool, including information on building permits and plats issued between April 1, 2016 and March 31, 2021. The Data Reporting Tool calculates achieved densities for the individual County jurisdictions, including Lynden, over the five-year review period.
15. Whatcom County and the cities, with the assistance of a consultant, developed Suitable Land Tool templates for estimating the amount of land available for development over the remaining portion of the planning period. The templates are intended to facilitate uniform evaluation of land supply by the County and cities.
16. The County and cities entered information in the Suitable Land Tool to estimate the capacity of land suitable for development to accommodate population and employment growth over the remaining portion of the existing planning period (2021-2036). The Suitable Land Tool compares the land capacity to the projected population and employment growth to estimate whether there will be a surplus or deficit of land to accommodate projected growth (2021-2036).
17. The City of Bellingham and the County shared draft Data Reporting Tool and Suitable Land Tool spreadsheets at a Buildable Lands - Virtual Stakeholder Workshop on February 9, 2022 to begin to share the results with the public.
18. Whatcom County and the cities issued the *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* on July 7, 2022. This Report summarizes and analyzes information from the Data Reporting Tool, Suitable Land Tool, and other sources to meet the requirements of the Growth Management Act.
19. The *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* shows that there is sufficient suitable land to accommodate the countywide population projection contained in the *Whatcom County Comprehensive Plan* (Chapter 1).
20. The *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* shows that the City of Lynden has sufficient suitable land to accommodate the UGA population projections contained in the *Whatcom County Comprehensive Plan* (Chapter 1).
21. The *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* shows that there is sufficient suitable land to accommodate the countywide employment projection contained in the *Whatcom County Comprehensive Plan* (Chapter 1).



22. The *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* shows that each UGA, including the City of Lynden, has sufficient suitable land to accommodate the UGA employment projections contained in the *Whatcom County Comprehensive Plan* (Chapter 1).

**NOW, THEREFORE, BE IT ORDAINED** by the Lynden City Council that:

**Section 1.** The review and evaluation required by the Growth Management Act has occurred and the *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* has been issued in accordance with RCW 36.70A.215.

**Section 2.** The Lynden City Council hereby adopts the *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* (Exhibit A); and

**Section 3.** Reasonable measures are not needed for Lynden’s Urban Growth Area (UGA) in order to accommodate projected growth to 2036.

**Section 4:** Effective Date. This ordinance shall be in full force and effect from and after its passage by the City Council and approval by the Mayor, otherwise as provided by law, five days after the date of its publication.

PASSED by the City Council this \_\_\_\_\_ day of December, 2022 and signed by the Mayor on the \_\_\_\_\_ day of December, 2022.

\_\_\_\_\_  
SCOTT KORTHUIS, MAYOR

ATTEST:

\_\_\_\_\_  
PAM BROWN, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
ROBERT CARMICHAEL, CITY ATTORNEY

# Buildable Lands Report 2022

Whatcom County Review and Evaluation Program

July 7, 2022



ACKNOWLEDGEMENTS

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- Heidi Gudde, City of Lynden
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- Rollin Harper, Cities of Everson, Nooksack, and Sumas
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# EXECUTIVE SUMMARY

The *Whatcom County Buildable Lands Report 2022* is the first report completed by the County and cities consistent with the requirements of the Review and Evaluation Program within Washington State’s Growth Management Act (*RCW 36.70A.215*). The purpose of this report is to assess how recent development in the cities and urban growth areas (UGAs) has compared with planning assumptions, targets, and objectives in adopted Countywide Planning Policies and comprehensive plans, and whether there are inconsistencies for the County and cities to address. The report assesses how much land is available to serve future growth, and whether it is sufficient to accommodate expected growth. Finally, the report provides basic information relating to development on rural and resource lands (areas outside UGAs).

## Population & Employment Growth

From 2016-2021, new residential construction in Whatcom County and the cities accommodated an estimated 24% of the projected 20-year population growth for the planning period (2016 through 2036). The County and cities will need to accommodate another 46,069 persons for the remaining period 2021 through 2036. From 2016 to 2021, new commercial and industrial construction in Whatcom County and the cities accommodated an estimated 17% of the projected employment growth for the 20-year planning period, and will need to accommodate another 26,640 jobs by 2036.

- Whatcom County contains 10 urban growth areas (UGAs). Seven UGAs represent future annexation areas for corresponding incorporated cities. Three are standalone UGAs, not associated with a city.
- Whatcom County is projected to have 275,450 residents and 120,284 employees by 2036 with projected growth allocations of 60,565 for population and 32,219 for employment between 2016 and 2036.
- New construction in Whatcom County and the cities accommodated an estimated 14,496 people (84% within UGAs) and 5,539 employees (94% within UGAs) from 2016-2021.
- Whatcom County has an estimated 46,069 population growth and 26,640 employment growth remaining to accommodate between 2021 and 2036.

## Development Activity

From 2016-2021, Whatcom County and the cities permitted 6,729 new housing units, averaging 1,346 per year. This average will need to increase to accommodate remaining projected population growth. Achieved densities in incorporated city UGA areas are exceeding planned densities, while achieved

commercial and industrial densities are lagging in some areas. The Jurisdiction Profiles section of this report contains UGA-level details on achieved densities for the period 2016-2021.

- Whatcom County and the cities permitted a total of 6,729 housing units countywide between 2016 and 2021 (84% within the UGAs, 16% outside the UGAs).
- On average countywide, the number of net new housing units permitted and built was 1,346 per year from 2016-2021. The jurisdictions will need to increase the average annual housing production to 1,474 units per year from 2021-2036 to accommodate remaining projected population growth.
- Densities ranging from 4.4 to 11.5 dwelling units per acre were achieved for residential uses in incorporated areas and one dwelling unit per 3.7 acres for Non-UGA areas.
- Achieved residential densities in cities exceeded planned densities, while three unincorporated city UGAs had achieved densities that were lower than ultimate planned densities (as city water and sewer are typically not extended to new development outside city limits). Achieved commercial and industrial densities are lagging planned densities in several small cities.
- For non-city UGAs, residential development in the Columbia Valley UGA exceeded the planned density while residential development in the Birch Bay UGA did not.

### **Land Suitable for Development**

For the inaugural Review and Evaluation Period, it is estimated that Whatcom County UGAs have over 6,102 acres of net developable (vacant, partially-used, and underutilized) land to accommodate remaining projected population and employment growth from 2021-2036. The Jurisdiction Profiles section of this report contains UGA-level details on developable land and deductions. Appendices A through C document annexations, UGA changes, and zoning map changes for the period 2016-2021.

- Whatcom County UGAs, which include cities, have estimated net land capacity for remaining population growth of 73,075 for the remainder of the 20-year planning period from 2021 to 2036, indicating an estimated population capacity surplus of 34,385.
- Whatcom County UGAs, which include cities, have estimated net land capacity for remaining employment growth of 41,057 for the remainder of the 20-year planning period from 2021 to 2036, indicating an estimated employment capacity surplus of 16,841.

## Inconsistencies and Reasonable Measures

On a county-wide basis, surplus capacity exists to accommodate both remaining projected population and employment growth for the rest of the 20-year planning period through 2036. In addition, planned residential densities in the cities are being achieved.

When planned densities are not being achieved, there is not sufficient capacity to accommodate remaining projected population or employment growth, or development patterns are not occurring as planned, Whatcom County and the cities will work together to determine if reasonable measures are necessary to address the issue, with the jurisdiction making the final decision on reasonable measures.

A list of potential reasonable measures that jurisdictions may consider, if needed, are documented in the *Whatcom County Review and Evaluation Program Methodology (February 10, 2022), Appendix A*. The Jurisdiction Profiles address whether reasonable measures may be needed for individual UGAs.

INTRODUCTION

**Background and Purpose**

The Review and Evaluation Program, which is also known as the Buildable Lands program, is part of Washington State’s Growth Management Act (GMA). The program requires that certain counties and cities review the growth and development that has occurred within their jurisdictions since the last updates to their State mandated comprehensive plans. Past growth is compared with the growth and development assumptions, targets, and objectives that are contained in the current plans. Where actual growth diverges from growth and development assumptions, the State calls on the jurisdictions to implement “reasonable measures” in the next comprehensive plan updates to maintain consistency with GMA requirements (*RCW 36.70A.215(1)*). Under the GMA, the deadline for the next comprehensive plan updates is June 30, 2025.

The GMA’s Review and Evaluation Program was established in 1997 and originally applied to all jurisdictions within six counties. The first major revision to the program was completed in 2017, when the State Legislature passed Engrossed Second Substitute Bill (E2SSB) 5254. As part of this revision, Whatcom County was added as the seventh Buildable Lands county.

The *Buildable Lands Report 2022* is the County and cities first report responding to the review and evaluation requirements of GMA. The report reviews development data from 2016-2021, and evaluates capacity to serve remaining growth through 2036, the planning horizon from the most recently adopted comprehensive plan.

The report summarizes development data at the city, UGA and County level to answer the following questions:

- What is the actual density and type of housing (single family and multifamily) that has been built in Whatcom County’s UGAs? Approximately how much population does it support? Are urban densities being achieved?
- How much land has been developed for commercial and industrial uses? Approximately how much employment does it support?
- How does this development activity compare with growth and development assumptions, targets, and objectives in the comprehensive plans?
- How much population and employment growth remains to be accommodated by 2036? Is there sufficient land and densities in UGAs to accommodate planned growth?



Whatcom County and the cities have updated the inventory of vacant, partially-used, and underutilized land in accordance with the *Whatcom County Review and Evaluation Program Methodology*. This is the supply of land available to serve future growth. Using recent achieved densities and other data as a guide, the report estimates how much population and employment this land can support. This analysis is used to answer the following question: is there enough suitable land to accommodate population and employment growth through 2036?

Where inconsistencies are identified, the report will discuss whether “reasonable measures” may be needed to address inconsistencies in the upcoming comprehensive plan update cycle. Ultimately, the County and each city will individually determine whether reasonable measures are required for their jurisdiction.

## Methods

The methods for this analysis were developed based on the Department of Commerce’s 2018 *Buildable Lands Guidelines* and the *Whatcom County Review and Evaluation Program Methodology*. A technical committee with representatives of the County and each city (City/County Planner Group) met regularly to discuss and establish key elements of the program. Program methods are summarized in the “Methods” section, with full detail provided in the *Whatcom County Review and Evaluation Program Methodology*.

## Organization of Report

This report is organized into the following sections:

- **Policy Framework.** Explains key Whatcom County policies relevant to the program, including Countywide Planning Policies and growth allocations.
- **Methods.** Explains how data was gathered and analyzed for this report, key assumptions, and how these methods were developed.
- **Countywide Findings.** Summarizes the ability of UGAs and other areas to accommodate adopted population and employment allocations through 2036. Seven of the ten UGAs correspond to cities.
- **Jurisdiction Profiles.** Provides detailed findings for recent development activity and land suitable for development at the UGA and zoning designation level.

## POLICY FRAMEWORK

### Countywide Planning Policies

The County and cities worked together to develop Countywide Planning Policies to establish and guide the Review and Evaluation Program, as required by RCW 36.70A.215. In summary, Countywide Planning Policies Q.1 - Q.8:

- Indicate that the County and cities will cooperate to implement and maintain the Review and Evaluation Program;
- Set forth the purposes of the program;
- Address the Review and Evaluation Program Methodology; and
- Indicate that the County and cities will prepare a Buildable Lands Report, collect and analyze development data, and discuss potential reasonable measures if there are inconsistencies between actual development patterns and assumptions contained in the County or city comprehensive plans.

The County and cities also developed Countywide Planning Policies R.1 – R.4 relating to Dispute Resolution Procedures.

### Population and Employment Growth Allocations

A key outcome of the Review and Evaluation Program is estimating population and employment growth and determining if population and employment capacity are consistent with adopted growth targets. Whatcom County has adopted population projections by UGA and for areas outside of UGAs (Non-UGAs) through 2036 in the *Whatcom County Comprehensive Plan, Chapter 1 (page 1-7)*. Total Whatcom County population is projected at 275,450 by 2036. The Comprehensive Plan also adopts employment projections for 2036 (page 1-8), totaling 120,284 by 2036.

For the purposes of the Review and Evaluation Program analysis, population and employment growth projections have been pro-rated to the 2016-2036 timeframe to fit the Review and Evaluation period (**Exhibit 1** and **Exhibit 2**).

Population and employment growth estimates for 2016-2021 are subtracted from total projected growth by UGA for 2016-2036 to estimate the remaining population and employment growth to be accommodated during the review period (2021-2036). This remaining growth to be accommodated is then compared to estimated population and employment capacity to understand if there are sufficient land and densities to accommodate planned growth.

**Exhibit 1. Whatcom County Comprehensive Plan Population (2013-2036)  
and Pro-Rated Population Growth (2016-2036)**

<b>UGA</b>	<b>2013 Population</b>	<b>2036 Population Allocation</b>	<b>2016-2036 Population Growth</b>
Bellingham	92,660	123,710	27,000
Birch Bay	7,540	12,822	4,593
Blaine	5,171	9,585	3,838
Columbia Valley	3,103	4,448	1,170
Everson	2,665	3,907	1,080
Ferndale	12,758	19,591	5,942
Lynden	12,872	19,275	5,568
Nooksack	1,435	2,425	861
Sumas	1,449	2,323	760
UGA Total	139,696	198,129	50,811
Non-UGA	66,104	77,321	9,754
<b>County Total</b>	<b>205,800</b>	<b>275,450</b>	<b>60,565</b>

Sources: Whatcom County Comprehensive Plan (Chapter 1, page 1-7); Whatcom County, 2021.  
Notes: The Cherry Point UGA is excluded from this table as no population growth is projected for the UGA.

**Exhibit 2. Whatcom County Comprehensive Plan Employment (2013-2036)  
and Pro-Rated Employment Growth (2016-2036)**

<b>UGA</b>	<b>2013 Employment</b>	<b>2036 Employment Allocation</b>	<b>2016-2036 Employment Growth</b>
Bellingham	52,359	75,000	19,688
Birch Bay	595	1,140	474
Blaine	3,062	5,159	1,823
Cherry Point	1,993	2,883	774
Columbia Valley	85	444	312
Everson	710	1,312	523
Ferndale	5,372	9,372	3,478
Lynden	4,946	7,103	1,876
Nooksack	254	369	100
Sumas	700	1,145	387
UGA Total	70,076	103,927	29,436
Non-UGA	13,156	16,357	2,783
<b>County Total</b>	<b>83,232</b>	<b>120,284</b>	<b>32,219</b>

Sources: Whatcom County Comprehensive Plan (Chapter 1, page 1-8); Whatcom County, 2021.

## METHODS

This section summarizes the principal methods, data sources, and key assumptions developed for Whatcom County’s *Buildable Lands Report 2022*. The complete methodology is documented in the *Whatcom County Review and Evaluation Program Methodology*.

### Data Sources

Whatcom County and the cities collected key data on development in their jurisdiction between 2016 and 2021. Each jurisdiction submitted data and analysis to Whatcom County, who facilitated the overall Buildable Lands process. Whatcom County gathered data for unincorporated UGAs and Non-UGAs (rural areas and resource lands). Jurisdictions collected the following data for this Review and Evaluation Program:

1. **Development activity**, sourced primarily from city and County building permitting and platting data.
2. **Land use and zoning changes**, from local ordinances relating to annexations, changes to UGAs and zoning map changes.
3. **Changes to development and environmental regulations**, from city and County ordinances relating to zoning, development codes and critical areas regulation.
4. **Parcel data**, from County Assessor’s real property and parcel files and related extracts, to tabulate and classify types of land available for future development.
5. **Other documentation**, such as changes to planned capital facilities and any adopted reasonable measures that could impact land capacity.

### Data Collection and Evaluation (2016-2021)

Data collection is only required to the extent necessary to determine compliance with RCW 36.70A.215 (including achieved densities and the remaining quantity and types of land available for development during the current planning period). The County and cities entered data into spreadsheet-based Data Reporting Tools for each jurisdiction to capture all required data between April 1, 2016 and March 31, 2021. City data is maintained separately from unincorporated UGA data as building permit records for unincorporated UGAs are maintained and administered by the County and urban development is not generally anticipated to occur in unincorporated city UGAs until they are annexed.

The Data Reporting Tools facilitate the collection, organization, and analysis of permitting, platting, and other data from each city and the County. The data are used to calculate and compare actual achieved densities for the reporting period (2016-2021) with planned densities. The Data Reporting

Tools estimate population and employment growth between 2016- 2021 and estimate population and employment growth for the remainder of the 20-year planning period of the current County Comprehensive Plan (2021-2036).

In looking forward to subsequent updates, additional information on planned future capital facilities, regulatory updates, and any previously adopted reasonable measures will be collected to facilitate tracking by the County and cities. Countywide annexations, UGA changes, and zoning map changes are also inventoried for the reporting period (**Appendix A through C**). Data should be collected annually for subsequent Review and Evaluation Periods.

## **Review and Evaluation of Land Suitable for Development (2021-2036)**

The GMA requires Whatcom County and cities to identify land suitable for development or redevelopment and determine whether there is sufficient suitable land to accommodate future growth. This section outlines the steps and methods used to complete this Buildable Lands analysis. The basic steps for cities and UGAs are as follows:

1. **Review Assumptions and Achieved Densities**
2. **Assemble Net Developable Land Inventory**
3. **Estimate Population and Employment Capacity**
4. **Evaluate Land Capacity Sufficiency**

The County and cities entered data and assumptions into spreadsheet-based Suitable Land Tools for each UGA to estimate population and employment capacity, compare that capacity to growth allocations, and evaluate whether land capacity is sufficient to accommodate growth over the remaining portion of the planning period (2021-2036).

If the analysis identifies shortfalls in land capacity, or if recent development has diverged from planning assumptions, targets, and objectives there is an additional requirement to determine if **reasonable measures** are required to improve consistency.

### **Review Assumptions and Achieved Densities**

Several key components of the Buildable Lands analysis rely on developing assumptions and calculating the achieved net density of new residential, commercial, and industrial development in cities and UGAs during the reporting period (2016-2021). Two primary steps in the process are:

- Developing assumptions for occupancy rates and average household sizes (for residential development) and occupancy and square feet per employee rates (for commercial / industrial development).

- Determining achieved densities for residential, commercial, and industrial development completed during the reporting period.

Three technical memos developed for Whatcom County’s Review and Evaluation Program document methods used to determine the assumptions used in the analysis. *Technical Memo Comparing Whatcom County Occupancy and Persons Per Household Rates by Housing Type and Owner/Renter Tenure* (City of Bellingham, February 2022) examines the differences between occupancy and persons per household rates for single family and multifamily housing types and for renter-occupied and owner-occupied households. *Whatcom County Review and Evaluation Program Birch Bay Occupancy & Persons per Household Rates* (CAI, June 29, 2021) provides alternative assumptions for the Birch Bay UGA. The City of Bellingham developed a *Technical Memo Estimating Square Feet Per Job for Commercial and Industrial Lands in Whatcom County* (October 20, 2020) that evaluates local space utilization patterns for all UGAs throughout the County. Resulting figures are used to translate built commercial and industrial building area into an estimate of the number of employees that can be accommodated in that area. Based on this analysis, each city and Whatcom County selected the appropriate assumed square feet per employee for commercial and industrial development types. **Exhibit 3** summarizes the assumptions by development type and jurisdiction.

**Exhibit 3. Commercial and Industrial Employment Density Estimates in Square Feet per Employee**

<b>UGA</b>	<b>Commercial</b>	<b>Industrial</b>
Bellingham	440	660
Birch Bay	532	812
Blaine	531	739
Cherry Point	205	1,779
Columbia Valley	532	812
Everson	800	1,501
Ferndale	580	1,129
Lynden	721	1,037
Nooksack	605	795
Sumas	669	890

*Source: Technical Memo Estimating Square Feet Per Job for Commercial and Industrial Lands in Whatcom County, City of Bellingham, October 20, 2020. Whatcom County and cities’ Suitable Land Tools.*

Once population and employment assumptions have been selected, the next step is to determine the actual density of residential and employment development that occurred during the reporting period (2016-2021) in terms of dwelling units per net acre for residential development and floor area ratios (FAR) for commercial and industrial development. Later, achieved net density data and other planning assumptions are used to convert developable land into future population and employment capacity for UGAs in the Suitable Land Tools.

### Assemble Net Developable Land Inventory

The Net Developable Land Inventory for UGAs consists of all land which, as of April 1, 2021, was considered **vacant, partially-used, or underutilized** and which is expected to be available for development and served by infrastructure during the current planning period. **Exhibit 4** details the criteria underlying each of these categories.

**Exhibit 4. Criteria for Classifying Developable Land**

Category	Parcel Zoning	Criteria for Classification
<b>Vacant</b>	All Residential, Commercial, Industrial	Improvement value less than \$10,000
<b>Partially Used</b>	Single Family	Parcel size greater than three (3) times minimum allowed under zoning. <sup>1</sup> This may be lowered to between two (2) and three (3) times the minimum allowed under zoning at the discretion of the jurisdiction.  Jurisdictions may propose to exclude parcels with current assessed improvement value > 93 <sup>rd</sup> percentile <sup>2</sup> of jurisdiction improvement values if the parcel size is less than five acres.
	Multifamily, Commercial, Industrial	Ratio between improvement value and land value less than 1.0. <sup>3</sup>

<sup>1</sup> This threshold accounts for parcels less than three times the minimum size that due to parcel configuration, location of existing development on the site, or other factors are not likely to be divided to their maximum potential.

<sup>2</sup> The option to exclude parcels with high improvement values is meant to account for large single family parcels with high-end homes that are unlikely to be subdivided. The 93<sup>rd</sup> percentile threshold was determined by analyzing the distribution of housing values in the County and selecting a reasonable value that could be applied across all jurisdictions.

<sup>3</sup> The Department of Commerce’s *Buildable Lands Guidelines* (2018) state “. . . When the value of the land is near or higher than the value of the improvement on the land, the property is generally going to be more favorable for redevelopment. . .” (page 34).

Category	Parcel Zoning	Criteria for Classification
		Jurisdictions can identify existing development, such as gas stations or uses that preclude significant development on the site, as fully developed when the ratio of improvement value to land value is less than 1.0. If identified as fully developed, the parcel will be subtracted from the inventory.
<b>Under-Utilized</b>	Single Family	N/A
	Multifamily	Parcels occupied by nonconforming single family residential uses.
	Commercial and Industrial	Parcels occupied by nonconforming residential uses or other nonconforming uses.

The net developable land inventory process for the Review and Evaluation Period included the following steps, described in greater detail in the *Whatcom County Review and Evaluation Program Methodology*:

- **Compile Gross Developable Land Inventory:** Identify parcels zoned for residential and employment development which are considered vacant, partially-used, or underutilized.
- **Deduct Critical Areas and Other Areas with Reduced Development Potential:** Remove the parcels and portions of parcels which are impacted by critical areas or other issues that, it is assumed, will not be developable during the planning period.
- **Deduct Land for Future Public Uses:** Remove any land already planned for future capital facilities and quasi-public uses.
- **Infrastructure Gaps:** Determine if there are infrastructure gaps that would reduce or prevent urban density development on vacant, partially-used, and underutilized lands over the remainder of the planning period. Remove land not likely to be served with the capital facilities needed to support urban density development.
- **Deduct Land for Future Infrastructure and Quasi-Public Uses:** Apply percentage reductions to deduct assumed portions of developable land that will be dedicated to future infrastructure and quasi-public



uses. Future infrastructure deductions are informed by the analysis of 2016-2021 permit data for each jurisdiction.

- **Deduct Market Factor:** Apply a reasonable market factor to account for lands that are not likely to be available for development because of landowner preferences or other reasons not accounted in the previous deduction steps. For the Review and Evaluation Period, Whatcom County and the cities have developed a framework, documented in the *Whatcom County Review and Evaluation Program Methodology* to guide development of suitable market factors specific to the UGAs and land uses by development status. Market factors applied by development type and parcel status, as well as the overall average market factor for each UGA are presented in **Exhibit 5**.

**Exhibit 5. Market Factors by UGA, Land Use Category, and Development Status**

UGA	Single Family			Multifamily			Commercial			Industrial			Combined
	Vacant	PU	UU	Vacant	PU	UU	Vacant	PU	UU	Vacant	PU	UU	
Bellingham	22%	26%	30%	20%	25%	30%	20%	25%	30%	20%	25%	30%	<b>24%</b>
Birch Bay	17%	27%	27%	15%	27%	27%	17%	27%	27%	N/A	N/A	N/A	<b>20%</b>
Blaine	15%	25%	25%	15%	25%	25%	15%	25%	25%	15%	25%	25%	<b>19%</b>
Cherry Point	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	23%	33%	33%	<b>23%</b>
Columbia Valley	24%	30%	N/A	24%	N/A	30%	24%	N/A	30%	24%	N/A	N/A	<b>24%</b>
Everson	15%	25%	N/A	15%	25%	N/A	15%	25%	25%	15%	25%	25%	<b>19%</b>
Ferndale	15%	25%	25%	15%	25%	25%	15%	25%	25%	15%	25%	25%	<b>20%</b>
Lynden	15%	25%	N/A	15%	25%	25%	15%	25%	25%	15%	25%	25%	<b>20%</b>
Nooksack	15%	25%	N/A	N/A	N/A	N/A	15%	25%	25%	15%	N/A	25%	<b>21%</b>
Sumas	15%	25%	N/A	15%	25%	N/A	15%	N/A	25%	15%	25%	25%	<b>19%</b>

Sources: *Whatcom County and Cities’ Suitable Land Tools, 2022*.

Note: PU refers to partially-used land. UU refers to underutilized land. N/A’s indicate a category that has no assumed future development or no developable land capacity within the jurisdiction.

After applying the market factor, the final acreage totals by zoning designation and UGA represent the updated net developable land inventory – the land expected to be available to accommodate future population and employment over the remaining planning period.

### Estimate Population and Employment Capacity

In this step, net developable land inventory is converted into population and employment capacity. The final product is an estimate of the number of people and employees that can be accommodated in each UGA on developable land. This process includes the following steps, described in detail in the *Whatcom County Review and Evaluation Program Methodology*:

- **Determine Assumed Future Densities:** Use achieved densities, when available, as the baseline assumed densities for future

development in the UGA over the remaining portion of the current 20- year planning period.

- **Determine Population Capacity:** Apply residential development assumptions, including assumed density, occupancy rate and persons per household to the residential Net Developable Land Inventory to estimate current capacity for new residential development in UGAs.
- **Determine Employment Capacity:** Apply employment development assumptions, including assumed density (FAR), occupancy rate, and employees per square foot to the commercial and industrial net developable land inventory to estimate current capacity for new commercial and industrial development.

### Evaluate Land Capacity Sufficiency

The final step is to evaluate whether there is currently enough land capacity in UGAs to accommodate projected growth through the remainder of the current 20-year planning period (2021-2036). This includes the following steps:

- **Compare Population Capacity to Remaining Projected Growth:** Compare the estimated population growth capacity to the remaining projected population growth. Identify any inconsistencies.
- **Compare Employment Capacity to Remaining Projected Growth:** Compare the estimated employment growth capacity to remaining projected employment growth. Identify any inconsistencies.

## COUNTYWIDE FINDINGS

Whatcom County contains ten urban growth areas (UGAs). Seven UGAs represent future annexation areas for corresponding cities and three are standalone, non-city UGAs (Cherry Point, Columbia Valley, and Birch Bay). Whatcom County as a whole is projected to have 275,450 residents and 120,284 employees by 2036. Whatcom County UGAs have projected growth allocations of 50,811 for population and 29,436 for employment between 2016 and 2036 (**Exhibit 1** and **Exhibit 2**).

Based on data collected by the cities and the County in the Data Reporting Tools for building permits that received final approval between April 1, 2016 and April 1, 2021 and occupancy, persons per household and square feet per employee assumptions, new construction in Whatcom County and the cities accommodated an estimated 14,496 people (84% within UGAs) and 5,539 employees (94% within UGAs) in this five year period (**Exhibit 6** and **Exhibit 7**).

The Washington State Office of Financial Management (OFM) estimates that Whatcom County population grew by 13,631 between April 1, 2016 and April 1, 2021. This total would have been higher if not for the COVID 19 pandemic, which resulted in out-of-county higher education students returning home to engage in on-line classes. OFM estimates that changes in housing occupancy rates and household size in existing 2016 housing stock account for 14% of total growth in countywide household population between 2016 and 2021.

The *Buildable Lands Report 2022* uses the 2036 population projections that were adopted in the 2016 city and County comprehensive plans. The estimated growth from building permits, as compiled in the Data Reporting Tools by the cities and the County, is similar to the growth estimated by OFM (2016-2021) as shown below.

	County-wide Population Growth (2016-2021)	County-wide Pro-rated Population Growth (2016-2036)	Growth to Accommodate (2021-2036)
Based on information from the Data Reporting Tools	14,496	60,565	46,069

Based upon OFM estimates	13,631	60,565	46,934
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This Buildable Lands Report uses the population growth estimate (2016-2021) from the Data Reporting Tools, which means that Whatcom County and the cities have an estimated 46,069 more people and 26,640 more employees to accommodate between 2021 and 2036 (**Exhibit 6** and **Exhibit 7**).

For the Review and Evaluation Period of 2016-2021, Whatcom County and the cities permitted a total of 6,729 net new housing units (**Exhibit 8**). Of these, 84% were permitted within the UGAs, and 16% were outside the UGAs. On average, the number of net new housing units permitted and built was 1,346 per year for the County as a whole. With 22,1161 additional housing units needed to accommodate projected population growth from 2021 through 2036, and based on UGA-specific occupancy and density assumptions, the cities and County will need to increase the average annual housing production to 1,474 units per year from 2021-2036 (**Exhibit 9**). This represents an increase of around 9.5% over the 2016-2021 production rate.

From 2016-2021 Whatcom County and the cities also developed a total of 4.0 million square feet of built area on 1,303 commercial and industrial acres supporting an estimated 5,539 jobs (**Exhibit 7** and **Exhibit 10**). UGAs accommodated 95% of the built square footage and 94% of the estimated jobs on 39% of the developed acres. Non-UGA areas accommodated 5% of the built square footage and 6% of the estimated jobs on 61% of the developed acres. Commercial development comprised 84% of this developed acreage for the period 2016-2021, with industrial development comprising 16%. When considering these numbers, it should be noted that some commercial building in the Non-UGAs occurs on rather large parcels where large areas of the lot remain undeveloped. On a countywide basis, commercial development averaged 0.05 floor-area ratio (FAR - a ratio of built square footage to net parcel land area), while industrial development averaged 0.07 FAR.

Between 2016 and 2021, the cities and the Columbia Valley UGA have achieved densities greater than planned for residential uses, while the Birch Bay UGA has not (**Exhibit 11**). These achieved densities ranged from 4.4 to 11.5 dwelling units per net acre for residential uses in incorporated areas and averaged one dwelling unit per 3.7 acres for Non-UGA areas. The unincorporated portions of city UGAs generally lag planned urban densities for their corresponding cities or did not experience residential development during the five-year review period. This is likely due to these as-yet unannexed areas lacking urban zoning and/or infrastructure. These

unincorporated areas serve as urban growth potential for future growth after annexation, when city zoning is adopted and public water and sewer provided.

Four cities have planned densities for commercial development within their incorporated UGAs – Blaine, Everson, Nooksack, and Sumas (**Exhibit 11**). Blaine and Nooksack have achieved densities that are lagging the planned densities for the 2016-2021 period. Everson exceeded its planned commercial density, while Sumas did not have any commercial development in the five-year review period. Whatcom County has not adopted planned densities for commercial uses in its city UGAs, non-city UGAs, nor its Non-UGA areas.

The same four cities also have planned densities for industrial development within their incorporated UGAs (**Exhibit 11**). Blaine is lagging the planned densities for the 2016-2021 period. Sumas has exceeded its planned industrial density, while Everson and Nooksack did not have any industrial development in the five-year review period. Whatcom County has not adopted planned densities for industrial uses in its city-UGAs, non-city UGAs, nor its Non-UGA areas.

The UGAs in Whatcom County have estimated net land capacity for population growth of 73,075 for the remainder of the 20-year planning period from 2021 to 2036, indicating an estimated population capacity surplus of 34,385 (**Exhibit 12**).

The UGAs in Whatcom County have estimated net land capacity for employment growth of 41,057 for the remainder of the 20-year planning period from 2021 to 2036, indicating an estimated employment capacity surplus of 16,841 (**Exhibit 13**).

On a countywide basis, surplus capacity exists to accommodate both remaining projected population and employment growth for the rest of the 20-year planning period through 2036. In addition, planned residential densities in the cities are being achieved.

## Population & Employment Growth

Data collected for the Review and Evaluation Period from 2016-2021 indicate that new construction in Whatcom County and the cities accommodated 14,496 people, or about 24% of its 2016-2036 growth projection of 60,565 for the 20-year planning period (**Exhibit 6**). About 43% of this growth occurred in the City of Bellingham and almost 84% occurred within the urban growth areas (UGAs) of the County.

The remaining projected population growth for the County from 2021-2036 is 46,069. Of this, the Bellingham UGA is allocated 45%, the Ferndale UGA,

8%, the Lynden UGA, 8%; and the Blaine UGA, 7%. Approximately 16% of remaining projected population growth is to be accommodated in non UGA-areas of the County for the remainder of the 20-year planning period.

**Exhibit 6. Population Growth Estimates and Projected Growth, 2016-2036**

UGA	2016-2021 Population Growth Estimate			2016-2036 Population Growth Projection	2021-2036 Remaining Population Growth to Accommodate
	City	County	Total		
Bellingham	6,202	78	6,280	27,000	20,720
Birch Bay	N/A	389	389	4,593	4,204
Blaine	501	50	551	3,838	3,287
Cherry Point	N/A	0	0	0	0
Columbia Valley	N/A	271	271	1,170	899
Everson	317	0	317	1,080	763
Ferndale	2,273	8	2,281	5,942	3,661
Lynden	1,665	3	1,668	5,568	3,900
Nooksack	174	0	174	861	687
Sumas	190	0	190	760	570
UGA Total	11,322	799	12,121	50,812	38,690
Non-UGA	N/A	2,375	2,375	9,754	7,379
<b>Total</b>	<b>11,322</b>	<b>3,174</b>	<b>14,496</b>	<b>60,566</b>	<b>46,069</b>

Sources: Whatcom County and Cities’ Data Reporting Tools, 2022; Community Attributes, Inc., 2021.

Data collected for the 2016-2021 Review and Evaluation Period indicate that new construction in Whatcom County and the cities accommodated 5,539 jobs, or about 17% of its 2016-2036 growth projection of 32,179 for the 20-year planning period (**Exhibit 7**). Approximately 56% of this growth occurred within the Bellingham UGA, while most of the remaining employment growth occurred in the Ferndale, Lynden, and Blaine UGAs. Almost 94% occurred within the UGAs.

The remaining projected employment growth for the County from 2021-2036 is 26,640. Of this, the Bellingham UGA is allocated 62%; the Ferndale UGA, 9%, the Blaine UGA, 6%, and the Lynden UGA, 5%. Approximately 9% of remaining projected employment growth is to be accommodated in Non-UGA areas of the County for the remainder of the 20-year planning period.

**Exhibit 7. Employment Growth Estimates and Projected Growth, 2016-2036**

UGA	2016-2021 Employment Growth Estimate			2016-2036 Employment Growth Projection	2021-2036 Remaining Employment Growth to Accommodate
	City	County	Total		
Bellingham	2,613	495	3,108	19,688	16,580
Birch Bay	N/A	55	55	474	419
Blaine	245	0	245	1,823	1,578
Cherry Point*	N/A	(141)	(141)	735	876
Columbia Valley	N/A	11	11	312	301
Everson	13	3	16	523	507
Ferndale	1,132	59	1,191	3,478	2,287
Lynden	622	0	622	1,876	1,254
Nooksack	8	0	8	100	92
Sumas	65	0	65	387	322
<b>UGA Total</b>	<b>4,698</b>	<b>482</b>	<b>5,180</b>	<b>29,396</b>	<b>24,216</b>
Non-UGA	N/A	359	359	2,783	2,424
<b>Total</b>	<b>4,698</b>	<b>841</b>	<b>5,539</b>	<b>32,179</b>	<b>26,640</b>

Sources: Whatcom County and Cities’ Data Reporting Tools, 2022; Community Attributes, Inc., 2021.

\* Employment for Cherry Point is estimated through supplemental analysis provided to Whatcom County by Western Washington University (Employment at Cherry Point, June 2021), as permit data for this UGA do not accurately reflect employment growth trends. Cherry Point UGA employment declined between 2016 and 2021 because of job losses associated with the Alcoa (Intalco) shutdown.

## Development Activity

The Review and Evaluation Program tracks both residential and nonresidential development, as well as the distribution of development between urban and rural areas. This analysis tracks housing production to compare against planned growth and the necessary growth rates in terms of housing units to achieve those targets. It also tracks commercial and industrial land developed, building square footage, and development expressed as a floor-to-area ratio (FAR - a ratio of built square footage to net parcel land area).

### Residential Development

For the Review and Evaluation Period of April 1, 2016 through March 31, 2021, the cities and the County permitted a total of 6,729 housing units inside and outside its UGAs (**Exhibit 8**). Of these units, 84% were permitted within the UGAs, and 16% were permitted outside the UGAs.

**Exhibit 8. Net Housing Units Permitted, Rural and Urban Areas Countywide, 2016-2021**

	2016*	2017	2018	2019	2020	2021**	Total
UGAs	851	1,074	946	1,041	1,140	531	5,686
Area Outside UGAs	135	198	215	238	215	42	1,043
Total	986	1,272	1,161	1,279	1,355	573	6,729
UGA Share	86%	84%	81%	81%	84%	93%	84%
Outside UGAs Share	14%	16%	19%	19%	16%	7%	16%

Sources: Whatcom County and Cities, 2022; Community Attributes, Inc., 2021.

\* 2016 captures net housing units permitted between April 1, 2016 and December 31, 2016.

\*\* 2021 captures net housing units permitted between January 1, 2021 and March 31, 2021.

Of these new units, almost 48% were permitted and built in the Bellingham UGA (3,219 from 2016-2021), while almost 37% were permitted and built in all other UGAs combined (2,467 units from 2016-2021). The remaining 1,043 units were constructed outside UGAs (**Exhibit 9**).

On average, the number of net new housing units permitted and built was 1,346 per year for the County as a whole (UGA plus Non-UGA areas) for the 2016-2021 Review and Evaluation Period. With 22,116 additional housing units needed to accommodate projected population growth through 2036, and based on the current distribution of single family and multifamily development and UGA specific occupancy and density assumptions, the cities and the County will need to increase average annual housing production to 1,474 units per year from 2021-2036. This represents an increase of around 9.5% over the 2016-2021 production rate.



Relatively small increases in production rates will be needed for the Bellingham, Nooksack, and Columbia Valley UGAs. The Birch Bay and Blaine UGAs will have to substantially increase their housing production rates to meet their population allocation targets. Specifically, housing production in the Birch Bay UGA will need to increase from an average of 46 new units per year in 2016-2021 to 164 units per year for the remainder of the planning period 2021-2036. Housing production in the Blaine UGA will need to increase from 53 to 105 for the remainder of the planning period 2021-2036.

**Exhibit 9. Annual Housing Production Necessary to Accommodate Growth Allocations by UGA and Non-UGA Areas, 2021-2036**

<b>UGA</b>	<b>Net New Units (2016-2021)</b>	<b>Average Net New Units Per Year (2016-2021)</b>	<b>Additional Housing Units Needed by 2036</b>	<b>Average Net New Units per Year Needed (2021-2036)</b>
Bellingham	3,219	644	10,620	708
Birch Bay	228	46	2,462	164
Blaine	263	53	1,569	105
Cherry Point	0	0	0	0
Columbia Valley	106	21	352	23
Everson	108	22	260	17
Ferndale	893	179	1,433	96
Lynden	730	146	1,707	114
Nooksack	58	12	230	15
Sumas	81	16	242	16
<b>UGA Total</b>	<b>5,686</b>	<b>1,137</b>	<b>18,875</b>	<b>1,258</b>
<b>Non-UGA</b>	<b>1,043</b>	<b>209</b>	<b>3,241</b>	<b>216</b>
<b>County Total</b>	<b>6,729</b>	<b>1,346</b>	<b>22,116</b>	<b>1,474</b>

Sources: Whatcom County and Cities, 2022; Community Attributes, Inc., 2022.

### Commercial & Industrial Development

For the Review and Evaluation Period (April 1, 2016 through March 31, 2021), a total of 4.0 million square feet was constructed on 1,303 commercial and industrial acres supporting an estimated 5,539 jobs inside and outside its urban growth areas (**Exhibit 7** and **Exhibit 10**). UGAs accommodated almost 95%% of the built square footage and 94% of the estimated jobs on approximately 39% of the developed acres. Non-UGA areas accommodated approximately 5% of the built square footage and 6% of the jobs on 61% of the acres. When considering these numbers, it should be noted that some commercial building in the Non-UGAs occurred on rather large parcels where large areas of the lot remain undeveloped.

On a countywide basis, commercial development comprised 84% of this developed acreage for the period 2016-2021, with industrial development comprising 16%. Overall, commercial development averaged 0.05 FAR, while industrial development averaged 0.07 FAR. Within UGAs, commercial development averaged 0.16 FAR, while industrial development averaged 0.17 FAR.

**Exhibit 10. Countywide Nonresidential Development by UGA, 2016-2021**

UGA	Commercial			Industrial			Total		
	Net Acres	Building Sq Ft	FAR	Net Acres	Building Sq Ft	FAR	Net Acres	Building Sq Ft	FAR
Bellingham									
City	110.8	1,174,506	0.24	43.8	466,871	0.24	154.6	1,641,377	0.24
County	16.6	184,246	0.26	5.3	67,200	0.29	21.8	251,446	0.26
UGA Total	127.4	1,358,752	0.24	49.0	534,071	0.25	176.4	1,892,823	0.25
Birch Bay	11.9	30,628	0.06	0.0	0	0.00	11.9	30,628	0.06
Blaine									
City	6.6	116,580	0.41	0.0	0	0.00	6.6	116,580	0.41
County	0.0	0	0.00	0.0	0	0.00	0.0	0	0.00
UGA Total	6.6	116,580	0.41	0.0	0	0.00	6.6	116,580	0.41
Cherry Point	0.0	0	0.00	16.8	80,551	0.11	16.8	80,551	0.11
Columbia Valley	2.7	6,364	0.05	0.0	0	0.00	2.7	6,364	0.05
Everson									
City	0.9	10,825	0.26	0.0	0	0.00	0.9	10,825	0.26
County	0.0	0	0.00	16.1	5,400	0.01	16.1	5,400	0.01
UGA Total	0.9	10,825	0.26	16.1	5,400	0.01	17.0	16,225	0.02
Ferndale									
City	130.5	531,565	0.09	47.9	413,301	0.20	178.4	944,866	0.12
County	0.0	0	0.00	7.6	70,214	0.21	7.6	70,214	0.21
UGA Total	130.5	531,565	0.09	55.5	483,515	0.20	186.0	1,015,081	0.13
Lynden									
City	37.3	190,276	0.12	35.4	405,818	0.26	72.8	596,094	0.19
County	0.0	0	0.00	0.0	0	0.00	0.0	0	0.00
UGA Total	37.3	190,276	0.12	35.4	405,818	0.26	72.8	596,094	0.19
Nooksack									
City	0.8	4,925	0.14	0.0	0	0.00	0.8	4,925	0.14
County	0.0	0	0.00	0.0	0	0.00	0.0	0	0.00
UGA Total	0.8	4,925	0.14	0.0	0	0.00	0.8	4,925	0.14
Sumas									
City	0.0	0	0.00	11.2	60,549	0.12	11.2	60,549	0.12
County	0.0	0	0.00	0.0	0	0.00	0.0	0	0.00
UGA Total	0.0	0	0.00	11.2	60,549	0.12	11.2	60,549	0.12
UGA Total	318.2	2,249,915	0.16	183.9	1,569,904	0.20	502.1	3,819,820	0.17
Non-UGA*	777.9	201,601	0.01	23.1	16,920	0.02	801.0	218,521	0.01
<b>County Total</b>	<b>1,096.1</b>	<b>2,451,517</b>	<b>0.05</b>	<b>207.0</b>	<b>1,586,824</b>	<b>0.18</b>	<b>1,303.1</b>	<b>4,038,341</b>	<b>0.07</b>

Sources: Whatcom County and Cities' Data Reporting Tools, 2022; Community Attributes, Inc., 2021.

\* Non-UGA acreage is gross acres, rather than net acres.

## Planned and Achieved Densities

The jurisdictions entered permit information into their respective Data Reporting Tools, which calculated the achieved densities (2016-2021). The cities all achieved greater-than-planned residential densities as articulated in their planning and zoning policies and regulations. The cities of Bellingham, Ferndale, Lynden, and Sumas significantly outperformed their planned residential densities for the period.

In the corresponding unincorporated portions of UGAs of Bellingham, Ferndale and Lynden achieved residential densities generally lag planned densities. The unincorporated portions of the Everson, Nooksack, and Sumas UGAs did not experience any residential development between 2016 and 2021. This is largely because these as-yet unannexed areas lack urban zoning and/or infrastructure. The unincorporated areas serve as urban growth potential for future growth after annexation, when city zoning is adopted and public water and sewer provided. For non-city UGAs, residential development in the Columbia Valley UGA exceeded the planned density while residential development in the Birch Bay UGA did not.

Many cities in Whatcom County do not yet have planned commercial or industrial densities. However, several cities have such planned densities. Blaine and Nooksack achieved densities lagged planned densities. Development in Everson and Sumas exceeded planned densities between 2016 and 2021.

**Exhibit 11. Planned and Achieved Densities by Jurisdiction**

UGA	Residential			Commercial			Industrial		
	Planned Density (units/ac)	Achieved Density 2016-2021 (units/ac)	Difference	Planned Density (FAR)	Achieved Density 2016-2021 (FAR)	Difference	Planned Density (FAR)	Achieved Density 2016-2021 (FAR)	Difference
Bellingham									
City	7.2	11.5	4.3	N/A	0.22	N/A	N/A	0.24	N/A
County	6.0	1.3	(4.7)	N/A	0.26	N/A	N/A	0.29	N/A
Birch Bay	5.0	4.5	(0.5)	N/A	0.06	N/A	N/A	0.00	N/A
Blaine									
City	4.3	4.4	0.2	0.80	0.31	(0.49)	0.89	0.30	(0.59)
County	4.0	4.7	0.7	N/A	0.00	N/A	N/A	0.00	N/A
Cherry Point	N/A	0.0	N/A	N/A	0.00	N/A	N/A	0.11	N/A
Columbia Valley	4.0	4.9	0.9	N/A	0.05	N/A	N/A	0.00	N/A
Everson									
City	4.0	4.8	0.8	0.20	0.26	0.06	0.30	0.00	N/A
County	4.0	0.0	N/A	N/A	0.00	N/A	N/A	0.01	N/A
Ferndale									
City	4.0	6.4	2.4	N/A	0.09	N/A	N/A	0.20	N/A
County	6.0	0.3	(5.7)	N/A	0.00	N/A	N/A	0.21	N/A
Lynden									
City	5.0	7.1	2.1	NA	0.12	N/A	NA	0.26	N/A
County	6.0	1.7	(4.3)	N/A	0.00	N/A	N/A	0.00	N/A
Nooksack									
City	4.4	5.1	0.7	0.25	0.14	(0.11)	0.10	0.00	N/A
County	4.0	0.0	N/A	N/A	0.00	N/A	N/A	0.00	N/A
Sumas									
City	4.9	7.5	2.7	0.22	0.00	N/A	0.11	0.12	0.01
County	4.0	0.0	N/A	N/A	0.00	N/A	N/A	0.00	N/A
Non-UGA Areas	N/A	3.7	N/A	N/A	0.01	N/A	N/A	0.02	N/A

Sources: Whatcom County and Cities’ Data Reporting Tools, 2022; Community Attributes, Inc., 2022.

Note: An N/A in the Planned Density columns indicates that the jurisdiction does not have an adopted planned density for the specific development type. An N/A in the Difference columns indicates that the difference between planned and achieved densities cannot be calculated because no planned density is available. The achieved density for the Non-UGA Areas is acres per dwelling unit.

**Land Suitable for Development**

An analysis of the developable lands inventory by UGA, deducting critical areas, future public uses, quasi-public uses, infrastructure gaps, and an assumed market factor, provides an estimate of land capacity for population and employment growth. Applying densities, occupancy rates, and other population and employment assumptions, the developable lands inventory results in an estimate of population and employment capacity to compare to the remaining population to accommodate.

Development data show that UGAs accommodated population growth of approximately 12,121 persons for the Review and Evaluation Period of 2016-

2021. The remaining forecast population growth to be accommodated for the rest of the 20-year planning period ending in 2036 is 38,690 for all UGAs (**Exhibit 6**). Based on an analysis of developable residential land capacity for the UGAs, additional population (housing) growth capacity exists to accommodate 73,075 for the period – a surplus of 34,385, or 17% beyond what is necessary (**Exhibit 12**).

While individual UGA population growth capacity surpluses range from 9% in Bellingham to 84% in Blaine, Birch Bay has a 10% deficit in capacity.

**Exhibit 12. Whatcom County Population Growth Capacity and Allocations by UGA, 2021-2036**

UGA	2016-2036 Population Growth Allocation	2036 Total Population Allocation	2036 Population Allocation Share	2016-2021 Population Growth Estimate	2021-2036 Remaining Population Growth	2021-2036 Population Capacity	Surplus (Deficit)	Surplus Percent
Bellingham	27,000	123,710	45%	6,280	20,720	31,392	10,672	9%
Birch Bay	4,593	12,822	5%	389	4,204	2,950	(1,254)	(10%)
Blaine	3,838	9,585	3%	551	3,287	11,324	8,037	84%
Cherry Point	0	43	0%	0	0	0	0	0%
Columbia Valley	1,170	4,448	2%	271	899	2,167	1,268	29%
Everson	1,080	3,907	1%	317	763	3,634	2,871	73%
Ferndale	5,942	19,591	7%	2,281	3,661	10,786	7,125	36%
Lynden	5,568	19,275	7%	1,668	3,900	8,467	4,567	24%
Nooksack	861	2,425	1%	174	687	1,283	596	25%
Sumas	760	2,323	1%	190	570	1,073	503	22%
<b>UGA Total</b>	<b>50,812</b>	<b>198,129</b>	<b>72%</b>	<b>12,121</b>	<b>38,690</b>	<b>73,075</b>	<b>34,385</b>	<b>17%</b>

Sources: Whatcom County and Cities, 2022; Community Attributes, Inc., 2021.

For Non-UGAs (areas outside UGAs), the *Whatcom County Comprehensive Plan’s* pro-rated population growth allocation for 2016-2036 equates to 9,754 more people (**Exhibit 1**). Based upon building permits and assumptions in the Data Reporting Tool, it is estimated that new development in the Non-UGAs accommodated about 2,375 people between 2016 and 2021. Therefore, these areas would need to accommodate about 7,379 more people over the remainder of the planning period from 2021-2036 (**Exhibit 6**). The County estimates that land outside UGAs can accommodate in excess of 14,000 additional dwelling units. This is more than enough capacity to accommodate population growth in these areas.

Both UGAs, which include cities, and Non-UGAs have sufficient capacity to accommodate projected population growth over the remaining portion of the planning period through the year 2036. Therefore, there is sufficient suitable land capacity to accommodate the countywide population projection set forth in the *Whatcom County Comprehensive Plan*.

UGAs accommodated estimated employment growth of approximately 5,180 jobs from 2016-2021. The remaining forecast employment growth to be accommodated for the rest of the 20-year planning period ending in 2036 is 24,216 for all UGAs (**Exhibit 7**). Based on an analysis of developable commercial and industrial land capacity for UGAs, additional employment growth capacity exists to accommodate 41,057 more jobs for the period – a surplus of 16,841, or 16% beyond what is necessary (**Exhibit 13**).

Individual UGA employment growth surpluses ranged from 3% in Bellingham to 136% in Blaine. No UGA has a deficit in capacity to accommodate employment growth for the remainder of the planning period (2021-2036).

**Exhibit 13. Whatcom County Employment Growth Capacity and Allocations by UGA, 2021-2036**

UGA	2016-2036 Employment Growth Allocation	2036 Total Employment Allocation	2036 Employment Allocation Share	2016-2021 Employment Growth Estimate	2021-2036 Remaining Employment Growth	2021-2036 Employment Capacity	Surplus (Deficit)	Surplus Percent
Bellingham	19,688	75,000	62%	3,108	16,580	18,671	2,090	3%
Birch Bay	474	1,140	1%	55	419	573	154	13%
Blaine	1,823	5,159	4%	245	1,578	8,570	6,992	136%
Cherry Point*	735	2,883	2%	(141)	876	2,613	1,737	60%
Columbia Valley	312	444	0%	11	301	420	119	27%
Everson	523	1,312	1%	16	507	1,575	1,068	81%
Ferndale	3,478	9,372	8%	1,191	2,287	3,484	1,197	13%
Lynden	1,876	7,103	6%	622	1,254	4,038	2,785	39%
Nooksack	100	369	0%	8	92	355	263	71%
Sumas	387	1,145	1%	65	322	758	436	38%
<b>UGA Total</b>	<b>29,396</b>	<b>103,927</b>	<b>86%</b>	<b>5,180</b>	<b>24,216</b>	<b>41,057</b>	<b>16,841</b>	<b>16%</b>

Sources: Whatcom County and Cities, 2022; Community Attributes, Inc., 2021.

\*Cherry Point UGA employment estimates were developed by Western Washington University (Employment at Cherry Point, June 2021). The timeframe for the estimated employment growth, and employment growth allocation for Cherry Point is 2017-2021 and 2017-2036 to coordinate with the timeframe for the employment growth estimate. Complete data was not available for 2016 for the Cherry Point UGA.

## Inconsistencies and Reasonable Measures

On a countywide basis, **surplus capacity exists to accommodate both remaining projected population and employment growth for the rest of the 20-year planning period through 2036**. In addition, planned residential densities in the cities are being achieved.

When planned densities are not being achieved, there is not sufficient capacity to accommodate remaining projected population or employment growth, or development patterns are not occurring as planned, Whatcom County and the cities will need to determine if reasonable measures are necessary to address the issue.

Reasonable measures should, if necessary, be selected by the jurisdiction based on the nature of the inconsistency that has occurred. The measures should be reasonably likely to increase consistency during the succeeding review and evaluation period. Once selected, reasonable measures must be adopted, as applicable, into individual County and city comprehensive plans and/or implementing regulations.

A list of potential reasonable measures that jurisdictions may consider, if needed, are documented in the *Whatcom County Review and Evaluation Program Methodology, Appendix A*. The Jurisdiction Profiles address whether reasonable measures may be needed for individual UGAs.

## JURISDICTION PROFILES

This section provides detailed data and analysis on achieved and assumed future densities, as well as summaries of developable land capacity and growth capacity, by jurisdiction. Whatcom County contains ten UGAs – seven city UGAs, and three non-City UGAs (Birch Bay, Cherry Point, and Columbia Valley) – that are described in this section.

In accordance with RCW 36.70A.215(3)(e) and the *Whatcom County Review and Evaluation Program Methodology*, the Buildable Lands Report will typically use achieved densities (as measured for the Review and Evaluation period, 2016-2021) as a basis for the assumed densities for future development in the UGA over the remaining portion of the current 20-year planning period (2021-2036). If there is little or no data on achieved densities, or the achieved densities are clearly not reflective of future development that is anticipated in the UGA then, based on a review of achieved densities in comparable areas and other analysis, the local jurisdiction has developed assumptions for future development densities in the UGA.

# 1. Bellingham UGA

The Bellingham Urban Growth Area is the largest in Whatcom County, projected to encompass 123,710 residents and 75,000 employees by 2036. The UGA has growth allocations of 27,000 new residents and 19,688 new jobs between 2016 and 2036 (**Exhibit 1** and **Exhibit 2**).

## Achieved Growth 2016-2021

Based on permit data collected between 2016 and 2021 and occupancy, persons per household, and square feet per employee assumptions, new construction in the Bellingham UGA accommodated an estimated 6,278 new residents (99% within the City of Bellingham) and 3,108 new jobs (84% within the City of Bellingham) (**Exhibit 6** and **Exhibit 7**).

Bellingham’s residential growth over the past five years has occurred at higher-than-expected densities achieving an overall density of 11.5 units per acre. The *Whatcom County Land Capacity Analysis Report* referenced in the *2016 City of Bellingham Comprehensive plan* (Land Use Chapter page 31) assumed future residential growth would average 7.2 units per acre. The achieved density within the incorporated portions of the UGA falls within the planned densities of 6.0 to 24.0

units per acre adopted in the *Whatcom County Comprehensive Plan* for the City of Bellingham (**Exhibit 11**).

Development in the unincorporated portions of the Bellingham UGA achieved a residential density of 1.3 units per acre (**Exhibit 11**). This density lags planned urban densities for the City of Bellingham and is likely due to these as-yet unannexed areas lacking city zoning and complete infrastructure; instead, the unincorporated areas serve as urban growth potential for future growth after annexation, when city zoning is adopted and public water and sewer provided.

Neither the City of Bellingham or Whatcom County have adopted planned densities for commercial or industrial uses. Between 2016 and 2021, incorporated areas of the UGA achieved a commercial Floor-Area-Ratio (FAR) of 0.22, and an industrial FAR of 0.24. The unincorporated areas within the Bellingham UGA achieved slightly higher FARs of 0.26 and 0.29 for commercial and industrial uses respectively (**Exhibit 11**).



**Population Capacity 2021-2036**

Based on achieved densities and regulatory changes adopted since 2016, the forward-looking evaluation of land suitable for development that estimates the growth capacity on remaining buildable lands is assuming an overall residential density of 11.2 units per acre on vacant, partially used, and underutilized lands. This aligns well with the 11.5 units per acre overall achieved density for residential development from 2016 to 2021.

City of Bellingham planners are assuming future densities ranging between 0.2 units per acre and 14.5 units per acre for single-family zones, depending on the specific zone (Zones in Bellingham's unincorporated UGA with a density of 0.2 units per acre or one dwelling per five acres are located within the Lake Whatcom Watershed and were adopted by Whatcom County for the purpose of water quality protection). Future density assumptions range between 4.0 and 69.7 units per acre for zones allowing multifamily uses (**Exhibit 14**).

The results of the analysis show the Bellingham UGA has estimated net land capacity for residential development (population growth) of 752.98 acres (**Exhibit 15**). When combined with pending projects in the development pipeline and in approved

master plans these buildable lands have a total estimated occupied unit capacity of 15,531 dwelling units. Based on persons per household assumptions, these dwelling units can accommodate an estimated 31,392 new residents indicating an estimated population capacity surplus of 10,672 people (**Exhibit 16**).

**Housing Needs by Type**

The Whatcom County Comprehensive Plan (Chapter 3- Housing, Chart 3 – Estimated Dwelling Units Needed, page 3-8) indicates Bellingham has a need for 5,171 single-family, 9,507 multi-family, and 1,410 other (group housing) new dwelling units during the 2013-2036 planning period.

- During the period April 1, 2013 to March 31, 2016 Bellingham completed final inspections on permits for 372 single-family and 797 multi-family housing units.
- During the period April 1, 2016 to March 31, 2021 Bellingham completed final inspections on permits for 794 new single-family and 2,393 new multi-family housing units (including 537 student housing and memory-care group housing units that would fall under the “other” category in the County housing needs chart).

- The forward-looking evaluation of land suitable for development component of Bellingham’s Buildable Lands Analysis shows that the City and unincorporated UGA have an estimated 2021-2036 capacity for an additional 4,200 single-family and 11,863 multi-family housing units (**Exhibit 16**).

Combining the 2013-2016 and 2016-2021 built totals with the estimated 2021-2036 capacity results in an overall capacity of 5,366 single-family and 15,053 multi-family housing units plus 537 completed units in the “other” category. The combined single-family totals exceed the estimated need by 4% or 195 housing units (5,366 – 5,171). The combined multi-family totals exceed the estimated need by 58% or 5,546 housing units (15,053 – 9,507). And the combined overall total (single-family, multi-family, and other) exceeds the estimated need by 30% or 4,868 housing units (20,956 – 16,088). These capacities are sufficient to accommodate the dwelling units needed in the planning period as established in the *Whatcom County Comprehensive Plan* (Chapter 3- Housing, Chart 3).

### **Employment Capacity 2021-2036**

Based on achieved densities and regulatory changes adopted since 2016, City of Bellingham planners are assuming future commercial FARs ranging between 0.25 and 3.50, depending on the specific zone. Assumed future industrial FARs range between 0.25 and 0.40 (**Exhibit 17**).

The results of the evaluation of land suitable for development show the Bellingham UGA has estimated net land capacity for employment growth of 377.6 acres (**Exhibit 18**). When combined with pending projects in the development pipeline and in approved master plans these buildable lands have a total estimated occupied commercial and industrial capacity of 9.8 million square feet. Based on square feet per employee assumptions, this employment space can accommodate an estimated 18,671 jobs indicating an estimated employment capacity surplus of 2,091 jobs (**Exhibit 19**).

### **Analysis of Comprehensive Plan Objectives and Reasonable Measures**

Over the past five years Bellingham has worked hard to implement the goals adopted in the 2016 Comprehensive Plan. As described below in the Regulatory Changes section, new development rules for land division, multi-family housing, and infill toolkit (middle) housing have expanded capacity significantly. And as documented in this report Bellingham is meeting or exceeding the development assumptions in the county-wide planning policies and the comprehensive plan. To that end, and as stated in section 5.2 of the *Whatcom County Review and Evaluation Program Methodology*, no reasonable measures are required. There is still much work to do though around housing. Like other communities in Washington and across the nation the supply of housing that is affordable to most households is small and getting smaller. Through the Home Fund Bellingham is investing over \$60 million to build new and preserve existing affordable housing (over 700 units 2012-2022). The City also spends over \$2 million annually in federal grant dollars to provide housing, services, and rental assistance to our community's most vulnerable members. Current work program initiatives like the manufactured home park overlay zone and funding to study inclusionary zoning also

aim to preserve and expand the supply of affordable housing. Work on the 2025 Comprehensive Plan will begin in 2023 and will include a community-wide conversation around housing affordability. These efforts will be guided by the Department of Commerce recommendations for compliance with House Bill 1220 instructing local governments to “plan and accommodate” housing affordable to all income levels. Through this plan update the City will work to further develop goals and policies for preserving existing affordable housing and to carefully manage the remaining buildable land supply to prioritize housing that is affordable to the full range of Bellingham’s residents.

### **Analysis by Zoning Category**

The following section provides details for each of Bellingham’s general zoning categories of the residential densities assumed in 2016, those achieved 2016 to 2021, and those used in the forward-looking evaluation of land suitable for development that estimates the growth capacity on remaining buildable lands from 2021 to 2036.

Single family residential zones in Bellingham accommodated 566 single family and 321 multi family units for a total of 886 units and an overall achieved density of 5.3 units per acre compared to an assumed density of 4.7 units

per acre. There are 19 unique single family zones, of which 15 had growth over the past five years. Nine experienced higher than expected levels of development accommodating 160% of the growth assumed for them. Six zones fell short accommodating about 90% of assumed growth. Overall single family zones accommodated 114% of assumed growth.

Multi family residential zones accommodated 748 multi family and 149 single family units for a total of 897 units and an overall achieved density of 22.9 units per acre compared to an assumed density of 17.7 units per acre. There are 34 unique multi family zones, of which 17 had growth over the past five years. Nine experienced higher than expected levels of development accommodating 263% of the growth assumed for them. Eight zones fell short accommodating about 91% of assumed growth. Overall multi family zones accommodated 130% of assumed growth.

Commercial zones allowing and encouraging residential uses accommodated 671 multi family units for an achieved density of 20.7 units per acre compared to an assumed density of 17.8 units per acre. There are seven unique commercial zones, of which two had residential growth over the past five years. Both zones experienced higher than expected levels of development accommodating 116% of the growth assumed for them. For commercial

zones allowing and encouraging residential uses the analysis continues the use of 2,500 square feet per multi family unit (Municipal Code does not specify a density) as a realistic value given the densities achieved in recent projects in these zones.

Commercial/Industrial/Residential Multi zones accommodated 154 single family and 93 multi family units for an overall achieved density of 13.1 units per acre compared to an assumed density of 7.5 units per acre. There are two unique Com/Ind/RM zones, one of which experienced residential growth over the past five years. This zone experienced higher than expected levels of development accommodating 176% of the growth assumed for it.

Urban Village zones accommodated 5 single family and 524 multi family units for an overall achieved density of 58.9 units per acre compared to an assumed density of 41.4 units per acre. There are 13 unique urban village zones, 11 of which experienced residential growth over the past five years. Ten experienced higher than expected levels of development accommodating 175% of the growth assumed for them. One zone fell short accommodating 89% of assumed growth. Overall urban village zones accommodated 142% of assumed growth. For urban village zones the analysis uses density values keyed to the floor area ratios (FARs) specified in the

Municipal Code for each urban village land use area. A table included in the evaluation of land suitable for development worksheet documents the assumptions that model allocation of building square footage to non-residential uses, parking, hallway/mechanical spaces, and residential units to translate each FAR value into a specific units per acre density. These model assumptions are based on densities achieved by recent projects in each of the urban villages.

**Background Details**

The following section highlights details specific to Bellingham’s application of the *Whatcom County Review and Evaluation Program Methodology* in the analysis of buildable lands. It includes the rates used to estimate population and employment, discussions of regulatory changes since 2016 that affect development capacity, infrastructure and future public uses, environmental constraints, market factors, and lands in Washington State ownership excluded from the capacity analysis.

**Population and Employment Assumptions**

The housing occupancy rate and persons per household assumptions for the Bellingham UGA are based on current values from the Washington State Office of Financial

Management (OFM) and are specific to Bellingham. The employment occupancy rate and jobs per square foot assumptions are based on Washington State Employment Security and Whatcom County Assessor’s data as explained in Section 4.1 of the *Whatcom County Review and Evaluation Program Methodology*. The values are as follows:

- 97.5% Single Family occupancy rate
- 96.4% Multifamily occupancy rate
- 95.0% Commercial and Industrial occupancy rate
- 2.499 persons per Single Family household
- 1.850 persons per Multifamily household
- 440 and 660 respectively Commercial and Industrial square feet per employee

The Bellingham UGA has an estimated 20,720 population and 16,580 employment growth remaining to accommodate between 2021 and 2036 (**Exhibit 6** and **Exhibit 7**).

**Regulatory Changes**

Since adoption of the 2016 Comprehensive Plan Bellingham has approved many

regulatory changes that impact either the amount of land available for development, or the densities and mix of uses allowed on buildable lands. These changes are documented in detail in the Data Reporting Tool worksheet. The most significant changes include a rezone for Cordata Park removing 20 acres of mixed-use land from the buildable land supply (estimated capacity of 150 jobs and 100 housing units); approval of two annexations activating development of infrastructure and allowing development on 249 acres; approval of Title 23 (subdivision ordinance) streamlining the plat process and allowing a 50% density bonus for single-family cluster zones when at least 50% of units are Infill Toolkit forms; approval of an Accessory Dwelling Unit (ADU) ordinance allowing and encouraging ADUs in Bellingham’s neighborhoods; approval of an updated residential multi-family (RM) development code establishing a simplified tiered density system and minimum densities (increasing Bellingham’s overall development capacity by an estimated 20%); and Phase I of an update to the Infill Toolkit regulations streamlining and clarifying the development of missing-middle housing forms.

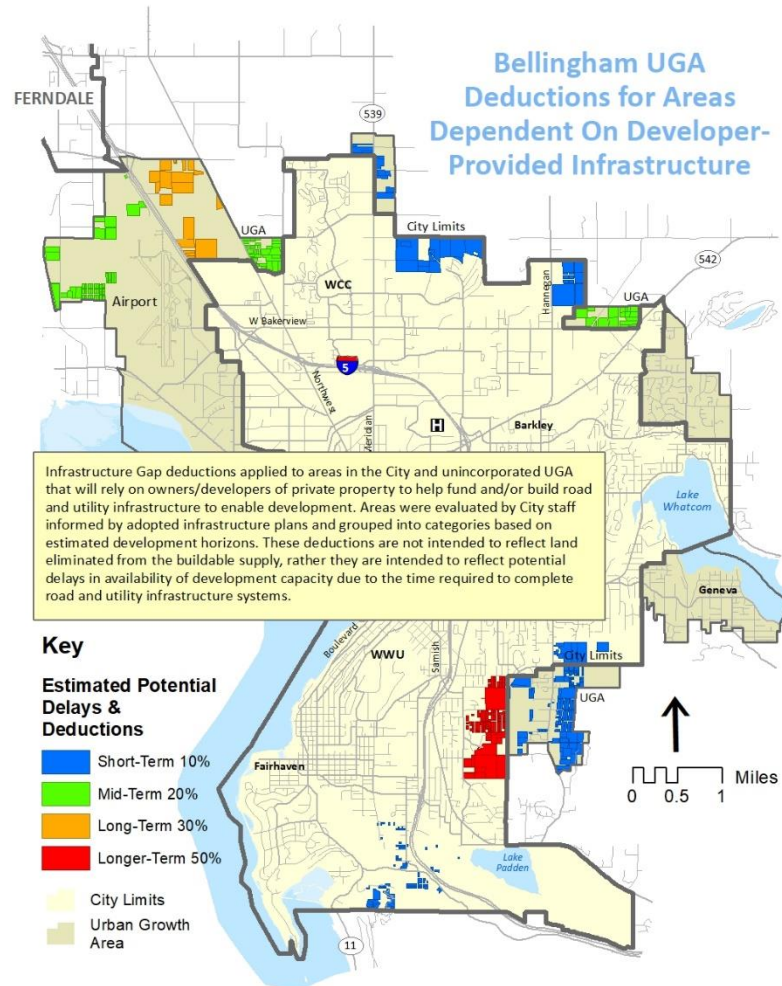
Infrastructure and Future Public Uses

Bellingham has identified areas within the City and unincorporated UGA that are within

the service area for urban sewer utilities but may not achieve full buildout until after 2036 due to reliance upon developer-provided portions of these future utility systems. The areas identified based on mapping from the 2016 Bellingham Wastewater Conveyance Plan were also determined to be areas where development of other related infrastructure like roads and municipal water would likely depend on some level of developer participation. These areas were assigned estimated near-term, mid-term, long-term, or longer-term time frames and received associated percentage deductions of their developable area. The deductions total approximately 112 acres and do not preclude all development but acknowledge that full buildout may not occur until after 2036. This jurisdiction profile includes a map of the Bellingham UGA illustrating the land areas associated with these deductions.

Deductions of buildable land related to roads, and water, sewer, and storm utilities are accounted for in the methodology through an infrastructure deduction on vacant, partially-used, and underutilized land of between 5% and 24%. The recent 17-acre land acquisition by the Bellingham School District for a future elementary school is also removed from the buildable land supply. Future development on the three college campuses in Bellingham is

accounted for in the “master planned” category of buildable land based on the adopted Institutional Master Plan (IMP) for each institution. Deductions for future public uses were made from the developable land supply based primarily on land acquisition needs identified in the Bellingham 2020 Park, Recreation, and Open Space (PRO) Plan. A total of 104 acres was deducted from developable vacant land for these purposes (see 2020 PRO Plan, Table 4.6.1 “Proposed Park System Additions – City & UGA”).





### Environmental Constraints

Deductions for environmental constraints (critical areas) were made to all developable land including ALL residential, commercial, and industrial zones. Deductions were based on the best-available data in the City's GIS system following criteria set out in Bellingham Municipal Code (BMC) Chapter 16.55.

Wetlands were buffered with 150-foot buffers based on a composite of all mapped wetland delineations, and wetland reconnaissance inventories from 2015, 2003, and 1992 (NWI data from the 1980's was not used due to the relatively complete coverage by more recent/accurate studies). In addition, a staff-generated potential wetlands layer was created from color-infrared imagery and LiDAR data to fill gaps across properties where access limitations prevent on-the-ground mapping of wetland systems. Other critical areas layers used include steep slopes, FEMA floodways and floodplains (2019 data), and regulated shorelines and stream/riparian corridors. Shorelines were buffered using adopted Shoreline Master Program (SMP) development setbacks designated for each reach. Stream/riparian buffers were based on distances specified for each reach in BMC Table 16.55.500(A).

### Market Factors

The Review and Evaluation Program Methodology includes a market factor deduction to account for land not likely to develop during the remainder of the 2021 to 2036 planning period. The criteria considered while developing the market factor(s) for Bellingham's buildable lands analysis include examination of improvement to total value ratios, transaction and conversion history, a property owner survey, targeted outreach to specific owners and developers, and comparative studies of market factors from other buildable lands jurisdictions. The market factors developed for Bellingham's analysis are arranged in a tiered system corresponding to the complexities involved in development and the relative return or benefit to property owners and developers. Vacant land usually presents the fewest challenges to development, partially-utilized land is typically more complex to develop due to existing ongoing uses on the property during development, and underutilized land is often the most-complex due to the requisite relocation or change of non-conforming uses accompanying redevelopment. The relative return or benefit to property owners and developers is closely related to the zoned density or intensity of developable land. Land zoned for higher density or intensity uses will

usually provide a bigger return or benefit to owners and developers making it more likely they will develop sooner. And land zoned for lower density or intensity uses will usually provide a lower return or benefit to owners making it less likely to develop sooner. The market factors assigned to each tier are as follows: vacant higher density/intensity = 20%, vacant lower density/intensity = 25%, partially-utilized higher density/intensity = 25%, partially-utilized lower density/intensity = 30%, underutilized higher density/intensity = 30%, underutilized lower density/intensity = 35%. A technical memo explaining the details of Bellingham's market factor analysis can be found here

[https://maps.cob.org/resources/images/pcd/BellinghamMarketFactor\\_TechnicalMemo\\_Sept10th2021.pdf](https://maps.cob.org/resources/images/pcd/BellinghamMarketFactor_TechnicalMemo_Sept10th2021.pdf)

### State-Owned Lands

The 2016 Bellingham Comprehensive Plan Land Capacity Analysis included some development capacity on approximately 266 acres of land owned by Washington State. This land located in one block west of Bellingham International Airport, and in three blocks lying north of and parallel to the Mt Baker Highway has been excluded from the developable land supply in this analysis.

Residential Development

**Exhibit 14. Residential Development, Achieved and Assumed Densities, City of Bellingham, 2016 -2021**

Zoning Category	Development Type	Acres Developed	Dwelling Units	Achieved Density (Units/Acre)	Density Assumed (Units/Acre)	
					Min	Max
Single Family	Single Family	138.2	586	4.24	0.20	14.52
	Multifamily	29.9	321	10.74	7.26	7.26
Multifamily	Single Family	20.1	149	7.40	N/A	N/A
	Multifamily	32.2	748	23.25	4.04	43.56
Mixed-Use	Single Family	28.5	169	5.93	6.00	6.00
	Multifamily	3.3	93	28.24	6.00	17.42
Urban Village	Single Family	0.5	5	9.96	8.71	8.71
	Multifamily	8.7	524	59.93	8.71	69.70
Commercial	Multifamily	20.6	671	32.55	12.10	48.40
Institutional	Multifamily	1.5	76	50.97	N/A	N/A
Industrial	Multifamily	0.2	1	6.19	N/A	N/A

Sources: City of Bellingham, 2022; Community Attributes Inc., 2021.

Note: “Density Assumed” is the assumed density for evaluation of land suitable for development by zone. City of Bellingham zoning districts are grouped into seven collapsed, generalized categories.

**Exhibit 15. Residential Land Supply, Bellingham UGA, 2021 -2036**

	UGA Total	Single Family	Multifamily	Mixed-Use	Urban Village	Commercial	Institutional	Industrial	Public	Airport Operations
<b>Vacant Land</b>										
Gross Acres	1,291.19	802.97	322.52	119.16	2.94	41.41	2.19	0.00	0.00	0.00
Critical Areas	688.47	426.50	183.11	48.51	0.52	27.81	2.02	0.00	0.00	0.00
Future Public Uses	63.66	39.59	15.90	5.87	0.14	2.04	0.11	0.00	0.00	0.00
Infrastructure Gaps	55.48	41.84	8.74	4.89	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	24.18	14.75	5.74	2.99	0.11	0.58	0.00	0.00	0.00	0.00
Infrastructure Deduction	97.79	70.81	11.48	14.22	0.11	1.16	0.01	0.00	0.00	0.00
Market Factor	75.72	45.29	19.51	8.53	0.41	1.96	0.01	0.00	0.00	0.00
<b>Net Acres</b>	<b>285.91</b>	<b>164.20</b>	<b>78.04</b>	<b>34.14</b>	<b>1.64</b>	<b>7.86</b>	<b>0.05</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Partially-Used Land</b>										
Gross Acres	1,378.76	845.05	141.46	321.62	53.25	17.39	0.00	0.00	0.00	0.00
Critical Areas	567.27	421.40	49.59	84.38	4.89	7.00	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	23.84	8.42	0.40	15.01	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	39.38	20.76	4.57	11.11	2.42	0.52	0.00	0.00	0.00	0.00
Infrastructure Deduction	165.59	99.65	9.15	53.34	2.42	1.04	0.00	0.00	0.00	0.00
Market Factor	149.18	77.22	19.44	39.45	10.88	2.21	0.00	0.00	0.00	0.00
<b>Net Acres</b>	<b>433.50</b>	<b>217.59</b>	<b>58.31</b>	<b>118.34</b>	<b>32.64</b>	<b>6.62</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Underutilized Land</b>										
Gross Acres	69.84	0.00	25.64	1.15	29.40	9.92	3.72	0.00	0.00	0.00
Critical Areas	14.96	0.00	8.29	0.02	0.81	2.65	3.18	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	2.72	0.00	0.87	0.06	1.43	0.36	0.00	0.00	0.00	0.00
Infrastructure Deduction	4.22	0.00	1.73	0.27	1.43	0.73	0.05	0.00	0.00	0.00
Market Factor	14.38	0.00	4.42	0.24	7.72	1.85	0.15	0.00	0.00	0.00
<b>Net Acres</b>	<b>33.56</b>	<b>0.00</b>	<b>10.32</b>	<b>0.56</b>	<b>18.01</b>	<b>4.32</b>	<b>0.34</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

Sources: City of Bellingham, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

Note: City of Bellingham zoning districts are grouped into nine collapsed, generalized categories.

**Exhibit 16. Developable Residential Land Capacity, Bellingham UGA, 2021-2036**

	UGA	Multi-family	Single-family	Mixed-Use	Urban Village	Commercial	Institutional	Industrial	Public	Airport Operations
<b>Net Developable Residential Acres (Vacant, PU, UU)</b>	<b>752.98</b>	<b>381.79</b>	<b>146.67</b>	<b>153.03</b>	<b>52.29</b>	<b>18.80</b>	<b>0.39</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Single Family Developable Acres</b>	485.56	374.47	-	110.00	1.09	-	-	-	-	-
Assumed Single Family Density (units/acre)										
Subtotal Single Family Unit Capacity	2,994	2,325	-	660	9	-	-	-	-	-
Existing Single Family Units	1,646	419	370	314	366	28	1	146	-	2
Pending Single Family Units	1,872	1,164	505	123	14	65	-	-	1	-
Master Planned Single Family Units	75	-	-	58	-	-	-	17	-	-
Subtotal: Net Single Family Unit Capacity	4,200	3,070	505	527	15	65	-	17	1	-
Potential Occupied Single Family Units	4,095	2,993	492	514	15	63	-	16	1	-
Single Family Population Capacity	10,233	7,480	1,230	1,285	37	158	-	41	2	-
<b>Multifamily Developable Acres</b>	267.42	7.32	146.67	43.03	51.20	18.80	0.39	-	-	-
Assumed Multifamily Density (units/acre)										
Subtotal Multifamily Unit Capacity	5,544	65	2,791	420	1,842	411	15	-	-	-
Existing Multifamily Units	122	27	25	20	20	10	-	20	-	-
Pending Multifamily Units	4,903	124	927	758	1,477	1,617	-	-	-	-
Master Planned Multifamily Units	1,492	-	-	413	760	-	200	119	-	-
Subtotal: Net Multifamily Unit Capacity	11,863	189	3,693	1,571	4,059	2,018	215	119	-	-
Potential Occupied Multifamily Units	11,436	182	3,560	1,514	3,913	1,945	207	115	-	-
Multifamily Population Capacity	21,159	338	6,586	2,801	7,239	3,599	384	212	-	-
Net Dwelling Unit Capacity	16,063	3,259	4,198	2,098	4,074	2,083	215	135	1	-
Potential Occupied Dwelling Units	15,531	3,175	4,052	2,028	3,928	2,009	207	131	1	-
<b>Population Capacity</b>	<b>31,392</b>	<b>7,818</b>	<b>7,816</b>	<b>4,086</b>	<b>7,276</b>	<b>3,757</b>	<b>384</b>	<b>253</b>	<b>2</b>	<b>-</b>
Remaining Population Growth to Accommodate (2021-2036)	20,720									
<b>Population Capacity Surplus (Deficit)</b>	<b>10,672</b>									

Sources: City of Bellingham, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

Note: Bellingham UGA zoning districts are grouped into nine collapsed, generalized categories.

## Commercial and Industrial Development

**Exhibit 17. Nonresidential Development, Achieved and Assumed Densities, City of Bellingham, 2016-2021**

Zoning Designation	Development Type	Acres Developed	Built Square Feet	Achieved Density (FAR)	Assumed Density (FAR)	
					Min	Max
Single Family	Commercial	7.6	22,776	0.07	N/A	N/A
Multifamily	Commercial	1.4	17,966	0.28	N/A	N/A
Mixed-Use	Commercial	21.7	230,519	0.24	0.40	0.40
	Industrial	0.0	0	0.00	0.40	0.40
Urban Village	Commercial	3.1	81,619	0.61	0.40	3.50
	Industrial	2.4	58,710	0.57	0.40	0.40
Commercial	Commercial	10.8	189,313	0.40	0.40	2.50
Institutional	Commercial	12.3	188,774	0.35	0.40	0.40
Industrial	Commercial	12.0	155,697	0.30	N/A	N/A
	Industrial	45.2	466,052	0.24	0.25	0.25
Public	Commercial	50.2	323,042	0.15	0.40	0.40
	Industrial	1.4	9,309	0.15	N/A	N/A
Airport Operations	Commercial	8.2	149,046	0.42	0.25	0.25
	Industrial	0.0	0	0.00	0.25	0.25

Sources: City of Bellingham, 2022; Community Attributes Inc., 2021.

Note: Assumed Density is the assumed density for evaluation of land suitable for development by zone. Bellingham UGA zoning districts are grouped into nine collapsed, generalized categories.

**Exhibit 18. Developable Nonresidential Land Supply, Bellingham UGA, 2021 -2036**

	UGA Total	Single Family	Multifamily	Mixed-Use	Urban Village	Commercial	Institutional	Industrial	Public	Airport Operations
<b>Vacant Land</b>										
Gross Acres	819.40	0.00	0.07	24.40	3.38	41.61	6.58	743.27	0.08	0.00
Critical Areas	562.80	0.00	0.05	10.32	0.23	27.81	6.07	518.24	0.08	0.00
Future Public Uses	40.40	0.00	0.00	1.20	0.17	2.05	0.32	36.64	0.00	0.00
Infrastructure Gaps	22.55	0.00	0.00	0.54	0.00	0.00	0.00	22.01	0.00	0.00
Quasi-Public Use Deduction	1.35	0.00	0.00	0.62	0.15	0.59	0.00	0.00	0.00	0.00
Infrastructure Deduction	20.13	0.00	0.00	2.15	0.15	1.18	0.02	16.64	0.00	0.00
Market Factor	34.43	0.00	0.00	1.91	0.54	2.00	0.03	29.95	0.00	0.00
<b>Net Acres</b>	<b>137.73</b>	<b>0.00</b>	<b>0.01</b>	<b>7.66</b>	<b>2.15</b>	<b>7.99</b>	<b>0.14</b>	<b>119.79</b>	<b>0.00</b>	<b>0.00</b>
<b>Partially-Used Land</b>										
Gross Acres	359.15	0.00	0.24	35.74	25.13	17.52	0.00	279.05	0.00	1.48
Critical Areas	146.67	0.00	0.09	9.38	2.92	7.00	0.00	126.77	0.00	0.52
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	10.20	0.00	0.00	1.67	0.00	0.00	0.00	8.53	0.00	0.00
Quasi-Public Use Deduction	2.88	0.00	0.01	1.23	1.11	0.53	0.00	0.00	0.00	0.00
Infrastructure Deduction	22.57	0.00	0.02	5.93	1.11	1.05	0.00	14.38	0.00	0.10
Market Factor	44.21	0.00	0.03	4.38	5.00	2.23	0.00	32.34	0.00	0.22
<b>Net Acres</b>	<b>132.62</b>	<b>0.00</b>	<b>0.10</b>	<b>13.15</b>	<b>14.99</b>	<b>6.70</b>	<b>0.00</b>	<b>97.03</b>	<b>0.00</b>	<b>0.65</b>
<b>Underutilized Land</b>										
Gross Acres	444.57	0.00	0.03	0.13	3.74	10.70	3.72	426.24	0.00	0.00
Critical Areas	273.85	0.00	0.00	0.00	0.13	2.65	3.18	267.88	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.59	0.00	0.00	0.01	0.18	0.40	0.00	0.00	0.00	0.00
Infrastructure Deduction	16.91	0.00	0.00	0.03	0.18	0.81	0.05	15.84	0.00	0.00
Market Factor	45.97	0.00	0.01	0.03	0.97	2.05	0.15	42.76	0.00	0.00
<b>Net Acres</b>	<b>107.25</b>	<b>0.00</b>	<b>0.02</b>	<b>0.06</b>	<b>2.27</b>	<b>4.79</b>	<b>0.34</b>	<b>99.77</b>	<b>0.00</b>	<b>0.00</b>

Sources: City of Bellingham, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

Note: Bellingham UGA zoning districts are grouped into nine collapsed, generalized categories.

**Exhibit 19. Developable Nonresidential Land Capacity, Bellingham UGA, 2021 -2036**

	UGA	Multi-family	Single-family	Mixed-Use	Urban Village	Commercial	Institutional	Industrial	Public	Airport Operations
<b>Net Developable Employment Acres (Vacant, PU, UU)</b>	<b>377.60</b>	<b>0.00</b>	<b>0.13</b>	<b>20.87</b>	<b>19.41</b>	<b>19.48</b>	<b>0.48</b>	<b>316.59</b>	<b>0.00</b>	<b>0.65</b>
<b>Commercial Developable Acres</b>	54.06	-	0.13	18.89	14.75	19.48	0.48	-	-	0.32
Subtotal: Commercial Capacity (SF)	2,330,253	-	2,203	329,224	1,400,226	586,709	8,373	-	-	3,518
Existing Commercial Space (SF)	716,719	4,287	5,423	-	422,903	224,113	-	59,993	-	-
Pending Commercial Space (SF)	1,095,040	78,100	6,933	26,239	140,669	268,607	11,813	463,912	98,767	-
Master Planned Commercial Space (SF)	2,528,209	-	-	210,603	617,200	-	1,294,730	39,397	266,279	100,000
Subtotal: Net Commercial Capacity (SF)	5,346,344	78,100	9,136	566,066	1,775,050	631,203	1,314,916	503,309	365,046	103,518
Potential Occupied Commercial Space (SF)	5,079,027	74,195	8,679	537,763	1,686,297	599,643	1,249,170	478,144	346,793	98,342
Commercial Employment Capacity	11,542	168	20	1,222	3,832	1,362	2,839	1,087	788	224
<b>Industrial Developable Acres</b>	323.54	-	-	1.97	4.66	-	-	316.59	-	0.32
Subtotal: Industrial Capacity (SF)	3,566,662	-	-	34,347	81,132	-	-	3,447,665	-	3,518
Existing Industrial Space (SF)	871,274	79,196	26,762	5,496	135,082	81,437	-	543,301	-	-
Pending Industrial Space (SF)	1,016,738	-	-	-	28,382	45,000	-	912,841	30,515	-
Master Planned Industrial Space (SF)	981,055	-	-	77,213	376,000	-	-	172,841	-	355,000
Subtotal: Net Industrial Capacity (SF)	4,952,113	-	-	111,560	416,473	45,000	-	3,990,046	30,515	358,518
Potential Occupied Industrial Space (SF)	4,704,507	-	-	105,982	395,649	42,750	-	3,790,544	28,989	340,592
Industrial Employment Capacity	7,129	-	-	161	599	65	-	5,743	44	516
Net Commercial & Industrial Capacity (SF)	10,298,457	78,100	9,136	677,626	2,191,523	676,203	1,314,916	4,493,355	395,561	462,036
Potential Occupied Commercial & Industrial Capacity (SF)	9,783,534	74,195	8,679	643,745	2,081,947	642,393	1,249,170	4,268,688	375,783	438,934
Employment Capacity	<b>18,671</b>	<b>168</b>	<b>20</b>	<b>1,383</b>	<b>4,431</b>	<b>1,427</b>	<b>2,839</b>	<b>6,830</b>	<b>832</b>	<b>740</b>
Remaining Employment Growth to Accommodate (2021-2036)	16,580									
<b>Employment Capacity Surplus (Deficit)</b>	<b>2,091</b>									

Sources: City of Bellingham, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.  
 Note: Bellingham UGA zoning districts are grouped into nine collapsed, generalized categories.



## 2. Birch Bay UGA

The Birch Bay Urban Growth Area is one of three Non-City UGAs in Whatcom County. The UGA has a projected total allocation of 12,822 residents and 1,140 jobs by 2036. The UGA has a projected growth allocation of 4,593 new residents and 474 new jobs between 2016 and 2036 (**Exhibit 1** and **Exhibit 2**).

### Achieved Growth 2016-2021

Based on permit data collected between 2016 and 2021, occupancy, persons per household and square feet per employee assumptions, new construction in the Birch Bay UGA accommodated an estimated 389 new residents and 55 new jobs over this five-year period (**Exhibit 6** and **Exhibit 7**).

The Birch Bay UGA achieved an overall residential density of 4.5 units per net acre between 2016 and 2021. This is below the 5.0 to 10.0 units per net acre planned in the *Whatcom County Comprehensive Plan* (**Exhibit 11**).

The *Whatcom County Comprehensive Plan* does not have adopted planned densities for commercial or industrial uses. Between 2016 and 2021, the UGA has achieved a commercial FAR of 0.06. The Commercial FAR is based upon a limited number of commercial building

permits (eight) issued between April 1, 2016 and March 31, 2021. Six of the eight building permits were in commercial zones (the other two were in residential zones). Five of the six permits in commercial zones were for commercial storage buildings (the other was for a covered patio). The UGA did not have industrial development between 2016 and 2021 (**Exhibit 11**).

### Population and Employment Assumptions

Occupancy rate and population and employment assumptions for estimating future growth capacity in the Birch Bay UGA are:

- 75.0% Single Family occupancy rate
- 51.0% Multifamily occupancy rate
- 95.0% Commercial and Industrial occupancy rate
- 2.38 Single Family persons per household
- 2.22 Multifamily persons per household
- 532 Commercial square feet per employee

The Birch Bay UGA is characterized by a mix of single family and multifamily residences, as well as historically high seasonal housing. There are also a number of businesses in the UGA.

**Population Capacity 2021-2036**

The Birch Bay UGA will need to accommodate 4,204 more residents and 419 more jobs between 2021 and 2036 under current planning assumptions (**Exhibit 6** and **Exhibit 7**).

Based on achieved densities between 2016 and 2021 and other planning assumptions, Whatcom County is assuming future densities ranging between 4.4 units per acre and 10.0 units per acre for single family development, depending on the specific zone. Future density assumptions range between 5.9 and 17.0 units per acre for multifamily development (**Exhibit 20**). Density assumptions for the Suitable Land Tool, which estimates future development capacity, are further described below (achieved density is based on building permits issued between 2016 and 2021):

Urban Residential (UR4) – The achieved net density from the Data Reporting Tool for the UR4 zone is 4.4 units/acre for single family development. This net density is used in the Suitable Land Tool to estimate capacity to accommodate development in the future.

Urban Residential Medium Density (URM6) – For single family, the achieved net density from the Data Reporting Tool for the URM6 zone is 3.3 units/acre. However, this is likely

not reflective of future development. While there is currently not a minimum density in the URM6, the County Comp Plan encourages development at 5-10 units per acre in the Birch Bay UGA. For multi-family, the achieved net density from the Data Reporting Tool for the URM6 zone is 5.9 units/acre. This density is used in the Suitable Land Tool for both single family and multi-family land.

Urban Residential Medium Density (URM24) – The URM24 zone did not experience any residential development from 2016-2021 (see Data Reporting Tool). The URM24 zone has a minimum net density of 10 dwelling units/acre and a maximum gross density of 24 dwellings/acre (WCC 20.22.252). A density of 10 units per net acre is used for single family land and 17 units per net acre for multi-family land in the Suitable Land Tool.

Resort Commercial (RC) –For single family, the achieved net density from the Data Reporting Tool for the RC zone is 8.3 units/acre. This density is used in the Suitable Land Tool for future single family development. The RC zone did not experience any multi-family residential development from 2016-2021 (see Data Reporting Tool). The RC zone allows multi-family zoning at a maximum gross density of 22 units per acre (WCC 20.64.262). A density of 17 units per net acre

for multi-family development is used in the Suitable Land Tool (same as the URM24 zone).

General Commercial (GC) - The GC zone did not experience any residential development from 2016-2021 (see Data Reporting Tool). Therefore, the achieved density for the RC zone (8.3 units/net acre) is used in the Suitable Land Tool for single family land in the GC zone. The GC zone allows multi-family zoning at a maximum density of 18 units per acre (WCC 20.62.066). A density of 17 units per net acre is used for multi-family development in the Suitable Land Tool (same as URM24 and RC zones).

The Birch Bay UGA has estimated net land capacity for population growth of about 297 acres (**Exhibit 21**), with a total estimated potential occupied unit capacity of 1,257 dwelling units. Based on persons per household assumptions, the Birch Bay UGA has an estimated population capacity of 2,950, indicating an estimated population capacity deficit of 1,254 for the 2021-2036 time period (**Exhibit 22**).

**Housing Needs by Type**

The *Whatcom County Comprehensive Plan* (Chapter 3- Housing, Chart 3 – Estimated Dwelling Units Needed, page 3-8) indicates that the Birch Bay UGA has a need for 3,106

new single-family dwelling units during the 2013-2036 planning period (the Comprehensive Plan does not estimate multifamily housing needs for Birch Bay). The calculation for Chart 3 in the *Whatcom County Comprehensive Plan* included building activity from 2013. Therefore, the analysis below includes permit data from April 1, 2013, even though the planning period for this Buildable Lands Report is from 2016.

- Between April 1, 2013 and March 31, 2021, Whatcom County performed final inspections on 304 single-family and 39 multi-family units in the Birch Bay UGA. Comparing units built and the needs indicated on Chart 3, the Birch Bay UGA needs an additional 2,802 single-family units between 2021 and 2036.
- The Birch Bay UGA has an estimated 2021-2036 capacity for 1,333 single-family and 504 multi-family housing units (**Exhibit 22**).

The capacity to accommodate single family residential housing in the Birch Bay UGA is not sufficient to accommodate the single family dwelling units needed in the planning period as established in the *Whatcom County Comprehensive Plan* (Chapter 3- Housing, Chart 3).

**Employment Capacity 2021-2036**

Whatcom County is using an average of the small city FARs for future commercial development, since there are limited data on achieved densities in the Birch Bay UGA (**Exhibit 23**).

The Birch Bay UGA has estimated net land capacity for employment growth of 44.3 acres (**Exhibit 24**), with a total estimated potential occupied commercial capacity of 305,008 square feet. Based on square feet per employee assumptions, the Birch Bay UGA has an estimated employment capacity of 573, indicating an estimated employment capacity surplus of 154 for the 2021-2036 time period (**Exhibit 25**).

**Regulatory Changes**

The County has evaluated development regulations adopted in the review period (April 1, 2016 – March 31, 2021). Only Ordinance 2019-005 could prevent assigned densities from being achieved or impact the quantity of land suitable for development in the remainder of the 20-year planning period (2021-2036). In an e-mail of October 6, 2021, a representative of the Whatcom County Public Works River & Flood Division stated:

. . . the 2019 revisions were done mainly to reflect updated flood study and the most recent just adopted in 2021 was for compliance with building freeboard required for CRS [Community Rating System] credit, nothing to do with 'supply of land'. That being said, the flood study did change the Base Flood Elevations and floodplain boundaries in those areas and the FEMA Biological Opinion does restrict density in the floodplain. . ."

A September 30, 2021 River & Flood Division memo attached to the e-mail states that the Special Flood Hazard Area is:

. . . designated Critical Area and/or Habitat Conservation Area (HCA) per WCC Title-16. As such, creating additional 'buildable' lots within a Critical Area or HCA may be prohibited. For further information reference WCC 16.16.420 – Frequently Flooded Areas. . .

Pursuant to the *Whatcom County Review and Evaluation Program Methodology*, Whatcom County deducted floodplains from the buildable land supply.

**Infrastructure Gaps**

Whatcom County has reviewed capital facility plans and/or consulted with service providers. Based upon these actions, the County has not identified any infrastructure gaps that would prevent service providers from supplying planned capital facilities to developable land in the Birch Bay UGA within the planning period (2021-2036).

**Analysis of Comprehensive Plan Objectives and Reasonable Measures**

Residential development in the Birch Bay UGA between 2016 and 2021 has occurred at an overall net density less than anticipated in the *Whatcom County Comprehensive Plan*. Additionally, there is not enough capacity in the Birch Bay UGA, with current density assumptions, to accommodate the projected residential growth in the remaining portion of the planning period (between 2021 and 2036). The single family unit capacity in the Birch Bay UGA is insufficient to accommodate the estimated dwelling units needed between 2021 and 2036. Therefore, reasonable measures are appropriate.

*Whatcom County Comprehensive Plan* Goal 2P states:

- . . . The County should approve new residential developments at overall average net densities as shown below, while respecting unique characteristics of each community:
- Birch Bay – five to ten units per net acre. . .

The overall achieved residential density in the Birch Bay UGA was 4.5 units per net acre during the review period (2016-2021). Lots in the Birch Bay UGA have historically been created at densities that the land owner or developer chose. The UR4 zone has a minimum net density of 4 dwelling units/acre, but this is below the Comprehensive Plan goal of five to ten units per net acre. Several other zones in the UGA do not have minimum density requirements. Increasing residential density, including density in zones that allow single family dwellings, would provide additional capacity for growth within the UGA. Therefore, adjustments to the zoning code are appropriate to better implement the Comprehensive Plan.

The Growth Management Act indicates that one of the purposes of the review and evaluation program is to:

Identify reasonable measures, other than adjusting urban growth areas, that will be taken to comply with the requirements of this chapter. Reasonable measures are those actions necessary to reduce the differences between growth and development assumptions and targets contained in the countywide planning policies and the county and city comprehensive plans with actual development patterns. . . (RCW 36.70A.215(1)(b)).

The *Whatcom County Review and Evaluation Program Methodology* (February 10, 2022) identifies minimum density requirements and maximum lot sizes as potential reasonable measures (Appendix A). Specifically, the Methodology states:

Zoning ordinances can establish minimum and maximum densities in each zone to ensure that development occurs as envisioned for the community (page 46).

The State Department of Commerce *Housing Memorandum: Issues Affecting Housing Availability and Affordability* (June 2019) identifies “Reasonable Measures as Tools for Increasing Housing Availability and Affordability” including:

Allow or require small lots (5,000 square feet or less) for single-family neighborhoods within UGAs. Small lots limit sprawl, contribute to the more efficient use of land, and promote densities that can support transit. Small lots also provide expanded housing ownership opportunities to broader income ranges and provide additional variety to available housing types (page 116).

In October 2021, Whatcom County adopted a reasonable measure increasing the allowed density in the UR4 zone in the Birch Bay UGA, if public water and sewer are available and density credits are purchased, from 4 dwellings/acre to 5 dwellings per acre (Ordinance 2021-059). This ordinance also reduced the conventional minimum lot size for residential development in the UR4 zone in the Birch Bay UGA from 8,000 square feet to 4,500 square feet when public water and sewer are available. In November 2017, Whatcom County adopted an ordinance allowing increased density for single family development in the RC zone through the planned unit development process, if density credits are purchased (Ordinance 2017-062). Other potential reasonable measures the County may consider for the Birch Bay UGA include:

- Increasing the minimum net residential density and/or adopting maximum lot size in the UR4 zone (WCC 20.20);
- Adopting minimum net residential density requirements and/or maximum lot size in the URM6 zone (WCC 20.22);
- Adopting minimum net residential density requirements and/or maximum lot size in the GC zone (WCC 20.62); and/or
- Adopting minimum net residential density requirements and/or maximum lot size in the RC zone (WCC 20.64).

The UR4, URM6, GC, and RC zones all allow single family dwelling units.

Residential Development

**Exhibit 20. Residential Development, Achieved and Assumed Densities, Birch Bay UGA, 2016-2021**

Zoning Designation	Development Type	Acres Developed	Dwelling Units	Achieved Density (Units/Acre)	Density Assumed (Units/Acre)
UR4	Single Family	38.3	168	4.39	4.39
URM6	Single Family	7.6	25	3.31	5.89
	Multifamily	4.6	27	5.89	5.89
URM24	Single Family	N/A	N/A	N/A	10.00
	Multifamily	N/A	N/A	N/A	17.00
RC	Single Family	1.4	12	8.32	8.32
	Multifamily	N/A	N/A	N/A	17.00
GC	Single Family	N/A	N/A	N/A	8.32
	Multifamily	N/A	N/A	N/A	17.00

Sources: Whatcom County, 2022; Community Attributes Inc., 2021.  
 Note: "Density Assumed" is the assumed density for evaluation of land suitable for development by zone.



**Exhibit 21. Residential Land Supply, Birch Bay UGA, 2021-2036**

	UGA Total	UR4	URM6	URM24	RC	GC	NC
<b>Vacant Land</b>							
Gross Acres	816.99	471.94	146.62	98.96	62.65	36.82	0.00
Critical Areas	450.86	277.61	43.69	69.51	37.86	22.19	0.00
Future Public Uses	15.80	14.00	0.00	0.00	0.00	1.80	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	17.52	9.02	5.15	1.47	1.24	0.64	0.00
Infrastructure Deduction	74.76	41.48	22.13	5.30	4.26	1.59	0.00
Market Factor	43.87	22.07	12.86	3.85	3.28	1.80	0.00
<b>Net Acres</b>	<b>214.18</b>	<b>107.77</b>	<b>62.79</b>	<b>18.82</b>	<b>16.01</b>	<b>8.80</b>	<b>0.00</b>
<b>Partially-Used Land</b>							
Gross Acres	232.69	109.12	64.66	0.00	52.63	6.28	0.00
Critical Areas	84.62	48.97	14.24	0.00	20.73	0.69	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	7.40	3.01	2.52	0.00	1.59	0.28	0.00
Infrastructure Deduction	30.86	13.84	10.84	0.00	5.49	0.69	0.00
Market Factor	29.65	11.69	10.01	0.00	6.70	1.25	0.00
<b>Net Acres</b>	<b>80.16</b>	<b>31.62</b>	<b>27.06</b>	<b>0.00</b>	<b>18.11</b>	<b>3.37</b>	<b>0.00</b>
<b>Underutilized Land</b>							
Gross Acres	4.16	0.00	0.00	0.00	0.00	4.16	0.00
Critical Areas	0.28	0.00	0.00	0.00	0.00	0.28	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.19	0.00	0.00	0.00	0.00	0.19	0.00
Infrastructure Deduction	0.48	0.00	0.00	0.00	0.00	0.48	0.00
Market Factor	0.87	0.00	0.00	0.00	0.00	0.87	0.00
<b>Net Acres</b>	<b>2.34</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2.34</b>	<b>0.00</b>

Sources: Whatcom County, 2022; Community Attributes Inc., 2021.

**Exhibit 22. Developable Residential Land Capacity, Birch Bay UGA, 2021-2036**

	UGA	UR4	URM6	URM24	RC	GC	NC
<b>Net Developable Residential Acres (Vacant, PU, UU)</b>	<b>296.68</b>	<b>139.39</b>	<b>89.85</b>	<b>18.82</b>	<b>34.12</b>	<b>14.51</b>	<b>0.00</b>
<b>Single Family Developable Acres</b>	249.48	139.39	76.37	9.41	17.06	7.25	-
Assumed Single Family Density (units/acre)		4	6	10	8	8	
Subtotal Single Family Unit Capacity	1,358	612	450	94	142	60	-
Existing Single Family Units	188	67	95	-	4	4	18
Pending Single Family Units	145	-	145	-	-	-	-
Master Planned Single Family Units	-	-	-	-	-	-	-
Subtotal: Net Single Family Unit Capacity	1,333	545	500	94	138	56	-
Potential Occupied Single Family Units	1,000	409	375	71	104	42	-
Single Family Population Capacity	2,380	973	893	168	246	100	-
<b>Multifamily Developable Acres</b>	47.20	-	13.48	9.41	17.06	7.25	-
Assumed Multifamily Density (units/acre)			6	17	17	17	
Subtotal Multifamily Unit Capacity	652	-	79	160	290	123	-
Existing Multifamily Units	148	-	35	-	113	-	-
Pending Multifamily Units	-	-	-	-	-	-	-
Master Planned Multifamily Units	-	-	-	-	-	-	-
Subtotal: Net Multifamily Unit Capacity	504	-	44	160	177	123	-
Potential Occupied Multifamily Units	257	-	22	82	90	63	-
Multifamily Population Capacity	570	-	50	181	200	139	-
Net Dwelling Unit Capacity	1,837	545	544	254	315	179	-
Potential Occupied Dwelling Units	1,257	409	397	152	194	105	-
<b>Population Capacity</b>	<b>2,950</b>	<b>973</b>	<b>943</b>	<b>349</b>	<b>446</b>	<b>239</b>	<b>-</b>
Remaining Population Growth to Accommodate (2021-2036)	4,204						
<b>Population Capacity Surplus (Deficit)</b>	<b>(1,254)</b>						

Sources: Whatcom County, 2022; Community Attributes Inc., 2021.

Commercial and Industrial Development

**Exhibit 23. Nonresidential Development, Achieved and Assumed Densities, Birch Bay UGA, 2016-2021**

<b>Zoning Designation</b>	<b>Development Type</b>	<b>Acres Developed</b>	<b>Built Square Feet</b>	<b>Achieved Density (FAR)</b>	<b>Assumed Density (FAR)</b>
UR4	Commercial	7.1	3,780	0.01	N/A
RC	Commercial	0.6	368	0.01	0.18
GC	Commercial	4.1	26,480	0.15	0.18
NC	Commercial	N/A	N/A	N/A	0.18

*Sources: Whatcom County, 2022; Community Attributes Inc., 2021.*

*Note: Assumed Density is the assumed density for evaluation of land suitable for development by zone.*

**Exhibit 24. Developable Nonresidential Land Supply, Birch Bay UGA, 2021-2036**

	UGA Total	UR4	URM6	URM24	RC	GC	NC
<b>Vacant Land</b>							
Gross Acres	103.67	0.00	0.00	0.00	6.96	85.91	10.80
Critical Areas	64.19	0.00	0.00	0.00	4.21	51.77	8.21
Future Public Uses	4.20	0.00	0.00	0.00	0.00	4.20	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	1.76	0.00	0.00	0.00	0.14	1.50	0.13
Infrastructure Deduction	4.44	0.00	0.00	0.00	0.47	3.71	0.26
Market Factor	4.94	0.00	0.00	0.00	0.36	4.20	0.37
<b>Net Acres</b>	<b>24.13</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1.78</b>	<b>20.52</b>	<b>1.82</b>
<b>Partially-Used Land</b>							
Gross Acres	20.50	0.00	0.00	0.00	5.85	14.65	0.00
Critical Areas	3.91	0.00	0.00	0.00	2.30	1.60	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.83	0.00	0.00	0.00	0.18	0.65	0.00
Infrastructure Deduction	2.23	0.00	0.00	0.00	0.61	1.62	0.00
Market Factor	3.65	0.00	0.00	0.00	0.74	2.91	0.00
<b>Net Acres</b>	<b>9.88</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2.01</b>	<b>7.87</b>	<b>0.00</b>
<b>Underutilized Land</b>							
Gross Acres	17.52	0.00	0.00	0.00	0.00	9.70	7.82
Critical Areas	0.64	0.00	0.00	0.00	0.00	0.64	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.84	0.00	0.00	0.00	0.00	0.45	0.39
Infrastructure Deduction	1.91	0.00	0.00	0.00	0.00	1.12	0.78
Market Factor	3.81	0.00	0.00	0.00	0.00	2.02	1.79
<b>Net Acres</b>	<b>10.31</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>5.46</b>	<b>4.85</b>

Sources: Whatcom County, 2022; Community Attributes Inc., 2021.

**Exhibit 25. Developable Nonresidential Land Capacity, Birch Bay UGA, 2021-2036**

	UGA	UR4	URM6	URM24	RC	GC	NC
<b>Net Developable Employment Acres (Vacant, PU, UU)</b>	<b>44.32</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3.79</b>	<b>33.85</b>	<b>6.68</b>
<b>Commercial Developable Acres</b>	44.32	-	-	-	3.79	33.85	6.68
Assumed Commercial Density (FAR)					0.2	0.2	0.2
Subtotal: Commercial Capacity (SF)	355,214	-	-	-	30,387	271,322	53,505
Existing Commercial Space (SF)	70,779	3,848	7,663	-	35,726	21,742	1,800
Pending Commercial Space (SF)	19,776	-	-	-	-	19,776	-
Master Planned Commercial Space (SF)	-	-	-	-	-	-	-
Subtotal: Net Commercial Capacity (SF)	321,061	-	-	-	-	269,356	51,705
Potential Occupied Commercial Space (SF)	305,008	-	-	-	-	255,888	49,120
Commercial Employment Capacity	573	-	-	-	-	481	92
<b>Industrial Developable Acres</b>	-	-	-	-	-	-	-
Assumed Industrial Density (FAR)							
Subtotal: Industrial Capacity (SF)	-	-	-	-	-	-	-
Existing Industrial Space (SF)	43,012	2,402	6,768	-	756	33,086	-
Pending Industrial Space (SF)	-	-	-	-	-	-	-
Master Planned Industrial Space (SF)	-	-	-	-	-	-	-
Subtotal: Net Industrial Capacity (SF)	-	-	-	-	-	-	-
Potential Occupied Industrial Space (SF)	-	-	-	-	-	-	-
Industrial Employment Capacity	-	-	-	-	-	-	-
Net Commercial & Industrial Capacity (SF)	321,061	-	-	-	-	269,356	51,705
Potential Occupied Commercial & Industrial Employment Capacity	305,008	-	-	-	-	255,888	49,120
	<b>573</b>	-	-	-	-	481	92
Remaining Employment Growth to Accommodate (2021-2036)	419						
<b>Employment Capacity Surplus (Deficit)</b>	<b>154</b>						

Sources: Whatcom County, 2022; Community Attributes Inc., 2021.

### 3. Blaine UGA

The Blaine Urban Growth Area is projected to encompass 9,585 residents and 5,159 employees by 2036. The UGA has a projected growth allocation of 3,838 population and 1,823 employment between 2016 and 2036 (**Exhibit 1** and **Exhibit 2**).

#### Achieved Growth 2016-2021

Based on permit data collected between 2016 and 2021 and occupancy and persons per household and square feet per employee assumptions, the Blaine UGA grew by an estimated 551 population (91% within the City of Blaine) and 245 employment (100% within the City of Blaine) (**Exhibit 6** and **Exhibit 7**).

Between 2016 and 2021, the City of Blaine achieved densities greater than planned for residential uses, 4.4 units per acre achieved compared to 4.25 average across single family residential zones adopted by the City of Blaine. The achieved density within the incorporated portions of the UGA also fall within the planned densities of 4.0 to 6.0 units per acre adopted in the *Whatcom County Comprehensive Plan* for the City of Blaine (**Exhibit 11**).

The unincorporated portions of the Blaine UGA have an achieved residential density of 4.7 units per acre, matching the densities achieved within incorporated portions of the UGA (**Exhibit 11**).

The City of Blaine has not adopted FARs. However, for purposes of the Data Reporting Tool, Blaine developed FARs based on the bulk, dimensional, and performance standards defined in municipal code for non-residential zones. The City of Blaine developed planned FARs for commercial zones averaging 0.80. Across all commercial development between 2016-2021, the achieved FAR is 0.31. No commercial development occurred during the period in unincorporated areas of the UGA. The average planned FAR for industrial zones is 0.89 for the City of Blaine. Between 2016 and 2021, the achieved FAR is 0.30. No industrial development occurred in the unincorporated portions of the UGA. Whatcom County has not adopted planned densities for commercial or industrial development (**Exhibit 11**).

**Population and Employment Assumptions**

Specific occupancy rate and population and employment density assumptions for the Blaine UGA are:

- 87.8% Single Family occupancy rate
- 86.9% Multifamily occupancy rate
- 95.0% Commercial and Industrial occupancy rate
- 2.479 Single Family persons per household
- 2.009 Multifamily persons per household
- 531 and 739 respectively Commercial and Industrial square feet per employee

The Blaine UGA has an estimated 3,287 population and 1,578 employment growth remaining to accommodate between 2021 and 2036 (**Exhibit 6** and **Exhibit 7**).

**Population Capacity 2021-2036**

Based on achieved densities between 2016 and 2021 and planning assumptions, City of Blaine planners are assuming future densities ranging between 3.0 units per acre and 20.0 units per acre for single family residential,

depending on the specific zone. Future density assumptions range between 4.0 and 24.0 units per acre for multifamily zones (**Exhibit 26**).

The Blaine UGA has estimated net land capacity for population growth of 684.97 acres (**Exhibit 27**), with a total estimated potential occupied unit capacity of 4,857 dwelling units. Based on persons per household assumptions, the Blaine UGA has an estimated population capacity of 11,324, indicating an estimated population capacity surplus of 8,037 (**Exhibit 28**).

**Housing Needs by Type**

The *Whatcom County Comprehensive Plan* (Chapter 3- Housing, Chart 3 – Estimated Dwelling Units Needed, page 3-8) indicates that Blaine has a need for 1,548 single-family and 678 multi-family new dwelling units during the 2013-2036 planning period. The calculation for Chart 3 in the *Whatcom County Comprehensive Plan* included building activity from 2013. Therefore, the analysis below includes permit data from April 1, 2013, even though the planning period for this Buildable Lands Report is from 2016.

- Between April 1, 2013 and March 31, 2021, Blaine issued building permits for 343 single-family/mobile home units, 5 accessory dwelling units, and multi-family

units 179 (this includes duplexes). Comparing units built and the needs indicated on Chart 3, Blaine needs an additional 1,205 single-family/mobile home units and 499 multi-family units between 2021 and 2036.

- The City and unincorporated UGA have an estimated 2021-2036 net capacity for 3,794 single-family and 1,756 multi-family housing units.

These capacities are sufficient to accommodate the dwelling unit types needed in the planning period as established in the Whatcom County Comprehensive Plan (Chapter 3- Housing, Chart 3).

**Employment Capacity 2021-2036**

Based on achieved densities between 2016 and 2021 and planning assumptions, City of Blaine planners are assuming future commercial FARs ranging between 0.60 and 1.00, depending on the specific zone. Assumed future industrial FARs range between 0.75 and 1.00 (**Exhibit 29**).

The Blaine UGA has estimated net land capacity for employment growth of 165.76 acres (**Exhibit 30**), with a total estimated potential occupied commercial and industrial capacity of 5.38 million square feet. Based on

square feet per employee assumptions, the Blaine UGA has an estimated employment capacity of 8,570, indicating an estimated employment capacity surplus of 6,992 (**Exhibit 31**).

**Regulatory Changes**

Subsequent to the adoption of the 2016 Comprehensive Plan and through April of 2021, the City of Blaine adopted regulatory changes that either impacted the amount of land available for development or modified the densities and mix of uses allowed on buildable lands. These changes are listed in the Data Reporting Tool worksheet. In summary, those updates include the following:

- Updates to the City’s Central Business District zoning designation that allow it to function as an urban village. Examples include zero-lot line setbacks, multi-use and multi-family development, and higher allowable impervious surfaces.
- Adoption of a multi-family tax exemption (MFTE) to encourage the construction of affordable, multi-family housing.
- Updates to the Wharf District Master Plan to permit additional space for



marine commercial and industrial development.

As of the issuance of this report, the City has additionally adopted updates to allow work/live units in the Manufacturing zone, and modified the Highway Commercial “C” zone to permit a greater range of land uses.

The City in early 2022 also adopted legislation to identify the Hearing Examiner as the hearing body for quasi-judicial decisions, ensuring a more predictable and legally sound process for land use decisions. The City will be updating the Critical Areas Ordinance in 2023.

**Infrastructure Gaps**

Blaine has identified a lack of capacity for sewer service in East Blaine, however the City of Blaine Capital Improvement Plan for Wastewater Utility: 2022-2027 anticipates needed capacity being restored pursuant to the funded “G Street Sewer Improvement – East Blaine Pipe Capacity” project. Subsequent to the improvements being completed in 2022, the City will be able to supply this planned wastewater capital facilities to developable land in the eastern Blaine UGA within the planning period (2021-2036). Additional sewer upgrades under I-5 are identified in the 2022-2027 CIP. The City of Blaine has identified

potential constraints to water availability and capacity. The City has contracted with a consultant to both identify existing capacity and propose recommendations to increase that capacity. As of the writing of this report, the City has determined that if needed, it will consider updates to the 2021 Comprehensive Water System Plan and Capital Facilities Plan to plan and budget for the increased capacity, and therefore the planned densities in the City’s Comprehensive Plan will be realized.

**Analysis of Comprehensive Plan Objectives and Reasonable Measures**

The City of Blaine has determined that growth targets and assumptions for residential development are being met. Therefore, an analysis of comprehensive plan residential development targets, assumptions, and objectives is not deemed necessary during the reporting cycle.

No inconsistencies between planned and actual residential growth have been identified in the Blaine UGA. Therefore, reasonable measures are not required under RCW 36.70A.215.

The City of Blaine has identified that there are inconsistencies between planned and actual commercial, industrial, and manufacturing growth in the Blaine UGA.

Potential reasonable measures may include the following:

- Updates to the Binding Site Plans requirements. Blaine should consider adopting updates that require the installation of public and private infrastructure as a condition of final binding site plan approval. Binding site plan expiration dates should be modified to align with the timelines for plats.
- Updates the allowed uses in the Manufacturing zoning districts. Blaine should consider adopting updates that would expand allowed uses in the manufacturing zone, subject to appropriate performance standards.

## Residential Development

**Exhibit 26. Residential Development, Achieved and Assumed Densities, City of Blaine, 2016-2021**

Zoning Designation	Development Type	Acres Developed	Dwelling Units	Achieved Density (Units/Acre)	Density Assumed (Units/Acre)
PR	Single Family	3.3	17	5.09	4.00
	Multifamily	N/A	N/A	N/A	4.00
RL	Single Family	9.6	54	5.62	6.00
SF-1	Single Family	1.0	4	4.09	6.00
SF-2	Single Family	2.3	14	6.19	6.00
PC	Single Family	0.2	1	5.42	N/A
RH	Single Family	N/A	N/A	N/A	20.00
	Multifamily	0.5	2	3.72	24.00
RM	Single Family	2.4	14	5.82	6.00
	Multifamily	2.6	28	10.61	12.00
R/O	Single Family	N/A	N/A	N/A	6.00
	Multifamily	N/A	N/A	N/A	24.00
RPR	Single Family	21.0	72	3.42	3.00
CB G-36	Multifamily	N/A	N/A	N/A	20.00
CB G-48	Multifamily	N/A	N/A	N/A	20.00
CB-M	Multifamily	N/A	N/A	N/A	20.00
CB M-48	Multifamily	N/A	N/A	N/A	20.00
CB M-60	Multifamily	N/A	N/A	N/A	20.00
CB-T	Multifamily	N/A	N/A	N/A	20.00
CB TP-60	Multifamily	N/A	N/A	N/A	20.00
CB WV-36	Multifamily	N/A	N/A	N/A	20.00
HCA	Multifamily	N/A	N/A	N/A	20.00
HCb	Multifamily	N/A	N/A	N/A	N/A
HCc	Multifamily	N/A	N/A	N/A	20.00
HCd	Multifamily	N/A	N/A	N/A	20.00
Mpr	Single Family	6.4	36	5.60	5.00
	Multifamily	3.3	18	5.40	12.00

Sources: City of Blaine, 2022; Community Attributes Inc., 2021.

Note: "Density Assumed" is the assumed density for evaluation of land suitable for development by zone. NOTE Assumed densities differ from achieved density

**Exhibit 27. Residential Land Supply, Blaine UGA, 2021-2036**

	UGA Total	CB-M	CB-T	HCA	Ma	Mb	Mpr	PC	PR	RL	RM	R/O	RPR	SF-1	SF-2	CB TP-60	CB M-60	CB M-48	CB G-36	CB WV-36	HCc	HCd	RH	CB G-48
<b>Vacant Land</b>																								
Gross Acres	818.01	0.00	0.00	0.00	0.00	0.00	0.00	7.74	368.53	109.17	38.43	54.74	216.18	5.18	3.77	2.21	0.31	0.97	2.13	6.00	1.43	0.63	0.52	0.07
Critical Areas	229.19	0.00	0.00	0.00	0.00	0.00	0.00	5.65	48.30	47.05	20.83	49.74	49.74	0.52	0.30	0.68	0.27	0.23	0.10	5.26	0.00	0.00	0.52	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	29.44	0.00	0.00	0.00	0.00	0.00	0.00	0.10	16.01	3.11	0.88	0.25	8.32	0.23	0.17	0.08	0.00	0.04	0.10	0.04	0.07	0.03	0.00	0.00
Infrastructure Deduction	29.44	0.00	0.00	0.00	0.00	0.00	0.00	0.10	16.01	3.11	0.88	0.25	8.32	0.23	0.17	0.08	0.00	0.04	0.10	0.04	0.07	0.03	0.00	0.00
Market Factor	79.49	0.00	0.00	0.00	0.00	0.00	0.00	0.28	43.23	8.39	2.38	0.68	22.47	0.63	0.47	0.21	0.01	0.10	0.27	0.10	0.19	0.08	0.00	0.01
<b>Net Acres</b>	<b>450.45</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1.60</b>	<b>244.98</b>	<b>47.52</b>	<b>13.47</b>	<b>3.83</b>	<b>127.33</b>	<b>3.56</b>	<b>2.65</b>	<b>1.17</b>	<b>0.03</b>	<b>0.57</b>	<b>1.55</b>	<b>0.56</b>	<b>1.09</b>	<b>0.48</b>	<b>0.00</b>	<b>0.05</b>
<b>Partially-Used Land</b>																								
Gross Acres	428.70	0.00	0.00	0.00	0.00	0.00	0.00	3.80	181.35	213.60	9.27	1.40	9.68	0.48	5.18	0.45	0.00	0.71	0.48	0.36	1.01	0.09	0.34	0.49
Critical Areas	86.61	0.00	0.00	0.00	0.00	0.00	0.00	0.58	14.41	68.67	2.33	0.00	0.03	0.00	0.00	0.31	0.00	0.03	0.00	0.01	0.00	0.00	0.24	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	17.10	0.00	0.00	0.00	0.00	0.00	0.00	0.16	8.35	7.25	0.35	0.07	0.48	0.02	0.26	0.01	0.00	0.03	0.02	0.02	0.05	0.00	0.01	0.02
Infrastructure Deduction	17.10	0.00	0.00	0.00	0.00	0.00	0.00	0.16	8.35	7.25	0.35	0.07	0.48	0.02	0.26	0.01	0.00	0.03	0.02	0.02	0.05	0.00	0.01	0.02
Market Factor	76.97	0.00	0.00	0.00	0.00	0.00	0.00	0.72	37.56	32.61	1.56	0.32	2.17	0.11	1.16	0.03	0.00	0.15	0.11	0.08	0.23	0.02	0.02	0.11
<b>Net Acres</b>	<b>230.91</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2.17</b>	<b>112.68</b>	<b>97.83</b>	<b>4.69</b>	<b>0.95</b>	<b>6.51</b>	<b>0.33</b>	<b>3.49</b>	<b>0.09</b>	<b>0.00</b>	<b>0.46</b>	<b>0.32</b>	<b>0.23</b>	<b>0.68</b>	<b>0.06</b>	<b>0.07</b>	<b>0.33</b>
<b>Underutilized Land</b>																								
Gross Acres	5.57	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.40	2.55	0.00	0.00	0.00	0.21	0.16	0.42	0.00	0.00	0.68	0.56	0.00	0.59
Critical Areas	0.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.16	0.00	0.00	0.00	0.06	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.27	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.02	0.13	0.00	0.00	0.00	0.01	0.00	0.02	0.00	0.00	0.03	0.03	0.00	0.03
Infrastructure Deduction	0.27	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.02	0.13	0.00	0.00	0.00	0.01	0.00	0.02	0.00	0.00	0.03	0.03	0.00	0.03
Market Factor	1.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.09	0.57	0.00	0.00	0.00	0.05	0.00	0.09	0.00	0.00	0.14	0.13	0.00	0.13
<b>Net Acres</b>	<b>3.61</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.27</b>	<b>1.72</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.14</b>	<b>0.00</b>	<b>0.28</b>	<b>0.00</b>	<b>0.00</b>	<b>0.42</b>	<b>0.38</b>	<b>0.00</b>	<b>0.40</b>

Sources: City of Blaine, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

**Exhibit 28. Developable Residential Land Capacity, Blaine UGA, 2021 -2036**

	UGA	CB-M	CB-T	HCA	Ma	Mb	Mpr	PC	PR	RL	RM	R/O	RPR	SF-1	SF-2	CB TP- 60	CB M- 60	CB M- 48	CB G- 36	CB WV- 36	HCc	HCd	RH	CB G- 48
<b>Net Developable Residential Acres (Vacant, PU, UU)</b>	<b>684.97</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3.77</b>	<b>357.66</b>	<b>145.36</b>	<b>18.42</b>	<b>6.49</b>	<b>133.84</b>	<b>3.89</b>	<b>6.15</b>	<b>1.41</b>	<b>0.04</b>	<b>1.31</b>	<b>1.87</b>	<b>0.80</b>	<b>2.19</b>	<b>0.92</b>	<b>0.07</b>	<b>0.79</b>
<b>Single Family Developable Acres</b>	546.67	-	-	-	-	-	-	-	282.37	145.36	-	3.25	105.66	3.89	6.15	-	-	-	-	-	-	-	0.00	-
Assumed Single Family Density (units/acre)								5	4	6	6	6	3	6	6								20	
Subtotal Single Family Unit Capacity	2,397	-	-	-	-	-	-	-	1,129	872	-	19	317	23	37	-	-	-	-	-	-	-	-	-
Existing Single Family Units	232	-	-	28	2	11	-	-	58	74	11	5	-	5	13	1	-	-	3	-	8	3	2	4
Pending Single Family Units	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Master Planned Single Family Units	1,552	-	-	-	-	-	-	-	1,177	-	-	-	375	-	-	-	-	-	-	-	-	-	-	-
Subtotal: Net Single Family Unit Capacity	3,794	-	-	-	-	-	-	-	2,248	798	-	14	692	18	24	-	-	-	-	-	-	-	-	-
Potential Occupied Single Family Units	3,331	-	-	-	-	-	-	-	1,974	701	-	12	608	16	21	-	-	-	-	-	-	-	-	-
Single Family Population Capacity	8,258	-	-	-	-	-	-	-	4,893	1,737	-	30	1,506	39	52	-	-	-	-	-	-	-	-	-
<b>Multifamily Developable Acres</b>	138.30	-	-	-	-	-	-	3.77	75.30	-	18.42	3.25	28.18	-	-	1.41	0.04	1.31	1.87	0.80	2.19	0.92	0.07	0.79
Assumed Multifamily Density (units/acre)		20	20	20				12	18	4	12	24	12			20	20	20	20	20	20	20	24	20
Subtotal Multifamily Unit Capacity	1,194	-	-	-	-	-	-	68	301	-	221	78	338	-	-	28	1	26	37	16	44	18	2	16
Existing Multifamily Units	27	-	-	-	-	-	-	-	3	2	-	8	-	-	4	-	-	2	8	-	-	-	-	-
Pending Multifamily Units	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Master Planned Multifamily Units	583	-	-	-	-	-	220	-	212	-	-	-	151	-	-	-	-	-	-	-	-	-	-	-
Subtotal: Net Multifamily Unit Capacity	1,756	-	-	-	-	-	220	68	510	-	221	70	489	-	-	28	1	24	29	16	44	18	2	16
Potential Occupied Multifamily Units	1,526	-	-	-	-	-	191	59	443	-	192	61	425	-	-	24	1	21	25	14	38	16	2	14
Multifamily Population Capacity	3,066	-	-	-	-	-	384	119	890	-	386	122	854	-	-	49	2	42	51	28	77	31	3	28
Net Dwelling Unit Capacity	5,550	-	-	-	-	-	220	68	2,758	798	221	84	1,181	18	24	28	1	24	29	16	44	18	2	16
Potential Occupied Dwelling Units	4,857	-	-	-	-	-	191	59	2,417	701	192	73	1,033	16	21	24	1	21	25	14	38	16	2	14
<b>Population Capacity</b>	<b>11,324</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>384</b>	<b>119</b>	<b>5,783</b>	<b>1,737</b>	<b>386</b>	<b>152</b>	<b>2,360</b>	<b>39</b>	<b>52</b>	<b>49</b>	<b>2</b>	<b>42</b>	<b>51</b>	<b>28</b>	<b>77</b>	<b>31</b>	<b>3</b>	<b>28</b>
Remaining Population Growth to Accommodate (2021-2036)	3,287																							
<b>Population Capacity Surplus (Deficit)</b>	<b>8,037</b>																							

Sources: City of Blaine, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

## Commercial and Industrial Development

**Exhibit 29. Nonresidential Development, Achieved and Assumed Densities, City of Blaine, 2016-2021**

Zoning Designation	Development Type	Acres Developed	Built Square Feet	Achieved Density (FAR)	Assumed Density (FAR)
PR	Commercial	N/A	N/A	N/A	0.60
PC	Commercial	N/A	N/A	N/A	0.80
R/O	Commercial	N/A	N/A	N/A	0.70
RPR	Commercial	0.5	6,955	0.31	0.70
CB G-36	Commercial	N/A	N/A	N/A	0.85
CB G-48	Commercial	N/A	N/A	N/A	0.85
CB-M	Commercial	0.9	19,644	0.51	1.00
CB M-48	Commercial	N/A	N/A	N/A	1.00
CB M-60	Commercial	N/A	N/A	N/A	1.00
CB-T	Commercial	N/A	N/A	N/A	1.00
CB TP-60	Commercial	N/A	N/A	N/A	1.00
CB WV-36	Commercial	N/A	N/A	N/A	1.00
CB-W	Commercial	3.7	62,296	0.39	1.00
	Industrial	N/A	N/A	N/A	1.00
GW	Commercial	N/A	N/A	N/A	0.90
	Industrial	2.3	22,873	0.23	0.90
HCA	Commercial	1.5	27,685	0.41	0.85
HCb	Commercial	N/A	N/A	N/A	0.85
HCc	Commercial	N/A	N/A	N/A	0.85
HCd	Commercial	N/A	N/A	N/A	0.85
M	Industrial	N/A	N/A	N/A	0.75
Ma	Commercial	N/A	N/A	N/A	0.75
	Industrial	N/A	N/A	N/A	0.75
Mb	Commercial	N/A	N/A	N/A	0.75
	Industrial	N/A	N/A	N/A	0.75
Mc	Commercial	N/A	N/A	N/A	0.75
	Industrial	2.9	43,600	0.35	0.75
Mpr	Commercial	N/A	N/A	N/A	0.70

Sources: City of Blaine, 2022; Community Attributes Inc., 2021.

Note: Assumed Density is the assumed density for evaluation of land suitable for development by zone.

**Exhibit 30. Developable Nonresidential Land Supply, Blaine UGA, 2021-2036**

	UGA Total	GW	HCA	Ma	Mb	Mc	Mpr	PC	PR	RL	R/O	RPR	CB TP- 60	CB M- 60	CB M- 48	CB G- 36	CB WV- 36	HCb	HCc	HCd	CB G- 48
<b>Vacant Land</b>																					
Gross Acres	262.01	9.05	41.03	15.07	122.02	9.23	0.00	2.58	19.40	0.00	13.69	11.38	0.25	0.08	0.32	0.53	3.01	2.59	1.43	0.63	0.02
Critical Areas	105.40	0.00	24.34	1.83	55.65	0.73	0.00	1.88	2.54	0.00	12.44	2.62	0.08	0.07	0.08	0.03	2.64	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	7.83	0.45	0.83	0.66	3.32	0.43	0.00	0.03	0.84	0.00	0.06	0.44	0.01	0.00	0.01	0.03	0.02	0.13	0.07	0.03	0.00
Infrastructure Deduction	7.83	0.45	0.83	0.66	3.32	0.43	0.00	0.03	0.84	0.00	0.06	0.44	0.01	0.00	0.01	0.03	0.02	0.13	0.07	0.03	0.00
Market Factor	21.14	1.22	2.25	1.79	8.96	1.15	0.00	0.09	2.28	0.00	0.17	1.18	0.02	0.00	0.03	0.07	0.05	0.35	0.19	0.08	0.00
<b>Net Acres</b>	<b>119.80</b>	<b>6.93</b>	<b>12.76</b>	<b>10.13</b>	<b>50.77</b>	<b>6.50</b>	<b>0.00</b>	<b>0.53</b>	<b>12.89</b>	<b>0.00</b>	<b>0.96</b>	<b>6.70</b>	<b>0.13</b>	<b>0.01</b>	<b>0.19</b>	<b>0.39</b>	<b>0.28</b>	<b>1.98</b>	<b>1.09</b>	<b>0.48</b>	<b>0.01</b>
<b>Partially-Used Land</b>																					
Gross Acres	43.68	15.80	2.93	0.00	4.87	2.76	0.00	1.27	9.54	0.00	0.35	0.51	0.05	0.00	0.24	0.12	0.18	1.63	1.01	0.09	0.12
Critical Areas	10.97	4.58	1.59	0.00	0.71	0.15	0.00	0.19	0.76	0.00	0.00	0.00	0.03	0.00	0.01	0.00	0.01	0.71	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	1.64	0.56	0.07	0.00	0.21	0.13	0.00	0.05	0.44	0.00	0.02	0.03	0.00	0.00	0.01	0.01	0.01	0.05	0.05	0.00	0.01
Infrastructure Deduction	1.64	0.56	0.07	0.00	0.21	0.13	0.00	0.05	0.44	0.00	0.02	0.03	0.00	0.00	0.01	0.01	0.01	0.05	0.05	0.00	0.01
Market Factor	7.36	2.52	0.30	0.00	0.94	0.59	0.00	0.24	1.98	0.00	0.08	0.11	0.00	0.00	0.05	0.03	0.04	0.21	0.23	0.02	0.03
<b>Net Acres</b>	<b>22.08</b>	<b>7.57</b>	<b>0.90</b>	<b>0.00</b>	<b>2.81</b>	<b>1.76</b>	<b>0.00</b>	<b>0.72</b>	<b>5.93</b>	<b>0.00</b>	<b>0.24</b>	<b>0.34</b>	<b>0.01</b>	<b>0.00</b>	<b>0.15</b>	<b>0.08</b>	<b>0.12</b>	<b>0.62</b>	<b>0.68</b>	<b>0.06</b>	<b>0.08</b>
<b>Underutilized Land</b>																					
Gross Acres	64.54	0.30	6.19	13.03	42.07	0.00	0.00	0.00	0.00	0.00	0.64	0.00	0.02	0.04	0.14	0.00	0.00	0.72	0.68	0.56	0.15
Critical Areas	29.17	0.00	2.10	4.45	22.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.04	0.00	0.00	0.00	0.00	0.06	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	1.77	0.01	0.20	0.43	0.98	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.00	0.00	0.01	0.00	0.00	0.04	0.03	0.03	0.01
Infrastructure Deduction	1.77	0.01	0.20	0.43	0.98	0.00	0.00	0.00	0.00	0.00	0.03	0.00	0.00	0.00	0.01	0.00	0.00	0.04	0.03	0.03	0.01
Market Factor	7.96	0.07	0.92	1.93	4.40	0.00	0.00	0.00	0.00	0.00	0.14	0.00	0.01	0.00	0.03	0.00	0.00	0.16	0.14	0.13	0.03
<b>Net Acres</b>	<b>23.87</b>	<b>0.20</b>	<b>2.76</b>	<b>5.79</b>	<b>13.20</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.43</b>	<b>0.00</b>	<b>0.02</b>	<b>0.00</b>	<b>0.09</b>	<b>0.00</b>	<b>0.00</b>	<b>0.49</b>	<b>0.42</b>	<b>0.38</b>	<b>0.10</b>

Sources: City of Blaine, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

**Exhibit 31. Developable Nonresidential Land Capacity, Blaine UGA, 2021-2036**

	UGA	GW	HCA	Ma	Mb	Mc	Mpr	PC	PR	RL	R/O	RPR	CB TP- 60	CB M- 60	CB M- 48	CB G- 36	CB WV- 36	HCb	HCc	HCd	CB G- 48
<b>Net Developable Employment Acres (Vacant, PU, UU)</b>	<b>165.76</b>	<b>14.70</b>	<b>16.42</b>	<b>15.92</b>	<b>66.78</b>	<b>8.27</b>	<b>0.00</b>	<b>1.26</b>	<b>18.82</b>	<b>0.00</b>	<b>1.62</b>	<b>7.04</b>	<b>0.16</b>	<b>0.01</b>	<b>0.44</b>	<b>0.47</b>	<b>0.40</b>	<b>3.08</b>	<b>2.19</b>	<b>0.92</b>	<b>0.20</b>
<b>Commercial Developable Acres</b>	71.97	14.70	16.42	-	-	-	-	1.26	18.82	-	1.62	7.04	0.16	0.01	0.44	0.47	0.40	3.08	2.19	0.92	0.20
Assumed Commercial Density (FAR)		0.9	0.9	0.8	0.8	0.8	0.7	0.8	0.6		0.7	0.7	1.0	1.0	1.0	0.9	1.0	0.9	0.9	0.9	0.9
Subtotal: Commercial Capacity (SF)	2,466,577	576,235	608,115	-	-	-	-	43,790	491,993	-	49,505	214,792	6,825	413	19,010	17,314	17,396	114,111	81,215	33,946	7,290
Existing Commercial Space (SF)	143,180	45,286	13,682	-	-	-	-	17,773	-	160	11,177	-	1,223	2,472	18,393	1,494	2,182	5,640	3,848	2,352	5,945
Pending Commercial Space (SF)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Master Planned Commercial Space (SF)	225,000	37,000	-	-	-	-	71,000	-	72,000	-	-	45,000	-	-	-	-	-	-	-	-	-
Subtotal: Net Commercial Capacity (SF)	2,558,953	567,949	594,433	-	-	-	71,000	26,017	563,993	-	38,328	259,792	5,602	-	617	15,820	15,214	108,471	77,367	31,594	1,345
Potential Occupied Commercial Space (SF)	2,431,006	539,552	564,711	-	-	-	67,450	24,716	535,793	-	36,412	246,802	5,322	-	586	15,029	14,453	103,047	73,499	30,014	1,278
Commercial Employment Capacity	4,578	1,016	1,063	-	-	-	127	47	1,009	-	69	465	10	-	1	28	27	194	138	57	2
<b>Industrial Developable Acres</b>	93.79	-	-	15.92	66.78	8.27	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Assumed Industrial Density (FAR)		0.9		0.8	0.8	0.8															
Subtotal: Industrial Capacity (SF)	3,094,830	-	-	520,064	2,181,559	270,122	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Existing Industrial Space (SF)	19,761	-	1,044	-	-	200	-	-	-	4,864	-	-	-	-	-	-	2,000	-	6,253	-	-
Pending Industrial Space (SF)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Master Planned Industrial Space (SF)	10,208	10,208	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Subtotal: Net Industrial Capacity (SF)	3,104,838	10,208	-	520,064	2,181,559	269,922	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Potential Occupied Industrial Space (SF)	2,949,596	9,698	-	494,061	2,072,481	256,426	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Industrial Employment Capacity	3,992	13	-	669	2,804	347	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Net Commercial & Industrial Capacity (SF)	5,663,791	578,157	594,433	520,064	2,181,559	269,922	71,000	26,017	563,993	-	38,328	259,792	5,602	-	617	15,820	15,214	108,471	77,367	31,594	1,345
Potential Occupied Commercial & Industrial Employment Capacity	5,380,602	549,249	564,711	494,061	2,072,481	256,426	67,450	24,716	535,793	-	36,412	246,802	5,322	-	586	15,029	14,453	103,047	73,499	30,014	1,278
<b>Employment Capacity Surplus (Deficit)</b>	<b>8,570</b>	<b>1,029</b>	<b>1,063</b>	<b>669</b>	<b>2,804</b>	<b>347</b>	<b>127</b>	<b>47</b>	<b>1,009</b>	<b>-</b>	<b>69</b>	<b>465</b>	<b>10</b>	<b>-</b>	<b>1</b>	<b>28</b>	<b>27</b>	<b>194</b>	<b>138</b>	<b>57</b>	<b>2</b>
Remaining Employment Growth to Accommodate (2021-2036)	1,578																				
<b>Employment Capacity Surplus (Deficit)</b>	<b>6,992</b>																				

Sources: City of Blaine, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.



#### 4. Cherry Point UGA

The Cherry Point Urban Growth Area is characterized by and planned for industrial uses. This UGA does not have residential zoning or allocated population growth. The UGA has an employment growth allocation of 774 between 2016 and 2036 (**Exhibit 2**).

##### Achieved Growth 2016-2021

Permit data for the Cherry Point UGA is not a sufficient data source to estimate past employment growth. This is because a major employer in the UGA shutdown in 2020. Additionally, the Cherry Point Urban Growth Area is unique in that many of the building permits are not for the more traditional enclosed industrial buildings that have been permitted in other cities and UGAs (building permits at Cherry Point include equipment, pipe supports, platforms, etc.). Therefore, Whatcom County contracted with Western Washington University to provide an employment growth estimate for the review period (*Employment at Cherry Point, June 2021*). Employment data for 2016 was limited. Therefore, the employment estimate represents growth between 2017 and 2021. Based on these estimates, the Cherry Point UGA declined in employment by 141 (**Exhibit 7**). Cherry Point UGA employment declined between 2016 and 2021 because of job losses

associated with the Alcoa Intalco shutdown in 2020.

##### Employment Assumptions

Occupancy rate and employment density assumptions for estimating future growth capacity in the Cherry Point UGA are:

- 95.0% Industrial occupancy rate
- 1,779 Industrial square feet per employee

The Cherry Point UGA will need to accommodate 876 more jobs between 2021 and 2036 under current planning assumptions (**Exhibit 7**).

##### Employment Capacity 2021-2036

The *Whatcom County Comprehensive Plan* does not have adopted industrial planned densities. Between 2016 and 2021 the Cherry Point UGA has seen an overall achieved industrial FAR of 0.11 (**Exhibit 11**).

Based on achieved densities between 2016 and 2021, Whatcom County is assuming future FARs of 0.10 for the HII zone and 0.12 for the LII zone (**Exhibit 32**).

The Cherry Point UGA has estimated net land capacity for employment growth of 1,152 acres (**Exhibit 33**), with a total estimated potential occupied industrial capacity of over 4.6 million square feet. Based on square feet per employee assumptions, the Cherry Point UGA has an estimated future employment capacity of 2,613, indicating an estimated employment capacity surplus of 1,737 (**Exhibit 34**).

**Regulatory Changes**

The County has evaluated development regulations adopted in the review period (April 1, 2016 - March 31, 2021). Only Ordinance 2019-005 could prevent assigned densities from being achieved or impact the quantity of land suitable for development in the remainder of the 20-year planning period (2021-2036). In an e-mail of October 6, 2021, a representative of the Whatcom County Public Works River & Flood Division stated:

. . . the 2019 revisions were done mainly to reflect updated flood study and the most recent just adopted in 2021 was for compliance with building freeboard required for CRS [Community Rating System] credit, nothing to do with 'supply of land'. That being said, the flood study did change the Base Flood Elevations and floodplain boundaries in those areas and

the FEMA Biological Opinion does restrict density in the floodplain. . .

A September 30, 2021 River & Flood Division memo attached to the e-mail states that the Special Flood Hazard Area is:

. . . designated Critical Area and/or Habitat Conservation Area (HCA) per WCC Title-16. As such, creating additional 'buildable' lots within a Critical Area or HCA may be prohibited. For further information reference WCC 16.16.420 – Frequently Flooded Areas. . .

Pursuant to the *Whatcom County Review and Evaluation Program Methodology*, Whatcom County deducted floodplains from the buildable land supply.

After the end of the review period, the County Council adopted Ordinance 2021-046 prohibiting certain uses and requiring a conditional use permit for certain uses in the Cherry Point UGA. This ordinance also included greenhouse gas provisions in SEPA.

**Infrastructure Gaps**

Whatcom County has reviewed capital facility plans and/or consulted with service providers. Based upon these actions, the County has not identified any infrastructure gaps that would

prevent service providers from supplying planned capital facilities to developable land in the Cherry Point UGA within the remaining portion of the planning period (2021-2036).

**Analysis of Comprehensive Plan Objectives and Reasonable Measures**

The Cherry Point UGA experienced negative job growth in the review period because of the Alcoa Intalco shutdown, which resulted in the loss of approximately 662 jobs at this plant (*Employment at Cherry Point, June 2021, page 8*). The shutdown was a business decision by a large corporation based upon a number of factors, including the global business environment. If not for this shutdown, employment growth in the UGA would have outpaced the growth allocated in the Whatcom County Comprehensive Plan.

Whatcom County Comprehensive Plan Policy 7B-1 states:

The Port of Bellingham, serving as the ADO [Associate Development Organization], will work with the cities, the County, Chambers of Commerce, educational institutions, and other groups to assist retention and expansion of existing local businesses and to attract appropriate businesses to Whatcom County. . .

The Port of Bellingham is actively working to recruit a business for the Alcoa Intalco property. A reasonable measure is for the Port of Bellingham to continue the recruitment process until a new tenant is found, in order to facilitate job growth as envisioned in the *Whatcom County Comprehensive Plan* and implement Comprehensive Plan Policy 7B-1.

Commercial and Industrial Development

**Exhibit 32. Nonresidential Development, Achieved and Assumed Densities, Cherry Point UGA, 2016-2021**

<b>Zoning Designation</b>	<b>Development Type</b>	<b>Acres Developed</b>	<b>Built Square Feet</b>	<b>Achieved Density (FAR)</b>	<b>Assumed Density (FAR)</b>
HII	Industrial	8.8	39,560	0.10	0.10
LII	Industrial	8.0	40,991	0.12	0.12

*Sources: Whatcom County, 2022; Community Attributes Inc., 2021.*

*Note: Assumed Density is the assumed density for evaluation of land suitable for development by zone.*

**Exhibit 33. Developable Nonresidential Land Supply, Cherry Point UGA, 2021 -2036**

	UGA Total	HII	LII
<b>Vacant Land</b>			
Gross Acres	3,834.69	3,765.09	69.60
Critical Areas	2,188.05	2,132.12	55.93
Future Public Uses	10.00	10.00	0.00
Infrastructure Gaps	0.00	0.00	0.00
Quasi-Public Use Deduction	81.83	81.15	0.68
Infrastructure Deduction	163.66	162.30	1.37
Market Factor	313.01	310.39	2.62
<b>Net Acres</b>	<b>1,078.14</b>	<b>1,069.13</b>	<b>9.01</b>
<b>Partially-Used Land</b>			
Gross Acres	148.42	148.42	0.00
Critical Areas	109.30	109.30	0.00
Future Public Uses	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00
Quasi-Public Use Deduction	1.96	1.96	0.00
Infrastructure Deduction	3.91	3.91	0.00
Market Factor	10.81	10.81	0.00
<b>Net Acres</b>	<b>22.45</b>	<b>22.45</b>	<b>0.00</b>
<b>Underutilized Land</b>			
Gross Acres	223.24	218.47	4.77
Critical Areas	133.21	130.42	2.79
Future Public Uses	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00
Quasi-Public Use Deduction	4.50	4.40	0.10
Infrastructure Deduction	9.00	8.80	0.20
Market Factor	24.87	24.32	0.55
<b>Net Acres</b>	<b>51.65</b>	<b>50.52</b>	<b>1.14</b>

Sources: Whatcom County, 2022; Community Attributes Inc., 2021.

**Exhibit 34. Developable Nonresidential Land Capacity, Cherry Point UGA, 2021 -2036**

	UGA	HII	LII
<b>Net Developable Employment Acres (Vacant, PU, UU)</b>	<b>1,152.24</b>	<b>1,142.09</b>	<b>10.15</b>
<b>Commercial Developable Acres</b>	-	-	-
Assumed Commercial Density (FAR)	-	-	-
Subtotal: Commercial Capacity (SF)	-	-	-
Existing Commercial Space (SF)	11,328	11,328	-
Pending Commercial Space (SF)	-	-	-
Master Planned Commercial Space (SF)	-	-	-
Subtotal: Net Commercial Capacity (SF)	-	-	-
Potential Occupied Commercial Space (SF)	-	-	-
Commercial Employment Capacity	-	-	-
<b>Industrial Developable Acres</b>	1152.24	1142.09	10.15
Assumed Industrial Density (FAR)	-	0.1	0.1
Subtotal: Industrial Capacity (SF)	5,027,995	4,974,958	53,037
Existing Industrial Space (SF)	134,000	134,000	-
Pending Industrial Space (SF)	-	-	-
Master Planned Industrial Space (SF)	-	-	-
Subtotal: Net Industrial Capacity (SF)	4,893,995	4,840,958	53,037
Potential Occupied Industrial Space (SF)	4,649,295	4,598,910	50,385
Industrial Employment Capacity	2,613	2,585	28
Net Commercial & Industrial Capacity (SF)	4,893,995	4,840,958	53,037
Potential Occupied Commercial & Industrial Employment Capacity	<b>4,649,295</b>	4,598,910	50,385
	<b>2,613</b>	2,585	28
Remaining Employment Growth to Accommodate (2021-2036)	876		
<b>Employment Capacity Surplus (Deficit)</b>	<b>1,737</b>		

Sources: Whatcom County, 2022; Community Attributes Inc., 2021.

## 5. Columbia Valley UGA

The Columbia Valley Urban Growth Area, one of three Non-City UGAs, is projected to reach 4,448 total population and 444 employees by 2036. The UGA has projected growth allocations of 1,170 new residents and 312 new jobs between 2016 and 2036 (**Exhibit 1** and **Exhibit 2**).

### Achieved Growth 2016-2021

Based on permit data collected between 2016 and 2021, occupancy, persons per household and square feet per employee assumptions, new construction in the Columbia Valley UGA accommodated an estimated 271 new residents and 11 new jobs over this five-year period (**Exhibit 6** and **Exhibit 7**).

The Columbia Valley UGA achieved an overall residential density of 4.9 units per net acre between 2016 and 2021. This is within the range of 4.0 to 6.0 units per net acre planned in the *Whatcom County Comprehensive Plan* (**Exhibit 11**).

Whatcom County has not adopted planned densities for commercial or industrial uses. Between 2016 and 2021, the UGA achieved a commercial FAR of 0.05, and did not have industrial development during the period (**Exhibit 11**). The commercial FAR is based

upon a limited number of commercial building permits (2) issued between April 1, 2016 and March 31, 2021. One of the 2 building permits was in a commercial zone (the other was in a residential zone). The permit in commercial zone was for a new food bank.

### Population and Employment Assumptions

Occupancy rate and population and employment assumptions for estimating future growth capacity in the Columbia Valley UGA are:

- 88.0% residential occupancy rate
- 95.0% Commercial and Industrial occupancy rate
- 2.90 persons per household
- 532 and 812 respectively Commercial and Industrial square feet per employee

### Population Capacity 2021-2036

The Columbia Valley UGA will need to accommodate 899 more residents and 301 more jobs between 2021 and 2036 under current planning assumptions (**Exhibit 6** and **Exhibit 7**).

Based on achieved densities between 2016 and 2021, Whatcom County is assuming future residential densities of 4.9 units per acre for

both single family and multifamily development (**Exhibit 35**).

The Columbia Valley UGA has estimated net land capacity for population growth of 178.4 acres (**Exhibit 36**), with a total estimated potential occupied unit capacity of 747 dwelling units. Based on persons per household assumptions, the Columbia Valley UGA has an estimated population capacity of 2,167, indicating an estimated population capacity surplus of 1,268 (**Exhibit 37**).

**Housing Needs by Type**

The *Whatcom County Comprehensive Plan* (Chapter 3- Housing, Chart 3 – Estimated Dwelling Units Needed, page 3-8) indicates that the Columbia Valley UGA has a need for 613 new single-family dwelling units during the 2013-2036 planning period (the Comprehensive Plan does not estimate multifamily housing needs for Columbia Valley). The calculation for Chart 3 in the *Whatcom County Comprehensive Plan* included building activity from 2013. Therefore, the analysis below includes permit data from April 1, 2013, even though the planning period for this Buildable Lands Report is from 2016.

- Between April 1, 2013 and March 31, 2021, Whatcom County performed final inspections on 120 single-family and 0

multi-family units in the Columbia UGA. Comparing units built and the needs indicated on Chart 3, the Columbia Valley UGA needs an additional 493 single-family units between 2021 and 2036.

- The Columbia Valley UGA has an estimated 2021-2036 capacity for 840 single-family and 9 multi-family housing units (**Exhibit 37**).

The capacity to accommodate single family residential housing in the Columbia Valley UGA is sufficient to accommodate the single family dwelling units needed in the planning period as established in the *Whatcom County Comprehensive Plan* (Chapter 3- Housing, Chart 3).

**Employment Capacity 2021-2036**

Whatcom County is using an average of the small city FARs for future commercial and industrial development, since there is little or no data on achieved densities in the Columbia Valley UGA (**Exhibit 38**).

The Columbia Valley UGA has estimated net land capacity for employment growth of 33.1 acres (**Exhibit 39**), with a total estimated potential occupied commercial and industrial capacity of 278,205 square feet. Based on square feet per employee assumptions, the



UGA has an estimated employment capacity of 420, indicating an estimated employment capacity surplus of 119 (**Exhibit 40**).

**Regulatory Changes**

The County has evaluated development regulations adopted in the review period (April 1, 2016 – March 31, 2021). No ordinances adopted during the review period have been identified that would prevent assigned densities from being achieved or impact the quantity of land suitable for development in the remainder of the 20-year planning period (2021-2036).

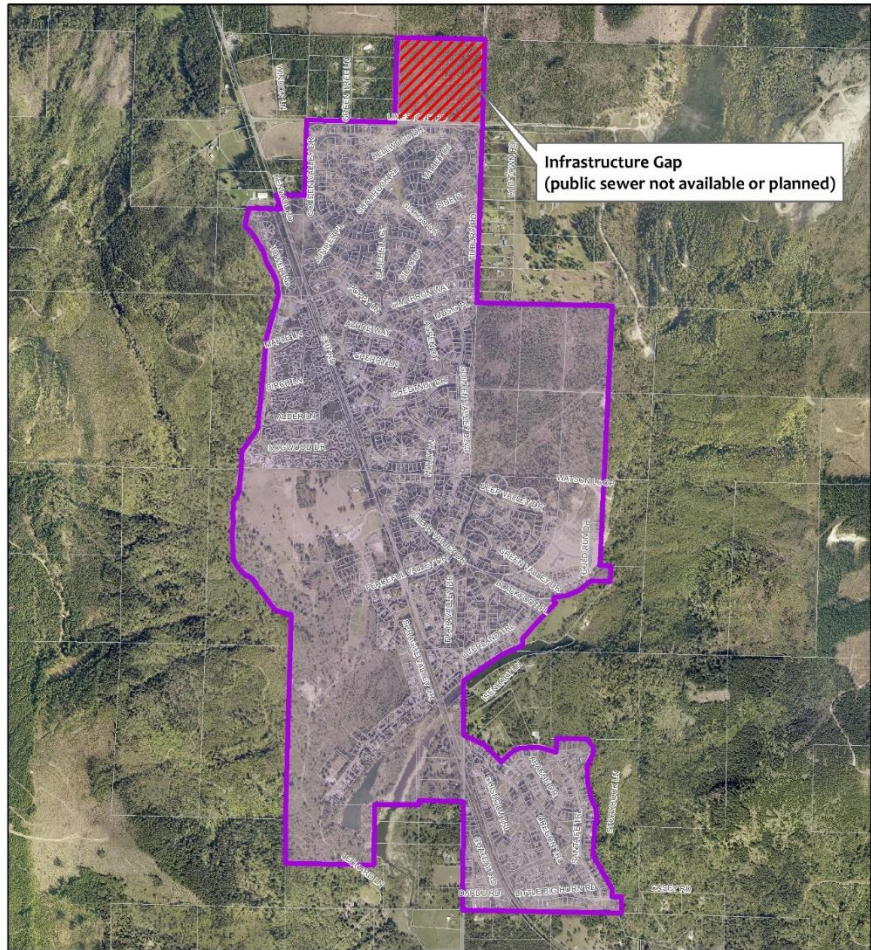
**Infrastructure Gaps**

Whatcom County has reviewed capital facility plans and/or consulted with service providers. Based upon these actions, the County has the following comments on infrastructure gaps that would prevent service providers from supplying planned capital facilities to developable land in the Columbia Valley UGA within the planning period (2021-2036).

Water District 13 is the only sewer purveyor in the UGA. There is no public sewer in parts of the UGA outside of District 13, including the Planned Industrial area north of Limestone Rd. On-site sewage systems may be used in areas with no sewer, which will


especially affect the Planned Light Impact Industrial Area. A 30% deduction will be taken from the land in the Planned Light Impact Industrial Area to account for the lack of public sewer. A map of the Columbia Valley UGA showing the land area associated with this deduction is provide below. Residential areas located outside District 13 are platted already and have developed with on-site sewage systems.

Additionally, the Water District 13 Sewer Plan will need to be updated to serve planned growth within its boundaries, as the existing Sewer System Plan only plans for projected population and sewer connections through the year 2029.



### Columbia Valley UGA - Infrastructure Gaps

Legend

 Columbia Valley UGA

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March 2022  
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**Analysis of Comprehensive Plan  
Objectives and Reasonable Measures**

The Columbia Valley UGA has experienced slow employment growth between 2016 and 2021. The *Whatcom County Comprehensive Plan* employment projection would suggest that about 78 jobs should be created in the Columbia Valley UGA over a given five-year period (Chapter 1, page 1-8). However, the Data Reporting Tool estimates that only 11 jobs were created in the UGA between 2016 and 2021.

The County rezoned land in the UGA from Urban Residential to General Commercial in 2009 to provide land for business within the UGA. There is also a Planned Light Impact Industrial designation in the northern portion of the UGA, but this site has not yet been rezoned to accommodate industry. Therefore, it is not able to accommodate intensive employment growth at this time. A potential reasonable measure the County could consider is rezoning the Planned Light Impact Industrial area for industrial uses as set forth in the *Foothills Subarea Plan* (pages 2-12, 12-4, 12-5, and 12-10).

Residential Development

**Exhibit 35. Residential Development, Achieved and Assumed Densities, Columbia Valley UGA, 2016 -2021**

<b>Zoning Designation</b>	<b>Development Type</b>	<b>Acres Developed</b>	<b>Dwelling Units</b>	<b>Achieved Density (Units/Acre)</b>	<b>Density Assumed (Units/Acre)</b>
UR4	Single Family	22.2	109	4.91	4.91
GC	Multifamily	N/A	N/A	N/A	4.91

*Sources: Whatcom County, 2022; Community Attributes Inc., 2021.*

*Note: "Density Assumed" is the assumed density for evaluation of land suitable for development by zone.*

**Exhibit 36. Residential Land Supply, Columbia Valley UGA, 2021 -2036**

	UGA Total	UR4	GC	RF
<b>Vacant Land</b>				
Gross Acres	408.37	406.02	2.35	0.00
Critical Areas	101.05	100.94	0.11	0.00
Future Public Uses	3.00	3.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	15.22	15.10	0.11	0.00
Infrastructure Deduction	69.70	69.48	0.22	0.00
Market Factor	52.66	52.20	0.46	0.00
<b>Net Acres</b>	<b>166.74</b>	<b>165.29</b>	<b>1.45</b>	<b>0.00</b>
<b>Partially-Used Land</b>				
Gross Acres	29.17	29.17	0.00	0.00
Critical Areas	6.53	6.53	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	1.13	1.13	0.00	0.00
Infrastructure Deduction	5.21	5.21	0.00	0.00
Market Factor	4.89	4.89	0.00	0.00
<b>Net Acres</b>	<b>11.41</b>	<b>11.41</b>	<b>0.00</b>	<b>0.00</b>
<b>Underutilized Land</b>				
Gross Acres	0.49	0.00	0.49	0.00
Critical Areas	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.02	0.00	0.02	0.00
Infrastructure Deduction	0.05	0.00	0.05	0.00
Market Factor	0.13	0.00	0.13	0.00
<b>Net Acres</b>	<b>0.29</b>	<b>0.00</b>	<b>0.29</b>	<b>0.00</b>

Sources: Whatcom County, 2022; Community Attributes Inc., 2021.

**Exhibit 37. Developable Residential Land Capacity, Columbia Valley UGA, 2021 -2036**

	UGA	UR4	GC	RF
<b>Net Developable Residential Acres (Vacant, PU, UU)</b>	<b>178.45</b>	<b>176.71</b>	<b>1.74</b>	<b>0.00</b>
<b>Single Family Developable Acres</b>	176.71	176.71	-	-
Assumed Single Family Density (units/acre)		5		
Subtotal Single Family Unit Capacity	868	868	-	-
Existing Single Family Units	87	86	1	-
Pending Single Family Units	58	58	-	-
Master Planned Single Family Units	-	-	-	-
Subtotal: Net Single Family Unit Capacity	840	840	-	-
Potential Occupied Single Family Units	739	739	-	-
Single Family Population Capacity	2,144	2,144	-	-
<b>Multifamily Developable Acres</b>	1.74	-	1.74	-
Assumed Multifamily Density (units/acre)			5	
Subtotal Multifamily Unit Capacity	9	-	9	-
Existing Multifamily Units	-	-	-	-
Pending Multifamily Units	-	-	-	-
Master Planned Multifamily Units	-	-	-	-
Subtotal: Net Multifamily Unit Capacity	9	-	9	-
Potential Occupied Multifamily Units	8	-	8	-
Multifamily Population Capacity	23	-	23	-
Net Dwelling Unit Capacity	849	840	9	-
Potential Occupied Dwelling Units	747	739	8	-
<b>Population Capacity</b>	<b>2,167</b>	2,144	23	-
Remaining Population Growth to Accommodate (2021-2036)	899			
<b>Population Capacity Surplus (Deficit)</b>	<b>1,268</b>			

Sources: Whatcom County, 2022; Community Attributes Inc., 2021.

Commercial and Industrial Development

**Exhibit 38. Nonresidential Development, Achieved and Assumed Densities, Columbia Valley UGA, 2016-2021**

<b>Zoning Designation</b>	<b>Development Type</b>	<b>Acres Developed</b>	<b>Built Square Feet</b>	<b>Achieved Density (FAR)</b>	<b>Assumed Density (FAR)</b>
UR4	Commercial	0.1	864	0.27	N/A
GC	Commercial	2.6	5,500	0.05	0.18
RF	Industrial	N/A	N/A	N/A	0.22

*Sources: Whatcom County, 2022; Community Attributes Inc., 2021.*

*Note: Assumed Density is the assumed density for evaluation of land suitable for development by zone.*

**Exhibit 39. Developable Nonresidential Land Supply, Columbia Valley UGA, 2021 -2036**

	UGA Total	UR4	GC	RF
<b>Vacant Land</b>				
Gross Acres	59.74	0.00	21.16	38.58
Critical Areas	0.97	0.00	0.97	0.00
Future Public Uses	0.00	0.00	0.00	0.00
Infrastructure Gaps	11.57	0.00	0.00	11.57
Quasi-Public Use Deduction	2.36	0.00	1.01	1.35
Infrastructure Deduction	4.72	0.00	2.02	2.70
Market Factor	9.63	0.00	4.12	5.51
<b>Net Acres</b>	<b>30.49</b>	<b>0.00</b>	<b>13.04</b>	<b>17.45</b>
<b>Partially-Used Land</b>				
Gross Acres	0.00	0.00	0.00	0.00
Critical Areas	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.00	0.00	0.00	0.00
Infrastructure Deduction	0.00	0.00	0.00	0.00
Market Factor	0.00	0.00	0.00	0.00
<b>Net Acres</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Underutilized Land</b>				
Gross Acres	4.43	0.00	4.43	0.00
Critical Areas	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.22	0.00	0.22	0.00
Infrastructure Deduction	0.44	0.00	0.44	0.00
Market Factor	1.13	0.00	1.13	0.00
<b>Net Acres</b>	<b>2.64</b>	<b>0.00</b>	<b>2.64</b>	<b>0.00</b>

Sources: Whatcom County, 2022; Community Attributes Inc., 2021.



**Exhibit 40. Developable Nonresidential Land Capacity, Columbia Valley UGA, 2021-2036**

	UGA	UR4	GC	RF
<b>Net Developable Employment Acres (Vacant, PU, UU)</b>	<b>33.12</b>	<b>0.00</b>	<b>15.68</b>	<b>17.45</b>
<b>Commercial Developable Acres</b>	15.68	-	15.68	-
Assumed Commercial Density (FAR)			0.2	
Subtotal: Commercial Capacity (SF)	125,658	-	125,658	-
Existing Commercial Space (SF)	-	-	-	-
Pending Commercial Space (SF)	-	-	-	-
Master Planned Commercial Space (SF)	-	-	-	-
Subtotal: Net Commercial Capacity (SF)	125,658	-	125,658	-
Potential Occupied Commercial Space (SF)	119,375	-	119,375	-
Commercial Employment Capacity	224	-	224	-
<b>Industrial Developable Acres</b>	17.45	-	-	17.45
Assumed Industrial Density (FAR)				0.2
Subtotal: Industrial Capacity (SF)	167,189	-	-	167,189
Existing Industrial Space (SF)	-	-	-	-
Pending Industrial Space (SF)	-	-	-	-
Master Planned Industrial Space (SF)	-	-	-	-
Subtotal: Net Industrial Capacity (SF)	167,189	-	-	167,189
Potential Occupied Industrial Space (SF)	158,830	-	-	158,830
Industrial Employment Capacity	196	-	-	196
Net Commercial & Industrial Capacity (SF)	292,847	-	125,658	167,189
Potential Occupied Commercial & Industrial	278,205	-	119,375	158,830
Employment Capacity	<b>420</b>	-	224	196
Remaining Employment Growth to Accommodate (2021-2036)	301			
<b>Employment Capacity Surplus (Deficit)</b>	<b>119</b>			

Sources: Whatcom County, 2022; Community Attributes Inc., 2021.

## 6. Everson UGA

The Everson Urban Growth Area is projected to reach a total population and employment of 3,907 and 1,312 respectively by 2036. The UGA has projected growth allocation of 1,080 for population and 523 for employment between 2016 and 2036 (**Exhibit 1** and **Exhibit 2**).

### Achieved Growth 2016-2021

Based on permit data collected between 2016 and 2021 and occupancy and persons per household and square feet per employee assumptions, the Everson UGA grew by an estimated 317 population (100% within the City of Everson) and 16 employment (79% within the City of Everson) (**Exhibit 6** and **Exhibit 7**).

Between 2016 and 2021, the City of Everson achieved densities greater than planned for residential uses, 4.8 units per acre achieved compared to 4.0 planned based in the *Whatcom County Land Capacity Analysis Report* referenced in the *2016 City of Everson Comprehensive Plan*. This achieved residential density also falls within the planned density range of 4.0 to 6.0 units per acre adopted in the *Whatcom County Comprehensive Plan* for the City of Everson. The unincorporated portions of the Everson UGA have seen no

residential or commercial development between 2016 and 2021 (**Exhibit 11**).

The City of Everson, in the Comprehensive Plan, references commercial and industrial planned densities based on the *Whatcom County Land Capacity Analysis*. Whatcom County has not adopted planned densities for commercial or industrial uses. Planned commercial and industrial FAR for the Everson UGA are 0.20 and 0.30, respectively. Between 2016 and 2021, incorporated areas of the UGA have achieved a commercial FAR of 0.26, exceeding the adopted FAR. No industrial developed has occurred in the City of Everson between 2016 and 2021. Limited industrial development in the unincorporated portion of the UGA achieved a 0.01 FAR (**Exhibit 11**).

### Population and Employment Assumptions

Specific occupancy rate and population and employment density assumptions for estimating future growth capacity in the Everson UGA are:

- 97.0% Single Family occupancy rate
- 92.8% Multifamily occupancy rate
- 95.0% Commercial and Industrial occupancy rate

- 3.066 Single Family persons per household
- 2.901 Multifamily persons per household
- 800 and 1,501 respectively Commercial and Industrial square feet per employee

The Everson UGA has an estimated 763 population and 507 employment growth remaining to accommodate between 2021 and 2036 (**Exhibit 6** and **Exhibit 7**).

**Population Capacity 2021-2036**

The City of Everson is utilizing achieved densities when estimating future residential land capacity. Based on achieved densities between 2016 and 2021 and planning assumptions, City of Everson planners are assuming future single family density of 4.4 units per acre, and 8.5 units per acre for multifamily zones (**Exhibit 41**).

The Everson UGA has estimated net land capacity for population growth of 248.4 acres (**Exhibit 42**), with a total estimated potential occupied unit capacity of 1,203 dwelling units. Based on persons per household assumptions, the UGA has an estimated population capacity of 3,634, indicating an estimated population capacity surplus of 2,871 (**Exhibit 43**).

**Housing Needs by Type**

The *Whatcom County Comprehensive Plan* (Chapter 3- Housing, Chart 3 – Estimated Dwelling Units Needed, page 3-8) indicates that Everson has a need for 277 single-family, 129 multi-family, and 28 other (“group housing”) new dwelling units during the 2013-2036 planning period. The calculation for Chart 3 in the *Whatcom County Comprehensive Plan* included building activity from 2013. Therefore, the analysis below includes permit data from April 1, 2013, even though the planning period for this Buildable Lands Report is from 2016.

- Between April 1, 2013 and March 31, 2021, Everson issued building permits for 117 single-family and 20 multi-family units. No group housing has been built during this time. Comparing units built and the needs indicated on Chart 3, Everson needs an additional 160 single-family units, 109 multi-family units, and 28 group housing units between 2021 and 2036.
- The City and unincorporated UGA have an estimated 2021-2036 capacity for 904 single-family and 351 multi-family housing units (**Exhibit 43**). The multi-family capacity includes group housing.

These capacities are sufficient to accommodate the dwelling unit types needed in the planning period as established in the Whatcom County Comprehensive Plan (Chapter 3- Housing, Chart 3).

**Employment Capacity 2021-2036**

The City of Everson is utilizing achieved densities (when available) when estimating future land capacity for employment. Based on achieved densities between 2016 and 2021 and planning assumptions, City of Everson planners are assuming a future commercial FAR of 0.26 and an industrial FAR of 0.30 (**Exhibit 44**).

The Everson UGA has estimated net land capacity for employment growth of 179.4 acres (**Exhibit 45**), with a total estimated potential occupied commercial and industrial capacity of 2.1 million square feet. Based on square feet per employee assumptions, the Everson UGA has an estimated employment capacity of 1,575, indicating an estimated employment capacity surplus of 1,065 (**Exhibit 46**).

**Regulatory Changes**

The City of Everson has not identified any regulatory changes that would prevent assigned densities from being achieved or impact the quantity of land suitable for

development during the remainder of the planning period.

**Infrastructure Gaps**

The City of Everson has not identified any infrastructure gaps that would prevent assigned densities from being achieved or impact the quantity of land suitable for development during the remainder of the planning period (2021 to 2036).

**Analysis of Comprehensive Plan Objectives and Reasonable Measures**

The City of Everson has determined that growth targets and assumptions are being met to a reasonable degree; therefore, an analysis of comprehensive plan development targets, assumptions and objectives is not deemed necessary.

Based on the results presented in the Buildable Land Report, implementation of reasonable measures is not deemed necessary. If in the future it is determined that Reasonable Measures are appropriate, then the following measures could be considered for implementation:

- Increase residential densities by reducing minimum lot sizes in the Residential District above the increases likely to result from

establishment of the Residential-7500  
Subzone.

- Increase opportunities for construction of accessory dwelling units (ADUs).

Residential Development

**Exhibit 41. Residential Development, Achieved and Assumed Densities, City of Everson, 2016 -2021**

Zoning Designation	Development Type	Acres Developed	Dwelling Units	Achieved Density (Units/Acre)	Density Assumed (Units/Acre)
RES	Single Family	20.3	89	4.38	4.38
	Multifamily	0.3	2	7.14	N/A
RES-7500	Single Family	N/A	N/A	N/A	4.38
RMU	Single Family	0.4	3	7.33	N/A
	Multifamily	1.6	14	8.50	8.50

Sources: City of Everson, 2022; Community Attributes Inc., 2021.  
 Note: "Density Assumed" is the assumed density for evaluation of land suitable for development by zone.

**Exhibit 42. Residential Land Supply, Everson UGA, 2021-2036**

	UGA Total	RES	RES-7500	RMU	COM	LI
<b>Vacant Land</b>						
Gross Acres	201.31	161.60	0.64	39.07	0.00	0.00
Critical Areas	20.18	20.18	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	9.06	7.07	0.03	1.95	0.00	0.00
Infrastructure Deduction	9.06	7.07	0.03	1.95	0.00	0.00
Market Factor	24.45	19.09	0.09	5.27	0.00	0.00
<b>Net Acres</b>	<b>138.57</b>	<b>108.19</b>	<b>0.49</b>	<b>29.89</b>	<b>0.00</b>	<b>0.00</b>
<b>Partially-Used Land</b>						
Gross Acres	214.57	201.09	0.00	13.48	0.00	0.00
Critical Areas	51.84	50.37	0.00	1.48	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	8.14	7.54	0.00	0.60	0.00	0.00
Infrastructure Deduction	8.14	7.54	0.00	0.60	0.00	0.00
Market Factor	36.61	33.91	0.00	2.70	0.00	0.00
<b>Net Acres</b>	<b>109.84</b>	<b>101.74</b>	<b>0.00</b>	<b>8.10</b>	<b>0.00</b>	<b>0.00</b>
<b>Underutilized Land</b>						
Gross Acres	0.00	0.00	0.00	0.00	0.00	0.00
Critical Areas	0.00	0.00	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Deduction	0.00	0.00	0.00	0.00	0.00	0.00
Market Factor	0.00	0.00	0.00	0.00	0.00	0.00
<b>Net Acres</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

Sources: City of Everson, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

**Exhibit 43. Developable Residential Land Capacity, Everson UGA, 2021-2036**

	UGA	RES	RES-7500	RMU	COM	LI
<b>Net Developable Residential Acres (Vacant, PU, UU)</b>	<b>248.41</b>	<b>209.93</b>	<b>0.49</b>	<b>37.99</b>	<b>0.00</b>	<b>0.00</b>
<b>Single Family Developable Acres</b>	210.42	209.93	0.49	-	-	-
Assumed Single Family Density (units/acre)		4	4			
Subtotal Single Family Unit Capacity	921	919	2	-	-	-
Existing Single Family Units	63	37	-	5	16	5
Pending Single Family Units	20	20	-	-	-	-
Master Planned Single Family Units	-	-	-	-	-	-
Subtotal: Net Single Family Unit Capacity	904	902	2	-	-	-
Potential Occupied Single Family Units	877	875	2	-	-	-
Single Family Population Capacity	2,689	2,683	6	-	-	-
<b>Multifamily Developable Acres</b>	37.99	-	-	37.99	-	-
Assumed Multifamily Density (units/acre)				9		
Subtotal Multifamily Unit Capacity	323	-	-	323	-	-
Existing Multifamily Units	-	-	-	-	-	-
Pending Multifamily Units	28	-	-	28	-	-
Master Planned Multifamily Units	-	-	-	-	-	-
Subtotal: Net Multifamily Unit Capacity	351	-	-	351	-	-
Potential Occupied Multifamily Units	326	-	-	326	-	-
Multifamily Population Capacity	945	-	-	945	-	-
Net Dwelling Unit Capacity	1,255	902	2	351	-	-
Potential Occupied Dwelling Units	1,203	875	2	326	-	-
<b>Population Capacity</b>	<b>3,634</b>	2,683	6	945	-	-
Remaining Population Growth to Accommodate (2021-2036)	763					
<b>Population Capacity Surplus (Deficit)</b>	<b>2,871</b>					

Sources: City of Everson, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.



Commercial and Industrial Development

**Exhibit 44. Nonresidential Development, Achieved and Assumed Densities, City of Everson, 2016 -2021**

<b>Zoning Designation</b>	<b>Development Type</b>	<b>Acres Developed</b>	<b>Built Square Feet</b>	<b>Achieved Density (FAR)</b>	<b>Assumed Density (FAR)</b>
COM	Commercial	0.9	10,825	0.26	0.26
LI	Industrial	N/A	N/A	N/A	0.30

*Sources: City of Everson, 2022; Community Attributes Inc., 2021.*

*Note: Assumed Density is the assumed density for evaluation of land suitable for development by zone.*

**Exhibit 45. Developable Nonresidential Land Supply, Everson UGA, 2021 -2036**

	UGA Total	RES	RES-7500	RMU	COM	LI
<b>Vacant Land</b>						
Gross Acres	175.15	0.00	0.00	0.00	9.89	165.25
Critical Areas	2.52	0.00	0.00	0.00	0.19	2.33
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	8.63	0.00	0.00	0.00	0.48	8.15
Infrastructure Deduction	8.63	0.00	0.00	0.00	0.48	8.15
Market Factor	23.30	0.00	0.00	0.00	1.31	22.00
<b>Net Acres</b>	<b>132.06</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>7.42</b>	<b>124.64</b>
<b>Partially-Used Land</b>						
Gross Acres	6.20	0.00	0.00	0.00	3.52	2.68
Critical Areas	0.00	0.00	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.31	0.00	0.00	0.00	0.18	0.13
Infrastructure Deduction	0.31	0.00	0.00	0.00	0.18	0.13
Market Factor	1.40	0.00	0.00	0.00	0.79	0.60
<b>Net Acres</b>	<b>4.19</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2.38</b>	<b>1.81</b>
<b>Underutilized Land</b>						
Gross Acres	79.02	0.00	0.00	0.00	26.46	52.55
Critical Areas	15.01	0.00	0.00	0.00	0.00	15.01
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	3.20	0.00	0.00	0.00	1.32	1.88
Infrastructure Deduction	3.20	0.00	0.00	0.00	1.32	1.88
Market Factor	14.40	0.00	0.00	0.00	5.95	8.45
<b>Net Acres</b>	<b>43.20</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>17.86</b>	<b>25.34</b>

Sources: City of Everson, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

**Exhibit 46. Developable Nonresidential Land Capacity, Everson UGA, 2021 -2036**

	UGA	RES	RES-7500	RMU	COM	LI
<b>Net Developable Employment Acres (Vacant, PU, UU)</b>	<b>179.45</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>27.66</b>	<b>151.79</b>
<b>Commercial Developable Acres</b>	27.66	-	-	-	27.66	-
Assumed Commercial Density (FAR)					0.3	
Subtotal: Commercial Capacity (SF)	313,283	-	-	-	313,283	-
Existing Commercial Space (SF)	4,592	-	-	-	4,592	-
Pending Commercial Space (SF)	-	-	-	-	-	-
Master Planned Commercial Space (SF)	-	-	-	-	-	-
Subtotal: Net Commercial Capacity (SF)	308,691	-	-	-	308,691	-
Potential Occupied Commercial Space (SF)	293,256	-	-	-	293,256	-
Commercial Employment Capacity	367	-	-	-	367	-
<b>Industrial Developable Acres</b>	151.79	-	-	-	-	151.79
Assumed Industrial Density (FAR)						0.3
Subtotal: Industrial Capacity (SF)	1,983,592	-	-	-	-	1,983,592
Existing Industrial Space (SF)	84,096	-	-	-	9,626	74,470
Pending Industrial Space (SF)	-	-	-	-	-	-
Master Planned Industrial Space (SF)	-	-	-	-	-	-
Subtotal: Net Industrial Capacity (SF)	1,909,122	-	-	-	-	1,909,122
Potential Occupied Industrial Space (SF)	1,813,666	-	-	-	-	1,813,666
Industrial Employment Capacity	1,208	-	-	-	-	1,208
Net Commercial & Industrial Capacity (SF)	2,217,813	-	-	-	308,691	1,909,122
Potential Occupied Commercial & Industrial	2,106,922	-	-	-	293,256	1,813,666
Employment Capacity	<b>1,575</b>	-	-	-	367	1,208
Remaining Employment Growth to Accommodate (2021-2036)	510					
<b>Employment Capacity Surplus (Deficit)</b>	<b>1,065</b>					

Sources: City of Everson, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

## 7. Ferndale UGA

The Ferndale Urban Growth Area is the second largest in the County and is projected to reach a total population and employment of 19,591 and 9,372 respectively by 2036. The UGA has projected growth allocation of 5,942 for population and 3,478 for employment between 2016 and 2036 (**Exhibit 1** and **Exhibit 2**).

### Achieved Growth 2016-2021

Based on permit data collected between 2016 and 2021 and occupancy and persons per household and square feet per employee assumptions, the Ferndale UGA grew by an estimated 2,287 population (99% within the City) and 1,191 employment (95% within the City) (**Exhibit 6** and **Exhibit 7**).

The City of Ferndale has achieved residential densities of 6.4 units per net acre, a commercial FAR of 0.09, and an industrial FAR of 0.20 between 2016 and 2021. Achieved residential densities are greater than the planned densities for residential within the *Whatcom County Comprehensive Plan* of between 6.0 and 10.0 units per net acre. The City of Ferndale has not adopted commercial or industrial planned densities (**Exhibit 11**).

The unincorporated portions of the Ferndale UGA have an achieved residential density of 0.3 units per acre, based on construction of three dwelling units in the 2016-2021 time period (**Exhibit 11**). Densities within the City limits are consistent with county planned urban densities for the City. The unincorporated areas serve as urban growth potential for future growth after annexation, when city zoning is adopted and public water and sewer provided.

### Population and Employment Assumptions

Occupancy rate and population and employment density assumptions for the Ferndale UGA are:

- 96.4% Single Family occupancy rate
- 95.1% Multifamily occupancy rate
- 95.0% Commercial and Industrial occupancy rate
- 2.850 Single Family persons per household
- 2.310 Multifamily persons per household
- 580 and 1,129 respectively Commercial and Industrial square feet per employee

The Ferndale UGA has an estimated 3,661 population and 2,287 employment growth remaining to accommodate between 2021 and 2036 (**Exhibit 6** and **Exhibit 7**).

**Population Capacity 2021-2036**

Based on achieved densities between 2016 and 2021 and planning assumptions, City of Ferndale planners are assuming future single family density between 5.0 and 7.0 units per acre depending on the zone, and between 7.0 and 15.0 units per acre for multifamily zones (**Exhibit 47**).

The Ferndale UGA has estimated net land capacity for population growth of 561.94 acres (**Exhibit 48**), with a total estimated potential occupied unit capacity of 4,310 dwelling units. Based on persons per household assumptions, the UGA has an estimated population capacity of 10,786, indicating an estimated population capacity surplus of 7,125 (**Exhibit 49**).

**Housing Needs by Type**

The *Whatcom County Comprehensive Plan* (Chapter 3- Housing, Chart 3 – Estimated Dwelling Units Needed, page 3-8) indicates that Ferndale has a need for 2,024 single-family, 456 multi-family, and 125 other (“group housing”) new dwelling units during the 2013-2036 planning period. The

calculation for Chart 3 in the *Whatcom County Comprehensive Plan* included building activity from 2013. Therefore, the analysis below includes permit data from April 1, 2013, even though the planning period for this Buildable Lands Report is from 2016.

- Between April 1, 2013 and March 31, 2021, Ferndale issued building permits for 938 single-family and 585 multi-family units. No group housing, which in Ferndale are assisted living facilities, has been built during this time. Comparing units built and the needs indicated on Chart 3, Ferndale needs to accommodate an additional 1,086 single-family units and 125 group housing units between 2021 and 2036.
- The City and unincorporated UGA have an estimated 2021-2036 capacity for 2,392 single-family and 1,918 multi-family housing units (**Exhibit 49**). The multi-family capacity includes group housing.

These capacities are sufficient to accommodate the dwelling unit types anticipated in the planning period as established in the *Whatcom County Comprehensive Plan* (Chapter 3- Housing, Chart 3).

**Employment Capacity 2021-2036**

Based on achieved densities between 2016 and 2021 and planning assumptions, City of Ferndale planners are assuming a future commercial FAR of 0.09 to 0.20 and an industrial FAR of 0.20 (**Exhibit 50**).

The Ferndale UGA has estimated net land capacity for employment growth of 273.49 acres (**Exhibit 51**), with a total estimated potential occupied commercial and industrial capacity of approximately 2.5 million square feet. Based on square feet per employee assumptions, the Ferndale UGA has an estimated employment capacity of 3,484, indicating an estimated employment capacity surplus of 1,197 (**Exhibit 52**).

**Regulatory Changes**

The City has evaluated development regulations adopted in the review period (April 1, 2016 – March 31, 2021). Only Ordinances 1969 and 1976 could prevent assigned densities from being achieved or impact the quantity of land suitable for development in the remainder of the 20-year planning period (2021-2036). Both ordinances adopted new regulations for stormwater treatment within the City, these regulations may impact the ability to meet densities in the City’s

multifamily zones that have minimum gross densities.

During this period of time the City of Ferndale adopted several ordinances that would assist with realizing increased density within the UGA. Ordinance 1995 allowed for the establishment of Accessory Dwelling Units (ADUs) in all of the City’s single family zones. Ordinance 2174 further reduced barriers to the establishment of ADUs by eliminating off-street parking and owner occupancy requirements.

The City of Ferndale created new multifamily zones through the adoption of ordinances 2026 and 2098. Ordinance 2026 established the Residential Multifamily Medium Density zone with a minimum density of 10 dwelling units and a maximum density of 30 dwelling units per gross acre. Ordinance 2098 established the Residential Multifamily High Density Zone with a minimum density of 15 dwelling units per gross acre and no maximum density.

The City of Ferndale also adopted ordinance 2173 which allows duplex and single-family attached duplexes in single family residential zones which the City believes will assist infill development with attaining densities at or near the maximum permitted.

**Infrastructure Gaps**

The City of Ferndale has reviewed capital facility plans and/or consulted with service providers. Based upon these actions, the City has not identified any infrastructure gaps that would prevent service providers from supplying planned capital facilities to developable land in the Ferndale UGA.

**Analysis of Comprehensive Plan Objectives and Reasonable Measures**

The City of Ferndale has determined that growth targets and assumptions are being met. Therefore, an analysis of comprehensive plan development assumptions, targets, and objectives is not necessary. The City is realizing efficient development of the land within the UGA. The achieved density in the UGA is in part a result of the City establishing minimum densities in all of its residential zones. No inconsistencies between planned and actual growth have been identified in the Ferndale UGA. Therefore, reasonable measures are not required under RCW 36.70A.215.

Residential Development

**Exhibit 47. Residential Development, Achieved and Assumed Densities, City of Ferndale, 2016-2021**

Zoning Designation	Development Type	Acres Developed	Dwelling Units	Achieved Density (Units/Acre)	Density Assumed (Units/Acre)
RS High	Single Family	N/A	N/A	N/A	7.00
RS Medium	Single Family	N/A	N/A	N/A	6.00
RS Low	Single Family	N/A	N/A	N/A	5.00
MXD	Single Family	N/A	N/A	N/A	7.00
	Multifamily	N/A	N/A	N/A	7.00
RMH	Multifamily	0.4	8	22.22	15.00
RMM	Single Family	3.9	2	0.51	N/A
	Multifamily	6.0	55	9.15	10.00
RO	Multifamily	5.5	38	6.85	7.00
GB	Single Family	2.6	N/A	0.00	N/A
UR	Single Family	0.5	N/A	0.00	N/A
	Multifamily	0.7	12	17.91	15.00
CC	Multifamily	0.3	5	15.36	12.00
RR	Multifamily	N/A	N/A	N/A	15.00

Sources: City of Ferndale, 2022; Community Attributes Inc., 2021.  
 Note: "Density Assumed" is the assumed density for evaluation of land suitable for development by zone.



**Exhibit 48. Residential Land Supply, Ferndale UGA, 2021 -2036**

	UGA Total	CC	GB	LI	M	MXD	RMH	RMM	RO	RR	RS High	RS Low	RS Medium	UR
<b>Vacant Land</b>														
Gross Acres	626.73	0.00	0.00	0.00	0.00	159.88	12.31	59.41	12.95	0.00	50.45	219.47	99.91	12.33
Critical Areas	262.06	0.00	0.00	0.00	0.00	69.41	9.78	28.40	9.04	0.00	30.52	67.45	37.60	9.85
Future Public Uses	13.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.00	3.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	17.08	0.00	0.00	0.00	0.00	4.52	0.13	1.55	0.20	0.00	1.00	6.60	2.97	0.12
Infrastructure Deduction	17.08	0.00	0.00	0.00	0.00	4.52	0.13	1.55	0.20	0.00	1.00	6.60	2.97	0.12
Market Factor	46.13	0.00	0.00	0.00	0.00	12.21	0.34	4.19	0.53	0.00	2.69	17.82	8.01	0.34
<b>Net Acres</b>	<b>261.39</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>69.21</b>	<b>1.94</b>	<b>23.72</b>	<b>2.99</b>	<b>0.00</b>	<b>15.25</b>	<b>101.01</b>	<b>45.38</b>	<b>1.90</b>
<b>Partially-Used Land</b>														
Gross Acres	664.19	0.00	0.00	0.00	0.00	6.06	0.00	6.73	0.44	0.00	40.29	462.56	148.12	0.00
Critical Areas	219.43	0.00	0.00	0.00	0.00	0.97	0.00	0.49	0.00	0.00	24.27	133.83	59.87	0.00
Future Public Uses	5.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	19.40	0.00	0.00	0.00	0.00	0.25	0.00	0.31	0.02	0.00	0.80	13.60	4.41	0.00
Infrastructure Deduction	19.40	0.00	0.00	0.00	0.00	0.25	0.00	0.31	0.02	0.00	0.80	13.60	4.41	0.00
Market Factor	87.30	0.00	0.00	0.00	0.00	1.14	0.00	1.40	0.10	0.00	3.60	61.19	19.86	0.00
<b>Net Acres</b>	<b>261.89</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3.43</b>	<b>0.00</b>	<b>4.21</b>	<b>0.30</b>	<b>0.00</b>	<b>10.81</b>	<b>183.58</b>	<b>59.57</b>	<b>0.00</b>
<b>Underutilized Land</b>														
Gross Acres	76.26	0.00	0.00	0.00	0.00	32.61	5.77	27.11	0.00	0.00	0.00	0.00	0.00	10.77
Critical Areas	18.99	0.00	0.00	0.00	0.00	9.25	0.07	5.83	0.00	0.00	0.00	0.00	0.00	3.84
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	2.86	0.00	0.00	0.00	0.00	1.17	0.28	1.06	0.00	0.00	0.00	0.00	0.00	0.35
Infrastructure Deduction	2.86	0.00	0.00	0.00	0.00	1.17	0.28	1.06	0.00	0.00	0.00	0.00	0.00	0.35
Market Factor	12.89	0.00	0.00	0.00	0.00	5.26	1.28	4.79	0.00	0.00	0.00	0.00	0.00	1.56
<b>Net Acres</b>	<b>38.66</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>15.77</b>	<b>3.85</b>	<b>14.36</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4.68</b>

Sources: City of Ferndale, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

**Exhibit 49. Developable Residential Land Capacity, Ferndale UGA, 2021 -2036**

	UGA	CC	GB	LI	M	MXD	RMH	RMM	RO	RR	RS High	RS Low	RS Medium	UR
<b>Net Developable Residential Acres (Vacant, PU, UU)</b>	<b>561.94</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>88.41</b>	<b>5.78</b>	<b>42.29</b>	<b>3.29</b>	<b>0.00</b>	<b>26.06</b>	<b>284.58</b>	<b>104.95</b>	<b>6.58</b>
<b>Single Family Developable Acres</b>	428.22	-	-	-	-	12.63	-	-	-	-	26.06	284.58	104.95	-
Assumed Single Family Density (units/acre)						7					7	5	6	
Subtotal Single Family Unit Capacity	2,323	-	-	-	-	88	-	-	-	-	182	1,423	630	-
Existing Single Family Units	363	13	51	4	4	19	24	30	1	2	12	80	82	41
Pending Single Family Units	262	3	3	-	-	150	-	-	-	-	6	82	18	-
Master Planned Single Family Units	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Subtotal: Net Single Family Unit Capacity	2,392	3	3	-	-	219	-	-	-	-	176	1,425	566	-
Potential Occupied Single Family Units	2,306	3	3	-	-	211	-	-	-	-	170	1,374	546	-
Single Family Population Capacity	6,572	8	8	-	-	602	-	-	-	-	484	3,915	1,555	-
<b>Multifamily Developable Acres</b>	133.72	-	-	-	-	75.78	5.78	42.29	3.29	-	-	-	-	6.58
Assumed Multifamily Density (units/acre)		12				7	15	10	7	15				15
Subtotal Multifamily Unit Capacity	1,162	-	-	-	-	530	87	423	23	-	-	-	-	99
Existing Multifamily Units	180	4	16	-	-	5	7	131	-	-	-	-	-	17
Pending Multifamily Units	916	149	-	-	-	416	116	190	-	-	-	-	-	45
Master Planned Multifamily Units	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Subtotal: Net Multifamily Unit Capacity	1,918	149	-	-	-	941	196	482	23	-	-	-	-	127
Potential Occupied Multifamily Units	1,824	142	-	-	-	895	186	458	22	-	-	-	-	121
Multifamily Population Capacity	4,214	327	-	-	-	2,067	431	1,059	51	-	-	-	-	279
Net Dwelling Unit Capacity	4,310	152	3	-	-	1,160	196	482	23	-	176	1,425	566	127
Potential Occupied Dwelling Units	4,130	145	3	-	-	1,106	186	458	22	-	170	1,374	546	121
<b>Population Capacity</b>	<b>10,786</b>	<b>335</b>	<b>8</b>	<b>-</b>	<b>-</b>	<b>2,669</b>	<b>431</b>	<b>1,059</b>	<b>51</b>	<b>-</b>	<b>484</b>	<b>3,915</b>	<b>1,555</b>	<b>279</b>
Remaining Population Growth to Accommodate (2021-2036)	3,661													
<b>Population Capacity Surplus (Deficit)</b>	<b>7,125</b>													

Sources: City of Ferndale, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

Commercial and Industrial Development

**Exhibit 50. Nonresidential Development, Achieved and Assumed Densities, City of Ferndale, 2016 -2021**

Zoning Designation	Development Type	Acres Developed	Built Square Feet	Achieved Density (FAR)	Assumed Density (FAR)
MXD	Commercial	N/A	N/A	N/A	0.09
RO	Commercial	N/A	N/A	N/A	0.09
GB	Commercial	90.7	307,415	0.08	0.09
	Industrial	39.4	269,619	0.16	0.15
M	Commercial	N/A	N/A	N/A	N/A
	Industrial	N/A	N/A	N/A	0.20
LI	Industrial	5.5	103,994	0.44	0.20
UR	Commercial	0.3	7,061	0.49	0.09
CC	Commercial	0.1	156	0.03	0.50
RR	Commercial	N/A	N/A	N/A	0.15
	Industrial	N/A	N/A	N/A	0.15

Sources: City of Ferndale, 2022; Community Attributes Inc., 2021.

Note: Assumed Density is the assumed density for evaluation of land suitable for development by zone.

**Exhibit 51. Developable Nonresidential Land Supply, Ferndale UGA, 2021-2036**

	UGA Total	CC	GB	LI	M	MXD	Pub	RMH	RMM	RO	RR	RS Low	RS Medium	UR
<b>Vacant Land</b>														
Gross Acres	609.33	2.61	265.11	47.23	130.31	68.52	8.20	0.00	0.00	3.24	82.73	0.00	0.00	1.37
Critical Areas	279.58	1.72	100.25	31.28	91.63	29.75	1.58	0.00	0.00	2.26	20.01	0.00	0.00	1.09
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	77.98	0.00	77.98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	12.59	0.04	4.34	0.80	1.93	1.94	0.33	0.00	0.00	0.05	3.14	0.00	0.00	0.01
Infrastructure Deduction	12.59	0.04	4.34	0.80	1.93	1.94	0.33	0.00	0.00	0.05	3.14	0.00	0.00	0.01
Market Factor	33.99	0.12	11.73	2.15	5.22	5.23	0.89	0.00	0.00	0.13	8.47	0.00	0.00	0.04
<b>Net Acres</b>	<b>192.61</b>	<b>0.68</b>	<b>66.46</b>	<b>12.20</b>	<b>29.59</b>	<b>29.66</b>	<b>5.06</b>	<b>0.00</b>	<b>0.00</b>	<b>0.75</b>	<b>47.98</b>	<b>0.00</b>	<b>0.00</b>	<b>0.21</b>
<b>Partially-Used Land</b>														
Gross Acres	141.41	0.00	105.28	9.19	24.24	2.60	0.00	0.00	0.00	0.11	0.00	0.00	0.00	0.00
Critical Areas	53.74	0.00	38.18	7.02	8.13	0.42	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	36.18	0.00	36.18	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	2.57	0.00	1.55	0.11	0.81	0.11	0.00	0.00	0.00	0.01	0.00	0.00	0.00	0.00
Infrastructure Deduction	2.57	0.00	1.55	0.11	0.81	0.11	0.00	0.00	0.00	0.01	0.00	0.00	0.00	0.00
Market Factor	11.58	0.00	6.96	0.49	3.62	0.49	0.00	0.00	0.00	0.02	0.00	0.00	0.00	0.00
<b>Net Acres</b>	<b>34.75</b>	<b>0.00</b>	<b>20.87</b>	<b>1.46</b>	<b>10.87</b>	<b>1.47</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.07</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Underutilized Land</b>														
Gross Acres	213.28	2.29	124.32	39.76	9.30	13.98	0.00	0.00	0.00	0.00	22.45	0.00	0.00	1.20
Critical Areas	68.38	0.23	44.30	16.15	2.77	3.96	0.00	0.00	0.00	0.00	0.55	0.00	0.00	0.43
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	76.56	0.00	76.56	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	3.42	0.10	0.17	1.18	0.33	0.50	0.00	0.00	0.00	0.00	1.10	0.00	0.00	0.04
Infrastructure Deduction	3.42	0.10	0.17	1.18	0.33	0.50	0.00	0.00	0.00	0.00	1.10	0.00	0.00	0.04
Market Factor	15.38	0.46	0.78	5.31	1.47	2.25	0.00	0.00	0.00	0.00	4.93	0.00	0.00	0.17
<b>Net Acres</b>	<b>46.13</b>	<b>1.39</b>	<b>2.34</b>	<b>15.94</b>	<b>4.41</b>	<b>6.76</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>14.78</b>	<b>0.00</b>	<b>0.00</b>	<b>0.52</b>

Sources: City of Ferndale, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

**Exhibit 52. Developable Nonresidential Land Capacity, Ferndale UGA, 2021-2036**

	UGA	CC	GB	LI	M	MXD	Pub	RMH	RMM	RO	RR	RS Low	RS Medium	UR
<b>Net Developable Employment Acres (Vacant, PU, UU)</b>	<b>273.49</b>	<b>2.07</b>	<b>89.67</b>	<b>29.60</b>	<b>44.87</b>	<b>37.89</b>	<b>5.06</b>	<b>0.00</b>	<b>0.00</b>	<b>0.82</b>	<b>62.77</b>	<b>0.00</b>	<b>0.00</b>	<b>0.73</b>
<b>Commercial Developable Acres</b>	199.01	2.07	89.67	-	-	37.89	5.06	-	-	0.82	62.77	-	-	0.73
Assumed Commercial Density (FAR)		0.5	0.1			0.1	0.1			0.1	0.2			0.1
Subtotal: Commercial Capacity (SF)	981,204	45,050	351,548	-	-	148,545	19,847	-	-	3,220	410,128	-	-	2,866
Existing Commercial Space (SF)	48,652	9,518	9,839	-	1,700	17,523	-	-	4,610	-	-	-	1,200	4,262
Pending Commercial Space (SF)	742,332	5,000	674,886	-	-	54,446	-	-	-	-	-	-	-	8,000
Master Planned Commercial Space (SF)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Subtotal: Net Commercial Capacity (SF)	1,683,790	40,532	1,016,595	-	-	185,468	19,847	-	-	3,220	410,128	-	-	8,000
Potential Occupied Commercial Space (SF)	1,599,601	38,505	965,766	-	-	176,195	18,855	-	-	3,059	389,622	-	-	7,600
Commercial Employment Capacity	2,758	66	1,665	-	-	304	33	-	-	5	672	-	-	13
<b>Industrial Developable Acres</b>	74.48	-	-	29.60	44.87	-	-	-	-	-	-	-	-	-
Assumed Industrial Density (FAR)			0.2	0.2	0.2						0.2			
Subtotal: Industrial Capacity (SF)	648,830	-	-	257,902	390,928	-	-	-	-	-	-	-	-	-
Existing Industrial Space (SF)	123,676	-	24,919	4,000	29,076	60,939	-	1,984	-	-	-	1,200	-	1,558
Pending Industrial Space (SF)	246,662	-	215,806	-	30,856	-	-	-	-	-	-	-	-	-
Master Planned Industrial Space (SF)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Subtotal: Net Industrial Capacity (SF)	862,416	-	215,806	253,902	392,708	-	-	-	-	-	-	-	-	-
Potential Occupied Industrial Space (SF)	819,295	-	205,016	241,207	373,073	-	-	-	-	-	-	-	-	-
Industrial Employment Capacity	726	-	182	214	330	-	-	-	-	-	-	-	-	-
Net Commercial & Industrial Capacity (SF)	2,546,206	40,532	1,232,401	253,902	392,708	185,468	19,847	-	-	3,220	410,128	-	-	8,000
Potential Occupied Commercial & Industrial Employment Capacity	2,418,896	38,505	1,170,781	241,207	373,073	176,195	18,855	-	-	3,059	389,622	-	-	7,600
	<b>3,484</b>	66	1,847	214	330	304	33	-	-	5	672	-	-	13
Remaining Employment Growth to Accommodate (2021-2036)	2,287													
<b>Employment Capacity Surplus (Deficit)</b>	<b>1,197</b>													

Sources: City of Ferndale, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

## 8. Lynden UGA

The Lynden Urban Growth Area is projected to reach a total population and employment of 19,275 and 7,103 respectively by 2036. The UGA has projected allocation of 5,568 for population growth and 1,876 for employment growth between 2016 and 2036 (**Exhibit 1** and **Exhibit 2**).

### Achieved Growth 2016-2021

Based on permit data collected between 2016 and 2021 and occupancy and persons per household and square feet per employee assumptions, the Lynden UGA grew by an estimated 1,668 people (nearly 100% within the City of Lynden) and 622 jobs (100% within the City) (**Exhibit 6** and **Exhibit 7**).

The City of Lynden has an overall achieved residential density of 7.1 units per acre between 2016 and 2021. Lynden’s single-family zones have built out at 4.3 units per acre, its multi-family zones achieved 13.3 units per acre. The overall achieved residential density of 7.1 units per net acre is greater than the adopted planned density of 5.0 units per acre in the *2016 City of Lynden Comprehensive Plan*. The overall achieved residential density also falls within the adopted planned residential density for the City of Lynden of 6.0 to 10.0 units per net acre

in the *Whatcom County Comprehensive Plan* (**Exhibit 11**).

The unincorporated portions of the Lynden UGA have an achieved residential density of 1.7 units per acre (**Exhibit 11**). This density, which is based on construction of one dwelling unit in the 2016-2021 time period, lags county planned urban densities for the City. Land in the UGA, outside of City limits, is currently zoned for Agriculture or urban residential uses. The Agriculture zone does not allow urban densities. This land would need to be rezoned for urban land uses and served with public water and sewer, which typically occurs upon annexation. The urban residential zones in the unincorporated portion of the UGA do not allow urban densities until public water and sewer are available, which typically occurs upon annexation. These unincorporated areas serve as future urban growth potential. Until annexation, they do not have access to City infrastructure or urban densities.

Neither the City of Lynden nor Whatcom County have adopted planned densities for commercial or industrial development. Between 2016 and 2021, commercial development in the City of Lynden achieved an overall FAR of 0.12. Totals for commercial development are skewed by one project – the

construction of the new Lynden Middle School on a 30-acre vacant parcel. That one project accounted for 60% of the built commercial square footage during this time. Industrial development saw an overall FAR of 0.26. This was largely driven by construction associated with Lynden Door, Inc expansion and the new cold storage plants built to store agricultural products. More than 400,000 square feet of new industrial space was built in the city limits during this time. The unincorporated areas of the Lynden UGA did not see any commercial or industrial development (Exhibit 11).

**Population and Employment Assumptions**

Specific occupancy rate and population and employment density assumptions for estimating future growth capacity in the Lynden UGA are:

- 98.0% Single Family occupancy rate
- 95.0% Multifamily occupancy rate
- 95.0% Commercial and Industrial occupancy rate
- 2.88 Single Family persons per household
- 1.70 Multifamily persons per household

- 721 and 1,037 respectively Commercial and Industrial square feet per employee

Based on estimated growth since 2016 and population and employment projections adopted in the *Whatcom County Comprehensive Plan*, the Lynden UGA is expected to accommodate another 3,900 people and 1,254 jobs between 2021 and 2036 (Exhibit 6 and Exhibit 7).

**Population Capacity 2021-2036**

Based on achieved densities between 2016 and 2021 and planning assumptions, City of Lynden planners are assuming future single family density of 4.0 and 8.0 units per acre depending on the zone. Assumed multifamily densities range between 8.0 and 24.0 units per acre (Exhibit 53).

The Lynden UGA has an estimated net land capacity for population growth of 459.5 acres (Exhibit 54), with a total estimated potential occupied unit capacity of 3,481 dwelling units. Based on persons per household assumptions, the UGA has an estimated population capacity of 8,467, indicating an estimated population capacity surplus of 4,567 (Exhibit 55).

**Housing Needs by Type**

The *Whatcom County Comprehensive Plan* (Chapter 3- Housing, Chart 3 – Estimated Dwelling Units Needed, page 3-8) indicates that Lynden has a need for 1,887 single-family, 627 multi-family, and 97 other (“group housing”) new dwelling units during the 2013-2036 planning period. The calculation for Chart 3 in the *Whatcom County Comprehensive Plan* included building activity from 2013. Therefore, the analysis below includes permit data from April 1, 2013, even though the planning period for this Buildable Lands Report is from 2016.

- Between April 1, 2013 and March 31, 2021, Lynden issued building permits for 652 single-family and 539 multi-family units. No group housing, which in Lynden are assisted living facilities, has been built during this time. Comparing units built and the needs indicated on Chart 3, Lynden needs an additional 1,235 single-family units, 88 multi-family units, and 97 group housing units between 2021 and 2036.
- The City and unincorporated UGA have an estimated 2021-2036 capacity for 2,204 single-family and 1,391 multi-family housing units (**Exhibit 55**). The multi-family capacity includes group housing.

These capacities are sufficient to accommodate the dwelling unit types needed in the planning period as established in the Whatcom County Comprehensive Plan (Chapter 3- Housing, Chart 3).

**Employment Capacity 2021-2036**

Looking forward, Lynden is assuming a FAR of 0.184 for future commercial development. This number (0.184) is the average achieved commercial FAR for all the small cities in the County between 2016-2021. Lynden is using this assumption, which is different than its achieved commercial FAR of 0.12 because Lynden’s achieved commercial development data during this time was skewed by the Lynden Middle School project. Additionally, Lynden is assuming a FAR of 0.26 for future industrial development. This is what was achieved for industrial development between 2016-2021 (**Exhibit 56**).

The Lynden UGA has an estimated net land capacity for employment growth of 388.4 acres (**Exhibit 57**), with a total estimated potential occupied commercial and industrial capacity of 4.0 million square feet. Based on square feet per employee assumptions, the Lynden UGA has an estimated employment capacity of 4,038, indicating an estimated employment capacity surplus of 2,784 (**Exhibit 58**).



**Regulatory Changes**

Since 2016, the City of Lynden has approved several regulatory changes that impact either the amount of land available for development, or the densities and types of development allowed on buildable lands. These regulatory changes are documented in the Data Reporting Tool worksheet.

Three annexations brought more than 90 acres of unincorporated UGA into the City, the largest (80 acres) of which is in the Pepin Creek Subarea, the area expected to house the majority of incoming residents during the remainder of the planning period.

Subsequently, the City adopted the Pepin Creek Subarea Plan which established zoning designations (including the RM-PC zone which is a new multifamily zone), development densities (including minimum density requirements), transportation routes, and recreational and open space opportunities within this 460-acre subarea.

Multiple rezones and Comprehensive Plan Amendments have been approved that are adapting to employment growth needs (i.e. increasing Industrial lands) and, in general, trend toward rezoning land to increase residential densities.

The City updated its Critical Areas Ordinance and Shoreline Master Program, which regulate potential impacts to environmental resources. These regulations restrict development in protected locations, as they establish buffers, setbacks, and the regulatory process for protecting these resources. The City has considered known critical areas and their buffers in its evaluation of population and employment growth and determined that the land supply can still accommodate projected growth during the remainder of the planning period.

Finally, other regulatory updates expanded the allowed types of commercial uses in commercial zones and business parks, incentivized low impact development techniques, and eased restrictions for making an accessory dwelling unit legal on residential properties.

**Infrastructure Gaps**

The City of Lynden has reviewed capital facility plans and/or consulted with service providers that will provide service for future growth. Based on this review, Lynden has not identified infrastructure gaps that would prevent service providers from supplying planned capital facilities to developable land in the Lynden UGA within the planning period (2021-2036).

**Analysis of Comprehensive Plan  
Objectives and Reasonable Measures**

The City of Lynden has determined that growth targets and assumptions are being met. Therefore, an analysis of comprehensive plan development assumptions, targets, and objectives is not necessary. No inconsistencies between planned and actual growth have been identified in the Lynden UGA. Therefore, reasonable measures are not required under RCW 36.70A.215.

Residential Development

**Exhibit 53. Residential Development, Achieved and Assumed Densities, City of Lynden, 2016-2021**

Zoning Designation	Development Type	Acres Developed	Dwelling Units	Achieved Density (Units/Acre)	Density Assumed (Units/Acre)
RS-100	Single Family	25.9	93	3.59	4.00
	Multifamily	0.4	4	8.97	N/A
RS-84	Single Family	0.4	2	4.82	4.50
RS-72	Single Family	41.8	236	5.65	5.00
RMD	Single Family	8.7	16	1.84	8.00
	Multifamily	0.7	9	12.42	N/A
MH	Single Family	N/A	1	N/A	N/A
RM-1	Single Family	0.5	5	10.90	N/A
	Multifamily	1.7	14	8.36	8.00
RM-2	Single Family	2.1	11	5.29	N/A
	Multifamily	1.5	17	11.01	12.00
RM-3	Single Family	6.4	49	7.60	N/A
	Multifamily	10.0	144	14.34	16.00
RM-4	Multifamily	0.7	12	16.76	24.00
RM-PC	Multifamily	N/A	N/A	N/A	12.00
CSL	Multifamily	3.3	116	35.23	N/A
HBD	Multifamily	0.2	9	50.01	N/A

Sources: City of Lynden, 2022; Community Attributes Inc., 2021.  
 Note: "Density Assumed" is the assumed density for evaluation of land suitable for development by zone.

**Exhibit 54. Residential Land Supply, Lynden UGA, 2021-2036**

	UGA Total	RS-100	RS-84	RS-72	RMD	MH	RM-1	RM-2	RM-3	RM-4	RM-PC	CSR	CSL	ID	IBZ
<b>Vacant Land</b>															
Gross Acres	345.52	49.26	0.00	52.72	140.61	0.00	0.42	22.74	0.27	3.82	75.69	0.00	0.00	0.00	0.00
Critical Areas	69.30	19.58	0.00	3.65	19.06	0.00	0.00	8.65	0.00	0.00	18.37	0.00	0.00	0.00	0.00
Future Public Uses	1.28	0.00	0.00	0.00	0.00	0.00	0.00	1.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	13.75	1.48	0.00	2.45	6.08	0.00	0.02	0.64	0.01	0.19	2.87	0.00	0.00	0.00	0.00
Infrastructure Deduction	13.75	1.48	0.00	2.45	6.08	0.00	0.02	0.64	0.01	0.19	2.87	0.00	0.00	0.00	0.00
Market Factor	37.12	4.01	0.00	6.62	16.41	0.00	0.06	1.73	0.04	0.52	7.74	0.00	0.00	0.00	0.00
<b>Net Acres</b>	<b>210.33</b>	<b>22.71</b>	<b>0.00</b>	<b>37.54</b>	<b>92.98</b>	<b>0.00</b>	<b>0.32</b>	<b>9.80</b>	<b>0.20</b>	<b>2.92</b>	<b>43.86</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Partially-Used Land</b>															
Gross Acres	426.03	81.78	0.00	70.51	161.34	19.21	0.00	58.46	29.62	5.11	0.00	0.00	0.00	0.00	0.00
Critical Areas	68.26	13.28	0.00	7.60	4.58	8.69	0.00	18.96	14.71	0.44	0.00	0.00	0.00	0.00	0.00
Future Public Uses	0.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.28	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	17.88	3.43	0.00	3.15	7.84	0.53	0.00	1.97	0.73	0.23	0.00	0.00	0.00	0.00	0.00
Infrastructure Deduction	17.88	3.43	0.00	3.15	7.84	0.53	0.00	1.97	0.73	0.23	0.00	0.00	0.00	0.00	0.00
Market Factor	80.44	15.41	0.00	14.15	35.27	2.37	0.00	8.89	3.29	1.05	0.00	0.00	0.00	0.00	0.00
<b>Net Acres</b>	<b>241.31</b>	<b>46.24</b>	<b>0.00</b>	<b>42.46</b>	<b>105.81</b>	<b>7.10</b>	<b>0.00</b>	<b>26.66</b>	<b>9.88</b>	<b>3.15</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Underutilized Land</b>															
Gross Acres	11.59	0.00	0.00	0.00	0.00	0.00	0.00	1.20	10.38	0.00	0.00	0.00	0.00	0.00	0.00
Critical Areas	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.58	0.00	0.00	0.00	0.00	0.00	0.00	0.06	0.52	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Deduction	0.58	0.00	0.00	0.00	0.00	0.00	0.00	0.06	0.52	0.00	0.00	0.00	0.00	0.00	0.00
Market Factor	2.61	0.00	0.00	0.00	0.00	0.00	0.00	0.27	2.34	0.00	0.00	0.00	0.00	0.00	0.00
<b>Net Acres</b>	<b>7.82</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.81</b>	<b>7.01</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

Sources: City of Lynden, 2022; Community Attributes Inc., 2021.

**Exhibit 55. Developable Residential Land Capacity, Lynden UGA, 2021-2036**

	UGA	RS-100	RS-84	RS-72	RMD	MH	RM-1	RM-2	RM-3	RM-4	RM-PC	CSR	CSL	ID	IBZ
<b>Net Developable Residential Acres (Vacant, PU, UU)</b>	<b>459.46</b>	<b>68.95</b>	<b>0.00</b>	<b>80.00</b>	<b>198.80</b>	<b>7.10</b>	<b>0.32</b>	<b>37.28</b>	<b>17.09</b>	<b>6.07</b>	<b>43.86</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Single Family Developable Acres</b>	354.85	68.95	-	80.00	198.80	7.10	-	-	-	-	-	-	-	-	-
Assumed Single Family Density (units/acre)		4	5	5	8										
Subtotal Single Family Unit Capacity	2,266	276	-	400	1,590	-	-	-	-	-	-	-	-	-	-
Existing Single Family Units	167	33	-	24	5	29	-	19	12	-	-	23	20	1	1
Pending Single Family Units	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Master Planned Single Family Units	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Subtotal: Net Single Family Unit Capacity	2,204	243	-	376	1,585	-	-	-	-	-	-	-	-	-	-
Potential Occupied Single Family Units	2,160	238	-	368	1,553	-	-	-	-	-	-	-	-	-	-
Single Family Population Capacity	6,221	686	-	1,061	4,474	-	-	-	-	-	-	-	-	-	-
<b>Multifamily Developable Acres</b>	104.62	-	-	-	-	-	0.32	37.28	17.09	6.07	43.86	-	-	-	-
Assumed Multifamily Density (units/acre)							8	12	16	24	12				
Subtotal Multifamily Unit Capacity	1,395	-	-	-	-	-	3	447	273	146	526	-	-	-	-
Existing Multifamily Units	8	-	-	-	-	-	-	4	-	-	-	-	4	-	-
Pending Multifamily Units	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Master Planned Multifamily Units	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Subtotal: Net Multifamily Unit Capacity	1,391	-	-	-	-	-	3	443	273	146	526	-	-	-	-
Potential Occupied Multifamily Units	1,321	-	-	-	-	-	3	421	259	139	500	-	-	-	-
Multifamily Population Capacity	2,246	-	-	-	-	-	5	715	441	236	849	-	-	-	-
Net Dwelling Unit Capacity	3,595	243	-	376	1,585	-	3	443	273	146	526	-	-	-	-
Potential Occupied Dwelling Units	3,481	238	-	368	1,553	-	3	421	259	139	500	-	-	-	-
<b>Population Capacity</b>	<b>8,467</b>	<b>686</b>	<b>-</b>	<b>1,061</b>	<b>4,474</b>	<b>-</b>	<b>5</b>	<b>715</b>	<b>441</b>	<b>236</b>	<b>849</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
Remaining Population Growth to Accommodate (2021-2036)	3,900														
<b>Population Capacity Surplus (Deficit)</b>	<b>4,567</b>														

Sources: City of Lynden, 2022; Community Attributes Inc., 2021.

Commercial and Industrial Development

**Exhibit 56. Nonresidential Development, Achieved and Assumed Densities, City of Lynden, 2016-2021**

<b>Zoning Designation</b>	<b>Development Type</b>	<b>Acres Developed</b>	<b>Built Square Feet</b>	<b>Achieved Density (FAR)</b>	<b>Assumed Density (FAR)</b>
RS-72	Commercial	30.6	113,444	0.09	N/A
CSR	Commercial	3.0	31,976	0.25	0.18
CSL	Commercial	2.3	36,744	0.36	0.18
HBD	Commercial	N/A	N/A	N/A	0.18
ID	Industrial	16.1	198,000	0.28	0.26
IBZ	Commercial	1.5	8,112	0.13	N/A
	Industrial	15.5	185,818	0.28	0.26
PU	Industrial	3.9	22,000	0.13	N/A

*Sources: City of Lynden, 2022; Community Attributes Inc., 2021.*

*Note: Assumed Density is the assumed density for evaluation of land suitable for development by zone. RS-72 development was a School.*

**Exhibit 57. Developable Nonresidential Land Supply, Lynden UGA, 2021 -2036**

	UGA Total	RS-100	RM-2	RM-3	RM-4	CSR	CSL	HBD	ID	IBZ	PU
<b>Vacant Land</b>											
Gross Acres	299.58	0.00	0.00	0.00	0.00	69.80	17.52	0.00	78.25	134.01	0.00
Critical Areas	16.67	0.00	0.00	0.00	0.00	7.93	5.32	0.00	3.10	0.32	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	14.15	0.00	0.00	0.00	0.00	3.09	0.61	0.00	3.76	6.68	0.00
Infrastructure Deduction	14.15	0.00	0.00	0.00	0.00	3.09	0.61	0.00	3.76	6.68	0.00
Market Factor	38.19	0.00	0.00	0.00	0.00	8.35	1.65	0.00	10.15	18.05	0.00
<b>Net Acres</b>	<b>216.43</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>47.34</b>	<b>9.33</b>	<b>0.00</b>	<b>57.49</b>	<b>102.27</b>	<b>0.00</b>
<b>Partially-Used Land</b>											
Gross Acres	82.26	0.00	0.00	0.00	0.00	39.30	3.66	0.00	31.50	7.80	0.00
Critical Areas	5.75	0.00	0.00	0.00	0.00	4.94	0.00	0.00	0.00	0.81	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	3.83	0.00	0.00	0.00	0.00	1.72	0.18	0.00	1.57	0.35	0.00
Infrastructure Deduction	3.83	0.00	0.00	0.00	0.00	1.72	0.18	0.00	1.57	0.35	0.00
Market Factor	17.21	0.00	0.00	0.00	0.00	7.73	0.82	0.00	7.09	1.57	0.00
<b>Net Acres</b>	<b>51.64</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>23.19</b>	<b>2.47</b>	<b>0.00</b>	<b>21.26</b>	<b>4.72</b>	<b>0.00</b>
<b>Underutilized Land</b>											
Gross Acres	186.70	0.00	0.00	0.00	0.00	82.57	26.22	0.00	62.72	15.19	0.00
Critical Areas	8.51	0.00	0.00	0.00	0.00	7.72	0.79	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	8.91	0.00	0.00	0.00	0.00	3.74	1.27	0.00	3.14	0.76	0.00
Infrastructure Deduction	8.91	0.00	0.00	0.00	0.00	3.74	1.27	0.00	3.14	0.76	0.00
Market Factor	40.09	0.00	0.00	0.00	0.00	16.84	5.72	0.00	14.11	3.42	0.00
<b>Net Acres</b>	<b>120.28</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>50.52</b>	<b>17.17</b>	<b>0.00</b>	<b>42.33</b>	<b>10.25</b>	<b>0.00</b>

Sources: City of Lynden, 2022; Community Attributes Inc., 2021.

**Exhibit 58. Developable Nonresidential Land Capacity, Lynden UGA, 2021 -2036**

	UGA	RS-100	RM-2	RM-3	RM-4	CSR	CSL	HBD	ID	IBZ	PU
<b>Net Developable Employment Acres (Vacant, PU, UU)</b>	<b>388.35</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>121.05</b>	<b>28.97</b>	<b>0.00</b>	<b>121.09</b>	<b>117.24</b>	<b>0.00</b>
<b>Commercial Developable Acres</b>	150.02	-	-	-	-	121.05	28.97	-	-	-	-
Assumed Commercial Density (FAR)						0.2	0.2	0.2			
Subtotal: Commercial Capacity (SF)	1,202,435	-	-	-	-	970,220	232,215	-	-	-	-
Existing Commercial Space (SF)	16,054	-	-	-	-	5,281	1,266	-	-	9,507	-
Pending Commercial Space (SF)	-	-	-	-	-	-	-	-	-	-	-
Master Planned Commercial Space (SF)	-	-	-	-	-	-	-	-	-	-	-
Subtotal: Net Commercial Capacity (SF)	1,195,888	-	-	-	-	964,939	230,949	-	-	-	-
Potential Occupied Commercial Space (SF)	1,136,094	-	-	-	-	916,692	219,402	-	-	-	-
Commercial Employment Capacity	1,575	-	-	-	-	1,271	304	-	-	-	-
<b>Industrial Developable Acres</b>	238.33	-	-	-	-	-	-	-	121.09	117.24	-
Assumed Industrial Density (FAR)									0.3	0.3	
Subtotal: Industrial Capacity (SF)	2,699,209	-	-	-	-	-	-	-	1,371,372	1,327,837	-
Existing Industrial Space (SF)	62,752	14,128	5,568	6,888	6,080	1,200	18,540	-	10,348	-	-
Pending Industrial Space (SF)	-	-	-	-	-	-	-	-	-	-	-
Master Planned Industrial Space (SF)	-	-	-	-	-	-	-	-	-	-	-
Subtotal: Net Industrial Capacity (SF)	2,688,861	-	-	-	-	-	-	-	1,361,024	1,327,837	-
Potential Occupied Industrial Space (SF)	2,554,418	-	-	-	-	-	-	-	1,292,973	1,261,445	-
Industrial Employment Capacity	2,463	-	-	-	-	-	-	-	1,247	1,216	-
Net Commercial & Industrial Capacity (SF)	3,884,749	-	-	-	-	964,939	230,949	-	1,361,024	1,327,837	-
Potential Occupied Commercial & Industrial	3,690,512	-	-	-	-	916,692	219,402	-	1,292,973	1,261,445	-
Employment Capacity	<b>4,038</b>	-	-	-	-	1,271	304	-	1,247	1,216	-
Remaining Employment Growth to Accommodate (2021-2036)	1,254										
<b>Employment Capacity Surplus (Deficit)</b>	<b>2,784</b>										

Sources: City of Lynden, 2022; Community Attributes Inc., 2021.



## 9. Nooksack UGA

The Nooksack Urban Growth Area is projected to reach a total population and employment of 2,425 and 369 respectively by 2036. The UGA has projected growth allocation of 861 for population and 100 for employment between 2016 and 2036 (**Exhibit 1** and **Exhibit 2**).

### Achieved Growth 2016-2021

Based on permit data collected between 2016 and 2021 and occupancy and persons per household and square feet per employee assumptions, the Nooksack UGA grew by an estimated 174 population and 8 employment (100% within the City) (**Exhibit 6** and **Exhibit 7**).

Between 2016 and 2021, the City of Nooksack achieved an overall residential density of 5.1 units per acre. No development occurred within the unincorporated area of the UGA within the period. The *City of Nooksack Comprehensive Plan* has an adopted planned residential density of 4.4 units per acre. The *Whatcom County Comprehensive Plan* has adopted planned residential density of 4.0 to 6.0 units per acre. Achieved residential density within the City of Nooksack exceeded the minimum planned density (**Exhibit 11**).

The City Comprehensive Plan references planned densities for commercial and industrial developed based on the *Whatcom County Land Capacity Analysis*. Whatcom County has not adopted planned densities for commercial or industrial uses. The City achieved a commercial FAR of 0.14, below the planned density of 0.25. The adopted planned industrial FAR is 0.10. No industrial development occurred within the City during the review period (**Exhibit 11**).

### Population and Employment Assumptions

Specific occupancy rate and population and employment density assumptions for estimating future growth capacity in the Nooksack UGA are:

- 96.9% Single Family occupancy rate
- 94.5% Multifamily occupancy rate
- 95.0% Commercial and Industrial occupancy rate
- 3.088 Single Family persons per household
- 3.173 Multifamily persons per household
- 605 and 795 respectively Commercial and Industrial square feet per employee

The Nooksack UGA has an estimated 687 population and 92 employment growth

remaining to accommodate between 2021 and 2036 (**Exhibit 6** and **Exhibit 7**).

**Population Capacity 2021-2036**

The City of Nooksack is utilizing achieved densities (when available) when estimating future residential land capacity. Based on achieved densities between 2016 and 2021 and planning assumptions, City of Nooksack planners are assuming future single family density between 3.9 and 5.9 units per acre for single family residential development. The Nooksack UGA does not include any multifamily zones (**Exhibit 59**).

The Nooksack UGA has estimated net land capacity for population growth of 89.8 acres (**Exhibit 60**), with a total estimated potential occupied unit capacity of 416 dwelling units. Based on persons per household assumptions, the UGA has an estimated population capacity of 1,283, indicating an estimated population capacity surplus of 596 (**Exhibit 61**).

**Housing Needs by Type**

The *Whatcom County Comprehensive Plan* (Chapter 3- Housing, Chart 3 – Estimated Dwelling Units Needed, page 3-8) indicates that Nooksack has a need for 243 single-family, 48 multi-family, and 49 other (“group housing”) new dwelling units during the 2013-

2036 planning period. The calculation for Chart 3 in the *Whatcom County Comprehensive Plan* included building activity from 2013. Therefore, the analysis below includes permit data from April 1, 2013, even though the planning period for this Buildable Lands Report is from 2016.

- Between April 1, 2013 and March 31, 2021, Nooksack issued building permits for 48 single-family and 10 multi-family units. No group housing has been built during this time. Comparing units built and the needs indicated on Chart 3, Nooksack needs an additional 195 single-family units, 38 multi-family units, and 49 group housing units between 2021 and 2036.
- The City and unincorporated UGA have an estimated 2021-2036 capacity for 425 single-family and 4 multi-family housing units (**Exhibit 61**). The multi-family capacity includes group housing. Given that Nooksack does not have a designated multi-family zoning district and that multi-family development is allowed in the City’s single-family zones, it is anticipated that some of the above single-family capacity will be utilized to accommodate multi-family and group housing needs.

These capacities are sufficient to accommodate the dwelling unit types needed in the planning

period as established in the Whatcom County Comprehensive Plan (Chapter 3- Housing, Chart 3).

**Employment Capacity 2021-2036**

Based on achieved densities between 2016 and 2021 and planning assumptions, City of Nooksack planners are assuming a future commercial FAR of 0.26 and an industrial FAR of 0.10 (**Exhibit 62**).

The Nooksack UGA has estimated net land capacity for employment growth of 38.5 acres (**Exhibit 63**), with a total estimated potential occupied commercial and industrial capacity of 238,772 square feet. Based on square feet per employee assumptions, the Nooksack UGA has an estimated employment capacity of 355, indicating an estimated employment capacity surplus of 263 (**Exhibit 64**).

**Regulatory Changes**

The City of Nooksack has not identified any regulatory changes that would prevent assigned densities from being achieved or impact the quantity of land suitable for development during the remainder of the planning period.

**Infrastructure Gaps**

The City of Nooksack has not identified any infrastructure gaps that would prevent assigned densities from being achieved or impact the quantity of land suitable for development during the remainder of the planning period (2021 to 2036).

**Analysis of Comprehensive Plan Objectives and Reasonable Measures**

The City of Nooksack has determined that growth targets and assumptions are being met to a reasonable degree; therefore, an analysis of comprehensive plan development targets, assumptions and objectives is not deemed necessary.

Based on the results presented in the Buildable Land Report, implementation of reasonable measures is not deemed necessary. If in the future it is determined that Reasonable Measures are appropriate, then the following measures could be considered for implementation:

- Increase residential densities by reducing minimum lot sizes in the Residential District above the increases likely to result from establishment of the Residential-8600 Subzone.

- Reduce limitations on the placement of multifamily structures in the Residential District.
- Establish a multifamily residential zoning district.
- Increase opportunities for construction of accessory dwelling units (ADUs).

Residential Development

**Exhibit 59. Residential Development, Achieved and Assumed Densities, City of Nooksack, 2016 -2021**

Zoning Designation	Development Type	Acres Developed	Dwelling Units	Achieved Density (Units/Acre)	Density Assumed (Units/Acre)
RES	Single Family	5.6	22	3.93	3.93
	Multifamily	1.3	10	7.97	N/A
RES-8600	Single Family	4.4	26	5.88	5.88
AG UR	Single Family	N/A	N/A	N/A	4.80

Sources: City of Nooksack, 2022; Community Attributes Inc., 2021.

Note: "Density Assumed" is the assumed density for evaluation of land suitable for development by zone.

**Exhibit 60. Residential Land Supply, Nooksack UGA, 2021-2036**

	UGA Total	RES	RES-8600	COM	CMD	LI	AG UR
<b>Vacant Land</b>							
Gross Acres	83.36	43.41	9.66	0.00	0.00	0.00	30.29
Critical Areas	28.68	16.68	3.30	0.00	0.00	0.00	8.69
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	2.73	1.34	0.32	0.00	0.00	0.00	1.08
Infrastructure Deduction	2.73	1.34	0.32	0.00	0.00	0.00	1.08
Market Factor	7.38	3.61	0.86	0.00	0.00	0.00	2.92
<b>Net Acres</b>	<b>41.83</b>	<b>20.44</b>	<b>4.87</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>16.52</b>
<b>Partially-Used Land</b>							
Gross Acres	87.19	86.08	1.10	0.00	0.00	0.00	0.00
Critical Areas	16.08	16.08	0.00	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	3.56	3.50	0.06	0.00	0.00	0.00	0.00
Infrastructure Deduction	3.56	3.50	0.06	0.00	0.00	0.00	0.00
Market Factor	16.00	15.75	0.25	0.00	0.00	0.00	0.00
<b>Net Acres</b>	<b>48.00</b>	<b>47.25</b>	<b>0.74</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Underutilized Land</b>							
Gross Acres	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Critical Areas	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Deduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Market Factor	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Net Acres</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

Sources: City of Nooksack, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

**Exhibit 61. Developable Residential Land Capacity, Nooksack UGA, 2021 -2036**

	UGA	RES	RES-8600	COM	CMD	LI	AG UR
<b>Net Developable Residential Acres (Vacant, PU, UU)</b>	<b>89.83</b>	<b>67.70</b>	<b>5.61</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>16.52</b>
<b>Single Family Developable Acres</b>	89.83	67.70	5.61	-	-	-	16.52
Assumed Single Family Density (units/acre)		4	6				5
Subtotal Single Family Unit Capacity	378	266	33	-	-	-	79
Existing Single Family Units	33	21	1	8	2	1	-
Pending Single Family Units	69	8	61	-	-	-	-
Master Planned Single Family Units	-	-	-	-	-	-	-
Subtotal: Net Single Family Unit Capacity	425	253	93	-	-	-	79
Potential Occupied Single Family Units	412	245	90	-	-	-	77
Single Family Population Capacity	1,271	757	278	-	-	-	236
<b>Multifamily Developable Acres</b>	-	-	-	-	-	-	-
Assumed Multifamily Density (units/acre)							
Subtotal Multifamily Unit Capacity	-	-	-	-	-	-	-
Existing Multifamily Units	-	-	-	-	-	-	-
Pending Multifamily Units	4	-	4	-	-	-	-
Master Planned Multifamily Units	-	-	-	-	-	-	-
Subtotal: Net Multifamily Unit Capacity	4	-	4	-	-	-	-
Potential Occupied Multifamily Units	4	-	4	-	-	-	-
Multifamily Population Capacity	12	-	12	-	-	-	-
Net Dwelling Unit Capacity	429	253	97	-	-	-	79
Potential Occupied Dwelling Units	416	245	94	-	-	-	77
<b>Population Capacity</b>	<b>1,283</b>	<b>757</b>	<b>290</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>236</b>
Remaining Population Growth to Accommodate (2021-2036)	687						
<b>Population Capacity Surplus (Deficit)</b>	<b>596</b>						

Sources: City of Nooksack, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

### Commercial and Industrial Development

**Exhibit 62. Nonresidential Development, Achieved and Assumed Densities, City of Nooksack, 2016-2021**

<b>Zoning Designation</b>	<b>Development Type</b>	<b>Acres Developed</b>	<b>Built Square Feet</b>	<b>Achieved Density (FAR)</b>	<b>Assumed Density (FAR)</b>
COM	Commercial	0.6	3,765	0.14	0.25
CMD	Commercial	0.2	1,160	0.15	0.25
LI	Industrial	N/A	N/A	N/A	0.10

*Sources: City of Nooksack, 2022; Community Attributes Inc., 2021.*

*Note: Assumed Density is the assumed density for evaluation of land suitable for development by zone.*



**Exhibit 63. Developable Nonresidential Land Supply, Nooksack UGA, 2021 -2036**

	UGA Total	RES	RES-8600	COM	CMD	LI	AG UR
<b>Vacant Land</b>							
Gross Acres	19.96	0.00	0.00	2.10	0.17	17.70	0.00
Critical Areas	0.74	0.00	0.00	0.74	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.96	0.00	0.00	0.07	0.01	0.89	0.00
Infrastructure Deduction	0.96	0.00	0.00	0.07	0.01	0.89	0.00
Market Factor	2.60	0.00	0.00	0.18	0.02	2.39	0.00
<b>Net Acres</b>	<b>14.71</b>	<b>0.00</b>	<b>0.00</b>	<b>1.04</b>	<b>0.13</b>	<b>13.54</b>	<b>0.00</b>
<b>Partially-Used Land</b>							
Gross Acres	0.45	0.00	0.00	0.45	0.00	0.00	0.00
Critical Areas	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.02	0.00	0.00	0.02	0.00	0.00	0.00
Infrastructure Deduction	0.02	0.00	0.00	0.02	0.00	0.00	0.00
Market Factor	0.10	0.00	0.00	0.10	0.00	0.00	0.00
<b>Net Acres</b>	<b>0.30</b>	<b>0.00</b>	<b>0.00</b>	<b>0.30</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Underutilized Land</b>							
Gross Acres	38.53	0.00	0.00	21.10	0.59	16.83	0.00
Critical Areas	3.73	0.00	0.00	3.73	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	1.74	0.00	0.00	0.87	0.03	0.84	0.00
Infrastructure Deduction	1.74	0.00	0.00	0.87	0.03	0.84	0.00
Market Factor	7.83	0.00	0.00	3.91	0.13	3.79	0.00
<b>Net Acres</b>	<b>23.49</b>	<b>0.00</b>	<b>0.00</b>	<b>11.72</b>	<b>0.40</b>	<b>11.36</b>	<b>0.00</b>

Sources: City of Nooksack, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

**Exhibit 64. Developable Nonresidential Land Capacity, Nooksack UGA, 2021-2036**

	UGA	RES	RES-8600	COM	CMD	LI	AG UR
<b>Net Developable Employment Acres (Vacant, PU, UU)</b>	<b>38.50</b>	<b>0.00</b>	<b>0.00</b>	<b>13.07</b>	<b>0.53</b>	<b>24.90</b>	<b>0.00</b>
<b>Commercial Developable Acres</b>	13.59	-	-	13.07	0.53	-	-
Assumed Commercial Density (FAR)				0.3	0.3		
Subtotal: Commercial Capacity (SF)	148,035	-	-	142,288	5,747	-	-
Existing Commercial Space (SF)	-	-	-	-	-	-	-
Pending Commercial Space (SF)	-	-	-	-	-	-	-
Master Planned Commercial Space (SF)	-	-	-	-	-	-	-
Subtotal: Net Commercial Capacity (SF)	148,035	-	-	142,288	5,747	-	-
Potential Occupied Commercial Space (SF)	140,633	-	-	135,174	5,460	-	-
Commercial Employment Capacity	232	-	-	223	9	-	-
<b>Industrial Developable Acres</b>	24.90	-	-	-	-	24.90	-
Assumed Industrial Density (FAR)						0.1	
Subtotal: Industrial Capacity (SF)	108,486	-	-	-	-	108,486	-
Existing Industrial Space (SF)	8,622	-	-	3,440	-	5,182	-
Pending Industrial Space (SF)	-	-	-	-	-	-	-
Master Planned Industrial Space (SF)	-	-	-	-	-	-	-
Subtotal: Net Industrial Capacity (SF)	103,304	-	-	-	-	103,304	-
Potential Occupied Industrial Space (SF)	98,139	-	-	-	-	98,139	-
Industrial Employment Capacity	123	-	-	-	-	123	-
Net Commercial & Industrial Capacity (SF)	251,339	-	-	142,288	5,747	103,304	-
Potential Occupied Commercial & Industrial Employment Capacity	238,772	-	-	135,174	5,460	98,139	-
	<b>355</b>	-	-	223	9	123	-
Remaining Employment Growth to Accommodate (2021-2036)	92						
<b>Employment Capacity Surplus (Deficit)</b>	<b>263</b>						

Sources: City of Nooksack, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

## 10. Sumas UGA

The Sumas Urban Growth Area is projected to reach a total population and employment of 2,323 and 1,145 respectively by 2036. The UGA has projected growth allocation of 760 for population and 387 for employment between 2016 and 2036 (**Exhibit 1** and **Exhibit 2**).

### Achieved Growth 2016-2021

Based on permit data collected between 2016 and 2021 and occupancy and persons per household and square feet per employee assumptions, the Sumas UGA grew by an estimated 190 population and 65 employment (100% within the City) (**Exhibit 6** and **Exhibit 7**).

Between 2016 and 2021, the City of Sumas achieved an overall residential density of 7.5 units per acre. No development occurred within the unincorporated area of the UGA within the period. The *City of Sumas Comprehensive Plan* has an adopted planned residential density of 4.9 units per acre. The *Whatcom County Comprehensive Plan* has adopted planned residential density of 4.0 to 6.0 units per acre. Achieved residential density within the City of Sumas exceeded both the City and County planned densities (**Exhibit 11**).

The City Comprehensive Plan references planned densities for commercial and industrial developed based on the *Whatcom County Land Capacity Analysis*. Whatcom County has not adopted planned densities for commercial or industrial uses. No commercial development occurred within the City during the review period. The City achieved an industrial FAR of 0.12, exceeding slightly the planned density of 0.11. The adopted planned commercial FAR is 0.22 (**Exhibit 11**).

### Population and Employment Assumptions

Specific occupancy rate and population and employment density assumptions for estimating future growth capacity in the Sumas UGA are:

- 95.8% Single Family occupancy rate
- 82.2% Multifamily occupancy rate
- 95.0% Commercial and Industrial occupancy rate
- 3.008 Single Family persons per household
- 2.199 Multifamily persons per household
- 669 and 890 respectively Commercial and Industrial square feet per employee

The Sumas UGA has an estimated 570 population and 322 employment growth

remaining to accommodate between 2021 and 2036 (**Exhibit 6** and **Exhibit 7**).

**Population Capacity 2021-2036**

Based on achieved densities between 2016 and 2021 and planning assumptions, City of Sumas planners are assuming future single family density between 2.5 and 4.5 units per acre for single family residential development. Assumed density for future multifamily development is 13.5 units per acre (**Exhibit 65**).

The Sumas UGA has estimated net land capacity for population growth of 65.8 acres (**Exhibit 66**), with a total estimated potential occupied unit capacity of 435 dwelling units. Based on persons per household assumptions, the UGA has an estimated population capacity of 1,073, indicating an estimated population capacity surplus of 503 (**Exhibit 67**).

**Housing Needs by Type**

The *Whatcom County Comprehensive Plan* (Chapter 3- Housing, Chart 3 – Estimated Dwelling Units Needed, page 3-8) indicates that Sumas has a need for 168 single-family, 146 multi-family, and 47 other (“group housing”) new dwelling units during the 2013-2036 planning period. The calculation for Chart 3 in the *Whatcom County*

*Comprehensive Plan* included building activity from 2013. Therefore, the analysis below includes permit data from April 1, 2013, even though the planning period for this Buildable Lands Report is from 2016.

- Between April 1, 2013 and March 31, 2021, Sumas issued building permits for 57 single-family and 45 multi-family units. No group housing has been built during this time. Comparing units built and the needs indicated on Chart 3, Sumas needs an additional 111 single-family units, 101 multi-family units, and 47 group housing units between 2021 and 2036.
- The City and unincorporated UGA have an estimated 2021-2036 capacity for 151 single-family and 353 multi-family housing units (**Exhibit 67**). The multi-family capacity includes group housing.

These capacities are sufficient to accommodate the dwelling unit types needed in the planning period as established in the Whatcom County Comprehensive Plan (Chapter 3- Housing, Chart 3).

**Employment Capacity 2021-2036**

The City of Sumas is utilizing achieved densities (when available) when estimating future land capacity. Based on achieved

densities between 2016 and 2021 and planning assumptions, City of Sumas planners are assuming a future commercial FAR between 0.22 and 0.50 depending on the specific zone and an industrial FAR of 0.12 (**Exhibit 68**).

The Sumas UGA has estimated net land capacity for employment growth of 110.6 acres (**Exhibit 69**), with a total estimated potential occupied commercial and industrial capacity of 601,950 square feet. Based on square feet per employee assumptions, the Sumas UGA has an estimated employment capacity of 758, indicating an estimated employment capacity surplus of 436 (**Exhibit 70**).

**Regulatory Changes**

The City of Sumas has not identified any regulatory changes that would prevent assigned densities from being achieved or impact the quantity of land suitable for development during the remainder of the planning period.

**Infrastructure Gaps**

The City of Sumas has not identified any infrastructure gaps that would prevent assigned densities from being achieved or impact the quantity of land suitable for development during the remainder of the planning period (2021 to 2036).

**Analysis of Comprehensive Plan Objectives and Reasonable Measures**

The City of Sumas has determined that growth targets and assumptions are being met to a reasonable degree; therefore, an analysis of comprehensive plan development targets, assumptions and objectives is not deemed necessary.

Based on the results presented in the Buildable Land Report, implementation of reasonable measures is not deemed necessary. If in the future it is determined that Reasonable Measures are appropriate, then the following measures could be considered for implementation:

- Increase residential densities by reducing minimum lot sizes in the Residential, Low-Density zoning district.
- Reduce conditional use permitting requirements for construction of multifamily structures in the Residential, High-Density zoning district.
- Increase opportunities for construction of accessory dwelling units (ADUs).

Residential Development

**Exhibit 65. Residential Development, Achieved and Assumed Densities, City of Sumas, 2016 -2021**

Zoning Designation	Development Type	Acres Developed	Dwelling Units	Achieved Density (Units/Acre)	Density Assumed (Units/Acre)
RES LOW	Single Family	0.8	2	2.44	2.50
RES MED	Single Family	5.5	27	4.91	4.50
RES HIGH	Single Family	2.5	12	4.77	N/A
	Multifamily	1.8	36	19.54	13.50
BUS GEN	Multifamily	0.1	4	44.44	N/A

Sources: City of Sumas, 2022; Community Attributes Inc., 2021.  
 Note: "Density Assumed" is the assumed density for evaluation of land suitable for development by zone.

**Exhibit 66. Residential Land Supply, Sumas UGA, 2021-2036**

	UGA Total	RES LOW	RES MED	RES HIGH	BUS GEN	LI	BUS TO	BUS LOW
<b>Vacant Land</b>								
Gross Acres	69.68	4.36	24.36	40.95	0.00	0.00	0.00	0.00
Critical Areas	27.26	2.80	3.96	20.50	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	2.12	0.08	1.02	1.02	0.00	0.00	0.00	0.00
Infrastructure Deduction	2.12	0.08	1.02	1.02	0.00	0.00	0.00	0.00
Market Factor	5.73	0.21	2.75	2.76	0.00	0.00	0.00	0.00
<b>Net Acres</b>	<b>32.45</b>	<b>1.19</b>	<b>15.61</b>	<b>15.65</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Partially-Used Land</b>								
Gross Acres	84.72	38.38	25.39	20.94	0.00	0.00	0.00	0.00
Critical Areas	35.27	16.40	13.52	5.35	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	2.47	1.10	0.59	0.78	0.00	0.00	0.00	0.00
Infrastructure Deduction	2.47	1.10	0.59	0.78	0.00	0.00	0.00	0.00
Market Factor	11.13	4.95	2.67	3.51	0.00	0.00	0.00	0.00
<b>Net Acres</b>	<b>33.38</b>	<b>14.84</b>	<b>8.01</b>	<b>10.52</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Underutilized Land</b>								
Gross Acres	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Critical Areas	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Deduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Market Factor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Net Acres</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

Sources: City of Sumas, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

**Exhibit 67. Developable Residential Land Capacity, Sumas UGA, 2021 -2036**

	UGA	RES LOW	RES MED	RES HIGH	BUS GEN	LI	BUS TO	BUS LOW
<b>Net Developable Residential Acres (Vacant, PU, UU)</b>	<b>65.83</b>	<b>16.03</b>	<b>23.63</b>	<b>26.17</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Single Family Developable Acres</b>	39.66	16.03	23.63	-	-	-	-	-
Assumed Single Family Density (units/acre)		3	5					
Subtotal Single Family Unit Capacity	146	40	106	-	-	-	-	-
Existing Single Family Units	38	6	7	9	13	2	-	1
Pending Single Family Units	18	-	18	-	-	-	-	-
Master Planned Single Family Units	-	-	-	-	-	-	-	-
Subtotal: Net Single Family Unit Capacity	151	34	117	-	-	-	-	-
Potential Occupied Single Family Units	145	33	112	-	-	-	-	-
Single Family Population Capacity	435	98	337	-	-	-	-	-
<b>Multifamily Developable Acres</b>	26.17	-	-	26.17	-	-	-	-
Assumed Multifamily Density (units/acre)				14				
Subtotal Multifamily Unit Capacity	353	-	-	353	-	-	-	-
Existing Multifamily Units	4	-	-	-	4	-	-	-
Pending Multifamily Units	-	-	-	-	-	-	-	-
Master Planned Multifamily Units	-	-	-	-	-	-	-	-
Subtotal: Net Multifamily Unit Capacity	353	-	-	353	-	-	-	-
Potential Occupied Multifamily Units	290	-	-	290	-	-	-	-
Multifamily Population Capacity	638	-	-	638	-	-	-	-
Net Dwelling Unit Capacity	504	34	117	353	-	-	-	-
Potential Occupied Dwelling Units	435	33	112	290	-	-	-	-
<b>Population Capacity</b>	<b>1,073</b>	<b>98</b>	<b>337</b>	<b>638</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
Remaining Population Growth to Accommodate (2021-2036)	570							
<b>Population Capacity Surplus (Deficit)</b>	<b>503</b>							

Sources: City of Sumas, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.



Commercial and Industrial Development

**Exhibit 68. Nonresidential Development, Achieved and Assumed Densities, City of Sumas, 2016 -2021**

<b>Zoning Designation</b>	<b>Development Type</b>	<b>Acres Developed</b>	<b>Built Square Feet</b>	<b>Achieved Density (FAR)</b>	<b>Assumed Density (FAR)</b>
RES LOW	Commercial	N/A	N/A	N/A	0.50
RES MED	Commercial	N/A	N/A	N/A	0.44
RES HIGH	Commercial	N/A	N/A	N/A	0.25
BUS GEN	Commercial	N/A	N/A	N/A	0.22
BUS TO	Commercial	N/A	N/A	N/A	0.22
BUS LOW	Commercial	N/A	N/A	N/A	0.22
LI	Industrial	11.2	60,549	0.12	0.12

*Sources: City of Sumas, 2022; Community Attributes Inc., 2021.*

*Note: Assumed Density is the assumed density for evaluation of land suitable for development by zone.*

**Exhibit 69. Developable Nonresidential Land Supply, Sumas UGA, 2021 -2036**

	UGA Total	RES LOW	RES MED	RES HIGH	BUS GEN	LI	BUS TO	BUS LOW
<b>Vacant Land</b>								
Gross Acres	206.54	0.00	0.00	0.00	5.15	168.29	32.89	0.21
Critical Areas	97.92	0.00	0.00	0.00	2.19	88.44	7.08	0.21
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	5.43	0.00	0.00	0.00	0.15	3.99	1.29	0.00
Infrastructure Deduction	5.43	0.00	0.00	0.00	0.15	3.99	1.29	0.00
Market Factor	14.66	0.00	0.00	0.00	0.40	10.78	3.48	0.00
<b>Net Acres</b>	<b>83.09</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2.26</b>	<b>61.08</b>	<b>19.75</b>	<b>0.00</b>
<b>Partially-Used Land</b>								
Gross Acres	13.87	0.00	0.00	0.00	0.00	13.87	0.00	0.00
Critical Areas	6.35	0.00	0.00	0.00	0.00	6.35	0.00	0.00
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	0.38	0.00	0.00	0.00	0.00	0.38	0.00	0.00
Infrastructure Deduction	0.38	0.00	0.00	0.00	0.00	0.38	0.00	0.00
Market Factor	1.69	0.00	0.00	0.00	0.00	1.69	0.00	0.00
<b>Net Acres</b>	<b>5.08</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>5.08</b>	<b>0.00</b>	<b>0.00</b>
<b>Underutilized Land</b>								
Gross Acres	50.02	0.00	0.00	0.00	4.11	45.62	0.00	0.29
Critical Areas	16.81	0.00	0.00	0.00	0.98	15.54	0.00	0.29
Future Public Uses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Infrastructure Gaps	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Quasi-Public Use Deduction	1.66	0.00	0.00	0.00	0.16	1.50	0.00	0.00
Infrastructure Deduction	1.66	0.00	0.00	0.00	0.16	1.50	0.00	0.00
Market Factor	7.47	0.00	0.00	0.00	0.70	6.77	0.00	0.00
<b>Net Acres</b>	<b>22.42</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2.11</b>	<b>20.31</b>	<b>0.00</b>	<b>0.00</b>

Sources: City of Sumas, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

**Exhibit 70. Developable Nonresidential Land Capacity, Sumas UGA, 2021-2036**

	UGA	RES LOW	RES MED	RES HIGH	BUS GEN	LI	BUS TO	BUS LOW
<b>Net Developable Employment Acres (Vacant, PU, UU)</b>	<b>110.59</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4.37</b>	<b>86.47</b>	<b>19.75</b>	<b>0.00</b>
<b>Commercial Developable Acres</b>	24.12	-	-	-	4.37	-	19.75	0.00
Assumed Commercial Density (FAR)		0.5	0.4	0.3	0.2		0.2	0.2
Subtotal: Commercial Capacity (SF)	231,113	-	-	-	41,882	-	189,231	-
Existing Commercial Space (SF)	-	-	-	-	-	-	-	-
Pending Commercial Space (SF)	-	-	-	-	-	-	-	-
Master Planned Commercial Space (SF)	-	-	-	-	-	-	-	-
Subtotal: Net Commercial Capacity (SF)	231,113	-	-	-	41,882	-	189,231	-
Potential Occupied Commercial Space (SF)	219,557	-	-	-	39,788	-	179,769	-
Commercial Employment Capacity	328	-	-	-	59	-	269	-
<b>Industrial Developable Acres</b>	86.47	-	-	-	-	86.47	-	-
Assumed Industrial Density (FAR)						0.1		
Subtotal: Industrial Capacity (SF)	451,991	-	-	-	-	451,991	-	-
Existing Industrial Space (SF)	49,472	-	-	-	-	49,472	-	-
Pending Industrial Space (SF)	-	-	-	-	-	-	-	-
Master Planned Industrial Space (SF)	-	-	-	-	-	-	-	-
Subtotal: Net Industrial Capacity (SF)	402,519	-	-	-	-	402,519	-	-
Potential Occupied Industrial Space (SF)	382,393	-	-	-	-	382,393	-	-
Industrial Employment Capacity	430	-	-	-	-	430	-	-
Net Commercial & Industrial Capacity (SF)	633,632	-	-	-	41,882	402,519	189,231	-
Potential Occupied Commercial & Industrial	601,950	-	-	-	39,788	382,393	179,769	-
Employment Capacity	<b>758</b>	-	-	-	59	430	269	-
Remaining Employment Growth to Accommodate (2021-2036)	322							
<b>Employment Capacity Surplus (Deficit)</b>	<b>436</b>							

Sources: City of Sumas, 2022; Whatcom County, 2021; Community Attributes Inc., 2021.

## APPENDIX A: ANNEXATIONS

Between 2016 and 2021, 445 total acres were annexed to cities in Whatcom County. These annexations increased the total incorporated area in Whatcom County to 35,385 acres (**Exhibit 71**). These annexations were adopted by the following city legislative actions:

- City of Bellingham Ordinances 2018-11-027 and 2018-12-033
- City of Lynden Ordinances 1506, 1509, and 1561
- City of Nooksack Ordinance 712

**Exhibit 71. Whatcom County Acres Annexed by City, 2016-2021**

	<b>Acres 2016</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>Total Acres Annexed</b>	<b>Acres 2021</b>
Bellingham	19,275	0	0	0	249	0	0	249	19,524
Blaine	5,464	0	0	0	0	0	0	0	5,464
Everson	877	0	0	0	0	0	0	0	877
Ferndale	4,561	0	0	0	0	0	0	0	4,561
Lynden	3,382	82	0	10	0	0	0	92	3,474
Nooksack	446	0	0	0	104	0	0	104	550
Sumas	935	0	0	0	0	0	0	0	935
<b>Total</b>	<b>34,940</b>	<b>82</b>	<b>0</b>	<b>10</b>	<b>353</b>	<b>0</b>	<b>0</b>	<b>445</b>	<b>35,385</b>

Sources: Whatcom County and Cities, 2022 (Countywide Data Reporting Tool).

Notes: Acres 2016 represents acres within city limits as of March 31, 2016. Acres 2021 represents acres within city limits as of March 31, 2021. Numbers have been rounded. For Bellingham, land area excluding Bellingham Bay, Lake Whatcom, and Lake Padden is equal to 18,046 acres.

## APPENDIX B: URBAN GROWTH AREA CHANGES

Between 2016 and 2021, 345 acres were added to Whatcom County’s urban growth areas. UGAs include areas within the city limits and unincorporated areas that have been designated for urban growth. UGA changes authorized by Whatcom County Ordinance 2016-034 include a reduction of 20 acres in the Everson UGA, as well as increases in the Ferndale, Lynden, and Nooksack UGAs. Overall, as of March 31, 2021, Whatcom County’s UGAs total 52,029 acres (**Exhibit 72**).

**Exhibit 72. Whatcom County Acres Added to Urban Growth Areas, 2016-2021**

	Acres 2016	2016	2017	2018	2019	2020	2021	Total Acres Added to UGAs	Acres 2021
Bellingham	23,172	0	0	0	0	0	0	0	23,172
Birch Bay	3,607	0	0	0	0	0	0	0	3,607
Blaine	4,071	0	0	0	0	0	0	0	4,071
Cherry Point	7,035	0	0	0	0	0	0	0	7,035
Columbia Valley	1,157	0	0	0	0	0	0	0	1,157
Everson	1,287	(20)	0	0	0	0	0	(20)	1,267
Ferndale	5,869	117	0	0	0	0	0	117	5,986
Lynden	3,979	193	0	0	0	0	0	193	4,172
Nooksack	548	55	0	0	0	0	0	55	603
Sumas	959	0	0	0	0	0	0	0	959
<b>Total</b>	<b>51,684</b>	<b>345</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>345</b>	<b>52,029</b>

Sources: Whatcom County and Cities, 2022 (Countywide Data Reporting Tool).

Notes: Acres 2016 represents acres within each UGA as of March 31, 2016. Acres 2021 represents acres within each UGA as of March 31, 2021.

## APPENDIX C: ZONING MAP CHANGES

Zoning map changes documented in **Exhibit 73** and **Exhibit 74** provide a detailed accounting of changes to zoning within each UGA for residential, commercial, industrial, and other types of zones between 2016 and 2021. Many of the general land use categories encompass a number of zoning districts. In 2016, land was added to some UGAs or moved between UGAs. This land has not been rezoned and therefore these changes are reflected in **Exhibit 72**, but not in the zoning map changes.

Ordinances authorizing zoning changes from one land use category to another between April 1, 2016 and March 31, 2021:

- Bellingham UGA
  - City of Bellingham Ordinance 2017-07-018 rezoned 0.51 acres from Residential - Single Family to Commercial.
  - City of Bellingham Ordinance 2017-07-019 rezoned 10 acres from Residential – Single Family to Industrial.
  - City of Bellingham Ordinance 2017-07-020 rezoned 3.6 acres from Industrial to public and 17.7 acres of Commercial / Industrial / Residential Multifamily to Public.
  - City of Bellingham Ordinance 2017-11-025 rezoned 12.7 acres from Commercial to Institutional.
  
- Everson UGA
  - City of Everson zoning changes in 2016 were part of the 2016 Comprehensive Plan update, adopted through Ordinance 767-16.
  - City of Everson zoning changes in 2019 were adopted through Ordinance 806-19.
  
- Ferndale UGA
  - Ferndale Ordinance 1957 (2016) – Rezoned 0.75 acres from Residential – Single Family to Residential - Multifamily.
  - Ferndale Ordinance 1977 (2016) – Rezoned 6.78 acres from Residential – Single Family to Commercial.
  - Ferndale Ordinance 2080 (2019) – Rezoned 112 acres from Floodplain to Public (3.9 acres), Residential – Single Family (8.51 acres), Residential – Multifamily (48.62 acres), and Commercial (52.14 acres). Rezoned 18.92 acres from Commercial to Residential – Multifamily and 4.45 acres from Commercial to Residential – Single Family.
  - Ferndale Ordinance 2160 (2020) – Rezoned 2.71 acres from Residential – Single Family to Residential – Multifamily, and 3.8 acres from Residential – Multifamily to Commercial.

- Lynden UGA
  - Lynden Ordinances 1506 and 1509 (2016) - Annexed 82 acres and rezoned to Residential.
  - Lynden Ordinance 1519 (2016) - Rezoned 7 acres from Commercial to Industrial, 1 acre from Residential to Commercial, and 5 acres from Residential to Public Use.
  - Lynden Ordinance 1548 (2017) - Rezoned 27 acres from Commercial to Residential.
  - Lynden Ordinance 1569 (2018) - Rezoned 16 acres from Residential to Commercial (6 acres), Industrial (8 acres), and Public Use (2 acres). This Ordinance also rezoned 9 acres from Commercial to Industrial.
  - Lynden Ordinance 1561 (2018) - Annexed 10 acres and rezoned to Residential.
  - Lynden Ordinance 1597 (2019) - Rezoned 1 acre from Single Family Residential to Multifamily Residential.
  - Lynden Ordinance 1619 (2020)- Rezoned 83 acres from Single Family Residential to Multifamily Residential (80 acres) and Public Use (3 acres) in the Pepin Creek Subarea.
  
- Nooksack UGA
  - City of Nooksack Ordinance 712 rezoned 31 acres of a 104 acre annexation area from Residential to Public zoning.
  
- Sumas UGA
  - City of Sumas Ordinance No. 1685 adopted zoning changes from the 2016 Comprehensive Plan update.
  
- Areas Outside UGAs
  - Whatcom County Ordinance 2016-036 rezoned 2 acres of Rural one dwelling per five acres to Rural-Industrial.

**Exhibit 73. Whatcom County Zoning Changes by Urban Growth Area and Land Use, Acres, 2016-2021**

UGA	City Zoning 2016	County Zoning 2016	Zoning 2016	2016	2017	2018	2019	2020	2021	Total Zoning Changes	Zoning 2021
<b>Bellingham</b>											
Residential - Single Family	7,868	2,205	10,073	0	(11)	0	0	0	0	(11)	10,062
Residential - Multifamily	3,209	46	3,255	0	0	0	0	0	0	0	3,255
Commercial	1,847	314	2,161	0	(12)	0	0	0	0	(12)	2,149
Industrial	2,434	2,486	4,919	0	6	0	0	0	0	6	4,926
Other	2,444	139	2,583	0	16	0	0	0	0	16	2,600
<i>Subtotal</i>	<i>17,802</i>	<i>5,190</i>	<i>22,992</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>22,992</i>
<b>Birch Bay</b>											
Residential - Single Family	0	1,728	1,728	0	0	0	0	0	0	0	1,728
Residential - Multifamily	0	1,281	1,281	0	0	0	0	0	0	0	1,281
Commercial	0	551	551	0	0	0	0	0	0	0	551
Industrial	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
<i>Subtotal</i>	<i>0</i>	<i>3,560</i>	<i>3,560</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>3,560</i>
<b>Blaine</b>											
Residential - Single Family	2,505	494	2,999	0	0	0	0	0	0	0	2,999
Residential - Multifamily	262	0	262	0	0	0	0	0	0	0	262
Commercial	347	0	347	0	0	0	0	0	0	0	347
Industrial	287	0	287	0	0	0	0	0	0	0	287
Other	144	0	144	0	0	0	0	0	0	0	144
<i>Subtotal</i>	<i>3,545</i>	<i>494</i>	<i>4,039</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>4,039</i>
<b>Cherry Point</b>											
Industrial	0	7,029	7,029	0	0	0	0	0	0	0	7,029
<i>Subtotal</i>	<i>0</i>	<i>7,029</i>	<i>7,029</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>7,029</i>
<b>Columbia Valley</b>											
Residential - Single Family	0	1,065	1,065	0	0	0	0	0	0	0	1,065
Residential - Multifamily	0	0	0	0	0	0	0	0	0	0	0
Commercial	0	40	40	0	0	0	0	0	0	0	40
Industrial	0	0	0	0	0	0	0	0	0	0	0
Other	0	40	40	0	0	0	0	0	0	0	40
<i>Subtotal</i>	<i>0</i>	<i>1,145</i>	<i>1,145</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1,145</i>
<b>Everson</b>											
Residential - Single Family	421	108	529	(60)	0	0	(1)	0	0	(61)	468
Residential - Multifamily	124	0	124	0	0	0	4	0	0	4	128
Commercial	47	7	54	10	0	0	(1)	0	0	9	63
Industrial	173	42	215	(26)	0	0	0	0	0	(26)	189
Other	116	251	367	76	0	0	(2)	0	0	74	441
<i>Subtotal</i>	<i>881</i>	<i>408</i>	<i>1,289</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>1,289</i>

Sources: Whatcom County and Cities, 2022 (Countywide Data Reporting Tool).

Notes: Acres 2016 represents acres as of March 31, 2016. Acres 2021 represents acres as of March 31, 2021. Numbers may not add up because of rounding.



**Exhibit 74. Whatcom County Zoning Changes by Urban Growth Area and Land Use, Acres, 2016-2021**

UGA	City Zoning 2016	County Zoning 2016	Zoning 2016	2016	2017	2018	2019	2020	2021	Total Zoning Changes	Zoning 2021
<b>Ferndale</b>											
Residential - Single Family	1,580	1,599	3,179	(8)	0	0	13	(3)	0	3	3,182
Residential - Multifamily	485	0	485	1	0	0	63	(1)	0	63	548
Commercial	1,628	31	1,659	7	0	0	33	4	0	44	1,703
Industrial	516	415	931	0	0	0	0	0	0	0	931
Other	112	89	201	0	0	0	(109)	0	0	(109)	92
<i>Subtotal</i>	<i>4,321</i>	<i>2,134</i>	<i>6,455</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>6,455</i>
<b>Lynden</b>											
Residential - Single Family	1,854	135	1,989	76	7	(6)	(1)	(83)	0	(7)	1,982
Residential - Multifamily	442	23	465	0	20	0	1	80	0	101	566
Commercial	479	0	479	(6)	(27)	(3)	0	0	0	(36)	443
Industrial	337	0	337	7	0	17	0	0	0	24	361
Other	189	446	635	(77)	0	(8)	0	3	0	(82)	553
<i>Subtotal</i>	<i>3,300</i>	<i>604</i>	<i>3,904</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>3,904</i>
<b>Nooksack</b>											
Residential - Single Family	350	95	445	0	0	0	(31)	0	0	(31)	414
Residential - Multifamily	0	0	0	0	0	0	0	0	0	0	0
Commercial	35	0	35	0	0	0	0	0	0	0	35
Industrial	13	0	13	0	0	0	0	0	0	0	13
Other	45	11	56	0	0	0	31	0	0	31	87
<i>Subtotal</i>	<i>443</i>	<i>106</i>	<i>549</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>549</i>
<b>Sumas</b>											
Residential - Single Family	160	0	160	(4)	0	0	0	0	0	(4)	156
Residential - Multifamily	193	0	193	(16)	0	0	0	0	0	(16)	177
Commercial	71	0	71	(1)	0	0	0	0	0	(1)	70
Industrial	376	0	376	8	0	0	0	0	0	8	384
Other	135	26	161	13	0	0	0	0	0	13	174
<i>Subtotal</i>	<i>935</i>	<i>26</i>	<i>961</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>961</i>
<b>Areas Outside UGAs</b>											
Rural one dwelling/two acres	N/A	1,157	1,157	0	0	0	0	0	0	0	1,157
Rural one dwelling/five acres	N/A	90,331	90,331	(2)	0	0	0	0	0	(2)	90,329
Rural one dwelling/ten acres	N/A	30,211	30,211	0	0	0	0	0	0	0	30,211
Rural - Residential (LAMIRD)	N/A	10,634	10,634	0	0	0	0	0	0	0	10,634
Rural - Commercial (LAMIRD)	N/A	1,286	1,286	0	0	0	0	0	0	0	1,286
Rural - Industrial (LAMIRD)	N/A	494	494	2	0	0	0	0	0	2	496
Agriculture	N/A	86,276	86,276	0	0	0	0	0	0	0	86,276
Rural Forestry	N/A	36,208	36,208	0	0	0	0	0	0	0	36,208
Commercial Forestry	N/A	187,311	187,311	0	0	0	0	0	0	0	187,311
Mineral Resource Lands	N/A	0	0	0	0	0	0	0	0	0	0
<i>Subtotal</i>	<i>N/A</i>	<i>443,908</i>	<i>443,908</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>443,908</i>
<b>Total</b>	<b>31,227</b>	<b>464,604</b>	<b>495,831</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>495,831</b>

Sources: Whatcom County and Cities, 2022 (Countywide Data Reporting Tool).

Notes: Acres 2016 represents acres as of March 31, 2016. Acres 2021 represents acres as of March 31, 2021. LAMIRD stands for "limited area of more intensive rural development" (see RCW 36.70A.070(5)(d)).

# CITY OF LYNDEN



## EXECUTIVE SUMMARY

<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Ordinance No. 1659 – Real Estate Property Tax for 2023	
<b>Section of Agenda:</b>	New Business	
<b>Department:</b>	Finance	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input checked="" type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required	
<b>Attachments:</b>		
Ordinance No. 1659 – Real Estate Property Tax for 2023		
<b>Summary Statement:</b>		
<p>The City of Lynden is required by State regulations to adopt the proposed 2023 property tax levy. Attached is a copy of the proposed Ordinance. The mil rate has been calculated on preliminary information received to date from the Whatcom County Assessor's Office. When comparing preliminary 2021 levy assessment rates to 2022 levy assessment rates, the decrease is estimated at 0.21 cents per mil to a mil rate of 1.21239.</p> <p>The final figures for the assessed valuation of the city's tax base are not yet available. Once those are provided by the County Assessor, an ordinance setting the final, exact levy will be provided in January 2023 for consideration.</p> <p>At today's Finance Committee meeting the draft ordinance was discussed and approved for review by the full Council.</p>		
<b>Recommended Action:</b>		
To adopt Ordinance No. 1659 and authorize the Mayor's signature.		

ORDINANCE NO. 1659

AN ORDINANCE FOR THE CITY OF LYNDEN  
AMENDING ORDINANCE NO. 1571 LEVYING TAXES FOR  
GENERAL MUNICIPAL PURPOSES FOR  
TAXES COLLECTIBLE AND PAYABLE IN 2023  
IN THE CITY OF LYNDEN, WASHINGTON

The City Council of the City of Lynden does ordain as follows:

Section A. The City of Lynden hereby levies, for 2023 taxes, for the purpose of meeting the expenditures of the City of Lynden, Washington, for the year 2023, the following specific sums:

CURRENT EXPENSE FUND	\$3,176,166
BERTHUSEN PARK	\$65,000
2012 LTGO REFUNDING BOND DEBT	<u>\$541,050</u>
TOTAL	\$3,782,210

Section B. In order to raise said specific sums, there is needed a levy of \$1.21239 per thousand dollars of assessed valuation of the property in the City of Lynden as shown by the assessment roll for the year 2022.

Section C. Any ordinance or parts of ordinances in conflict herewith are hereby amended.

Section D. This ordinance amends Ordinance No. 1571 and shall take effect and be in force from and after its passage by the City Council and after its approval by the Mayor, if approved, otherwise, as provided by law and five (5) days after the date of its publication.

PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE, \_\_\_\_\_ IN FAVOR,  
\_\_\_\_\_ AGAINST AND SIGNED BY THE MAYOR THIS \_\_\_\_\_ DAY OF NOVEMBER 2022.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Resolution 1058 - Interlocal Agreement regarding Countywide Planning Policies	
<b>Section of Agenda:</b>	New Business	
<b>Department:</b>	Planning Department	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required	
<b>Attachments:</b>		
Resolution 1058 with Exhibit A - Interlocal Agreement regarding amendments to the Countywide Planning Policies (CWPP), Memo summarizing proposed changes to the CWPP		
<b>Summary Statement:</b>		
<p>The Growth Management Act (GMA) requires the adoption countywide planning policies in cooperation with Whatcom County and its cities (RCW 36.70A.040(4) and RCW 36.70A.210). Countywide planning policies establish a framework for developing city and county comprehensive plans and ensuring these plans are consistent. The Council originally adopted countywide planning policies in 1993 and these have been periodically amended.</p> <p>As the City/County Planner Group drafted the Buildable Lands Report (also on tonight’s agenda) it became necessary to amend the countywide planning policies with an interim interlocal agreement. This was signed by the County and Whatcom cities and became effective on July 14, 2020. The City/County Planner Group is now proposing a long-term Interlocal Agreement establishing procedures for amending countywide planning policies, to replace the Interim Interlocal Agreement. Main differences between the approved Interim Interlocal Agreement and the proposed long-term Interlocal Agreement are summarized in the attached memo.</p> <p>Staff is requesting that Council review the revisions and approve if they see fit.</p>		
<b>Recommended Action:</b>		
Motion to approve Resolution 1058 - Interlocal Agreement between the City of Lynden, the Whatcom County cities and Whatcom County Concerning procedures for amending the countywide planning policies and to authorize the Mayor’s signature on the resolution and agreement documents.		

# CITY OF LYNDEN



PLANNING DEPARTMENT  
Heidi Gudde, Planning Director  
(360) 354 - 5532

## Planning Department Memorandum

**To:** City Council  
**From:** Heidi Gudde, Planning Director  
**Date:** November 16, 2022  
**Re:** Countywide Planning Policies Amendment

The Growth Management Act (GMA) required the County to adopt countywide planning policies in cooperation with the cities (RCW 36.70A.040(4) and RCW 36.70A.210). Countywide planning policies establish a framework for developing city and county comprehensive plans and ensuring these plans are consistent. The Council originally adopted countywide planning policies in 1993 and these have been periodically amended.

The City/County Planner Group is proposing a long-term Interlocal Agreement establishing procedures for amending countywide planning policies, to replace the Interim Interlocal Agreement adopted in 2020. Main differences between the approved Interim Interlocal Agreement and the proposed long-term Interlocal Agreement include changes to the following sections:

- Tribal and Federal Agency Participation (Section 1.3) – A new section was added relating to inviting the Lummi Nation, Nooksack Tribe, and appropriate federal agencies to participate in and cooperate with the countywide planning policy amendment process in accordance with RCW 36.70A.210(4). This new section was added in response to Substitute House Bill 1717 that was passed by the State Legislature and signed by the Governor in 2022.
- Recommendation (Section 1.4) – A clause was removed that essentially allowed the City/County Planner Group to stop a Countywide Planning Policy amendment from going forward (unless overruled by the County Executive and majority of mayors). Under the current proposal, if the City/County Planner Group recommends denial of an amendment, it will still proceed for review by the County Planning Commission and County Council. A timeframe was added that the County Planning Director must refer proposed CWPP amendments to the City/County Planner Group *within 10 days*. Finally, the option for City/County Planner Group members to vote by email was removed (with ZOOM or hybrid meetings, this would typically not be necessary).

# CITY OF LYNDEN



PLANNING DEPARTMENT  
Heidi Gudde, Planning Director  
(360) 354 - 5532

- Ratified Amendments (Section 1.10) – A clause was added to ratification method A that at least 50% of the total jurisdictions must vote for the amendments (so that a minority of jurisdictions could not impose new CWPPs on the majority of jurisdictions).
- Effective Date, Duration and Termination (Section 2) – The proposal is a long-term Interlocal Agreement that would be valid through December 31, 2032. The existing Interim Interlocal Agreement is set to expire in 2024 or when new CWPP amendment procedures are adopted, whichever comes first.
- Termination of Interim Procedures (Section 3) – Explicitly terminates the Interim Interlocal Agreement, as it is being replaced by the proposed long-term Interlocal Agreement.

Section 1.10 of the proposed long-term Interlocal Agreement provides two methods to ratify countywide planning policy amendments. In order to become effective, the amendments would have to be approved by:

- Method 1 - Jurisdictions (the County and cities) representing at least 85% of the total population of Whatcom County and at least 50 percent of the total number of jurisdictions; or
- Method 2 - At least 75% of the jurisdictions, provided that Whatcom County must be one of the jurisdictions to approve the amendments (i.e., the County and at least 5 of the 7 existing cities).

Under method 1, the County, the City of Bellingham and two or more small cities (depending on population) would need to approve a countywide planning policy amendment. Disapproval by the County, the City of Bellingham, or a coalition of small cities would prevent the countywide planning policies from being ratified *under this method*. However, there is a second method under which countywide planning policies could be ratified.

Under method 2, the County and at least 5 of the seven cities would need to approve a countywide planning policy amendment. Disapproval by the County or a coalition of three cities would prevent the countywide planning policies from being ratified *under this method*.

# CITY OF LYNDEN



**PLANNING DEPARTMENT**  
 Heidi Gudde, Planning Director  
 (360) 354 - 5532

The chart below shows the different possible routes to ratification. For the amendments to become effective, ratification is only required under method 1 or method 2. Additionally, Whatcom County is the only jurisdiction that must approve the countywide planning policies amendments in every scenario.

Approval by	Ratification under Method 1?	Ratification under Method 2?	Bellingham's Approval Required?	% of County Population Represented
County, Bellingham, and 2 or 3 small cities	Yes  (except if the cities are the smallest ones)	No	Yes	85%
County, Bellingham, and 4 small cities	Yes	Yes	Yes	86%
County and 5 small cities	No	Yes	No	53%

*NOTE: The "% of County Population Represented" is the minimum percentage of the countywide population represented by the jurisdictions approving the amendments. For purposes of this chart, the County represents the unincorporated population, which is approximately 41% of the countywide population. Bellingham has about 40% of the countywide population. These percentages are from the 2020 Census.*

CITY OF LYNDEN  
CITY COUNCIL RESOLUTION 1058

**A resolution of the Council of the City of Lynden, Washington, to approve the Interlocal Agreement between Whatcom County and the Cities of Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas Concerning Procedures for Amending the Countywide Planning Policies.**

WHEREAS, the Revised Code of Washington (RCW) 36.70A.040, the CWPP delineate goals and policies to support the development of consistent and coordinated Comprehensive Plans in the County and its Cities; and

WHEREAS, on March 16, 2020 the City of Lynden Council voted to participate in an interlocal agreement between Whatcom County and the Cities of Bellingham, Blaine, Everson, Ferndale, Nooksack, and Sumas concerning interim procedures for amending the Countywide Planning Policies. This document is recorded as Whatcom County Contract No. 202007014; and

WHEREAS, the Cities and County desire to agree on procedures for amending the countywide planning policies in an interlocal agreement; and

WHEREAS, pursuant to Section 1 of this Interlocal Agreement, the proposed revisions are being brought forward to the City Council as Resolution 1058; and

WHEREAS, following review by the cities, the CWPPs will go back to the County Council for final review and adoption and be valid through December 31, 2032; and

WHEREAS, the interim revisions to the CWPP focused on two particular issues. This includes referencing a state-mandated review and evaluation program (also known as the Buildable Lands Program), and dispute resolution procedures; and

WHEREAS, the City/County Planner Group is now proposing a formal amendment to the procedures for amending the CWPP; and

WHEREAS, the revisions to the procedures can be summarized as follows:

- Section 1.3 has been added in response to Substitute House Bill 1717 which addresses Tribal and Federal Agency Participation.
- Removal of a clause in Section 1.4 relating to the ability of the City/County Planner Group to stop a proposed amendment from moving forward. A recommendation of denial would be utilized in its place.
- Addition of a clause in Section 1.10 relating to the need for a majority vote of jurisdictions to impose new CWPP.
- Effective date, duration, and termination dates were included in Section 2.
- Termination of the interim procedures adopted in 2020 are included in Section 3; and



WHEREAS, the City of Lynden staff, the Mayor and the Community Development Committee have reviewed the document and recommend no further changes; and

WHEREAS, the City Council voted to recommend approval of the amendment to the Countywide Planning Policies as presented in Exhibit A on November \_\_\_\_\_, 2022;

NOW THEREFORE, BE IT RESOLVED by the Lynden City Council to approve the September 2022 draft of the Amendment to the Countywide Planning Policies (Exhibit A).

PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE OF \_\_\_\_\_ IN FAVOR, \_\_\_\_\_ AGAINST, SIGNED THIS \_\_\_\_\_ DAY OF NOVEMBER 2022.

MAYOR

\_\_\_\_\_  
Scott Korthuis

ATTEST:

\_\_\_\_\_  
Pam Brown, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Bob Carmichael, City Attorney

INTERLOCAL AGREEMENT  
BETWEEN  
WHATCOM COUNTY AND THE CITIES OF BELLINGHAM,  
BLAINE, EVERSON, FERNDALE, LYNDEN, NOOKSACK, AND SUMAS  
CONCERNING PROCEDURES FOR AMENDING THE  
COUNTYWIDE PLANNING POLICIES

This agreement is made by and between Whatcom County (herein after referred to as the “County”) and the Cities of Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, and Sumas (herein after referred to as the “Cities”).

WHEREAS, the Growth Management Act (GMA) required the County to adopt countywide planning policies in cooperation with the Cities (RCW 36.70A.040(4) and RCW 36.70A.210); and

WHEREAS, the GMA states countywide planning policies are used “. . . solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted pursuant to this chapter. This framework shall ensure that city and county comprehensive plans are consistent . . .” (RCW 36.70A.210(1)); and

WHEREAS, the County Council adopted the original countywide planning policies in April 1993 (Resolution 93-024); and

WHEREAS, the County Council amended the countywide planning policies in March 1997 (Resolution 97-011); and

WHEREAS, the County Council amended the countywide planning policies in January 2005 (Ordinance 2005-022); and

WHEREAS, the County Council amended the countywide planning policies in February 2021 (Ordinance 2021-003); and

WHEREAS, the County and the cities entered into an interlocal agreement containing interim procedures for amending the countywide planning policies in 2020 (Whatcom County Contract No. 202007014); and

WHEREAS, cooperative relationships and coordination between the County and Cities are mutually beneficial; and

WHEREAS, the Cities and County desire to agree on procedures for amending the countywide planning policies in this interlocal agreement; and

WHEREAS, the Cities and County find that establishing procedures for amending the Countywide Planning Policies is in the public interest and will further the goals of the GMA; and

NOW, THEREFORE, subject to the terms and conditions contained herein, the Cities and County agree as follows:

**Section 1. Procedures for Amending the Countywide Planning Policies**

The Cities and the County agree to the following procedures for amending the countywide planning policies:

1. **Authority to Initiate Amendment** – Any of the following may initiate a proposed amendment to the Countywide Planning Policies by submitting a written proposal to the County Planning Director:
  - a. The Whatcom County Executive;
  - b. The Whatcom County Council;
  - c. Any City Council;
  - d. Any City Mayor.
  
2. **Required Information** - The proposed amendment shall include:
  - a. The language of the proposed amendment shown with underlining and strikethroughs.
  
  - b. An explanation of the need for the proposed amendment. This may include, as appropriate, the factors, changed conditions, data, analysis, and/or experience with existing countywide planning policies that show a need for the proposed amendment.

3. **Tribal and Federal Agency Participation** - The County Planning Director will invite the Lummi Nation, Nooksack Tribe, and appropriate federal agencies to participate in and cooperate with the countywide planning policy amendment process in accordance with RCW 36.70A.210(4). The City/County Planner Group will identify appropriate federal agencies to invite.
4. **Recommendation** - Within 10 days, the County Planning Director shall refer proposed amendments to the City/County Planner Group, which shall be comprised of the planning directors or designees from the County and each of the seven Cities. The City/County Planner Group will review and issue recommendations on the proposed amendments as follows:
  - a. The City/County Planner Group will strive to reach consensus but if consensus cannot be reached, recommendations will be by majority vote of the eight jurisdictions (the County and seven cities).
  - b. The City/County Planner Group's recommendations will be issued within 180 days of receiving the proposed amendments. The process of forming recommendations will allow time, within this 180-day period, for individual jurisdictions to consult with their respective planning commissions and/or elected officials, at the discretion of each jurisdiction. The 180-day time period may be extended by 90 days by majority vote of the eight jurisdictions
5. **SEPA** – Whatcom County will conduct SEPA review, if required, on the recommended Countywide Planning Policy amendments.
6. **Whatcom County Planning Commission Review** – The Whatcom County Planning Commission will hold a public hearing and issue recommendations on the proposed countywide planning policy amendments. City planners will be invited to the hearing.
7. **Whatcom County Council Review** – The County Council will invite County and City planners to a committee of the whole meeting to discuss the proposed countywide planning policy amendments. The County Council's committee of the whole will take a vote whether or not to send final draft countywide planning policy amendments to the cities for review and approval.

8. **City Approval Process** – The respective city legislative authorities must act upon final draft countywide planning policy amendments within 90 days of the County Council vote to send the amendments to the cities for review and approval.

City approval means a vote by the legislative authority to approve or disapprove the countywide planning policy amendments (up or down vote). Final draft countywide planning policy amendments may not be modified during the city approval process.

If a city does not notify the County Planning Director of the action taken within the 90-day period, that city shall be deemed to have approved the amendments.

9. **Whatcom County Council Adoption** – Following approval of the countywide planning policy amendments by the cities under subsection 8 above, the County Council may, after conducting a public hearing, adopt the countywide planning policy amendments. Final draft countywide planning policy amendments may not be modified during the County Council adoption process.

10. **Ratified Amendments** - In order to become effective, countywide planning policy amendments must be approved (pursuant to subsections 8 and 9 above) by:

- a. Jurisdictions (the County and cities) representing at least 85% of the total population of Whatcom County and at least 50 percent of the total number of jurisdictions; or
- b. At least 75% of the total number of jurisdictions, provided that Whatcom County must be one of the jurisdictions to approve the amendments (i.e., the County and at least 5 of the 7 existing cities).

11. **Notification of Ratified Amendments** - The County Planning Director shall notify the Cities and the Governor's office in writing within fourteen (14) days of County Council adoption of the countywide planning policies, as set forth in subsection 9 above.

**Section 2. Effective Date, Duration and Termination**

This interlocal agreement shall be effective upon signature by the Mayor and/or City Manager of each of the seven Cities and the Whatcom County Executive. This interlocal agreement shall remain in effect until December 31, 2032, unless modified or terminated by written agreement of all of the parties.

**Section 3. Termination of Interim Procedures**

The County and the Cities agree that the interlocal agreement containing interim procedures for amending the countywide planning policies in 2020 (Whatcom County Contract No. 202007014) will terminate on the effective date of this interlocal agreement.

Each signatory below to this agreement warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the agreement and bind the party thereto.

CITY OF BELLINGHAM

By \_\_\_\_\_  
Seth Fleetwood, Mayor

Date \_\_\_\_\_

Approved as to form:  
Office of the City Attorney

\_\_\_\_\_

Each signatory below to this agreement warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the agreement and bind the party thereto.

CITY OF BLAINE

By \_\_\_\_\_  
Dave Wilbrecht, Interim City Manager

Date \_\_\_\_\_

Approved as to form:  
Office of the City Attorney

\_\_\_\_\_

Each signatory below to this agreement warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the agreement and bind the party thereto.

CITY OF EVERSON

By \_\_\_\_\_  
John Perry, Mayor

Date \_\_\_\_\_

Approved as to form:  
Office of the City Attorney

\_\_\_\_\_



Each signatory below to this agreement warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the agreement and bind the party thereto.

CITY OF FERNDALE

By \_\_\_\_\_  
Greg Hansen, Mayor

Date \_\_\_\_\_

Approved as to form:  
Office of the City Attorney

\_\_\_\_\_

Each signatory below to this agreement warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the agreement and bind the party thereto.

CITY OF LYNDEN

By \_\_\_\_\_  
Scott Korthuis, Mayor

Date \_\_\_\_\_

Approved as to form:  
Office of the City Attorney

\_\_\_\_\_

Each signatory below to this agreement warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the agreement and bind the party thereto.

CITY OF NOOKSACK

By \_\_\_\_\_  
Kevin Hester, Mayor

Date \_\_\_\_\_

Approved as to form:  
Office of the City Attorney

\_\_\_\_\_

Each signatory below to this agreement warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the agreement and bind the party thereto.

CITY OF SUMAS

By \_\_\_\_\_  
Bruce Bosch, Mayor

Date \_\_\_\_\_

Approved as to form:  
Office of the City Attorney

\_\_\_\_\_

Each signatory below to this agreement warrants that he/she is the authorized agent of the respective party; and that he/she has the authority to enter into the agreement and bind the party thereto.

WHATCOM COUNTY

By \_\_\_\_\_  
Satpal Sidhu, County Executive

Date \_\_\_\_\_

Approved as to form:  
Whatcom County Prosecutor

\_\_\_\_\_

# CITY OF LYNDEN

EXECUTIVE SUMMARY – City Council



<b>Meeting Date:</b>	November 15, 2021	
<b>Name of Agenda Item:</b>	Interlocal Agreement – Whatcom Conservation District	
<b>Section of Agenda:</b>	New Business	
<b>Department:</b>	Public Works	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks <input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other: _____	<b>Legal Review:</b> <input checked="" type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required
<b>Attachments:</b>		
Interlocal Agreement		
<b>Summary Statement:</b>		
<p>Staff is recommending another Interlocal Agreement with the Whatcom Conservation District (WCD) for a Stormwater and Water Conservation Community Education and Outreach Program in 2022. Some of their work scope fulfills certain City requirements under its NPDES Phase II Stormwater Permit. Their water conservation efforts fulfill certain Water Use Efficiency requirements from the State Department of Health. This year’s scope of work includes supporting the construction of stormwater improvements at the Northwest Washington Fair under a Department of Ecology grant obtained by the City.</p> <p>Additionally, through this agreement, the City participates in the Nooksack Basin Water Quality studies that evaluate results of fecal coliform testing to identify sources of contamination. This aids Whatcom County’s Portage Bay Shellfish District.</p> <p>The term of this agreement is January 1, 2022 through December 31, 2022. The Whatcom Conservation District Board approved this Interlocal Agreement at their November meeting. The Public Works Committee reviewed this agreement at their meeting on November 3, 2021 and concurred to recommend approval by City Council.</p>		
<b>Recommended Action:</b>		
That City Council approve the Interlocal Agreement with the Whatcom Conservation District and authorize the Mayor’s signature on the agreement.		

**INTERLOCAL AGREEMENT**  
**CITY OF LYNDEN - WHATCOM CONSERVATION DISTRICT**

Stormwater and Water Conservation Community Education and Outreach Program

This Agreement is made and entered into by the City of Lynden, a Washington municipal corporation, hereinafter referred to as the “City”, and the Whatcom Conservation District, a Washington governmental subdivision, hereinafter referred to as the “WCD”, collectively referred to as “Parties”, to establish an arrangement pursuant to RCW Chapter 39.34 wherein the City will provide funding to the WCD to provide community education and outreach to the mutual advantage of each jurisdiction.

WHEREAS, Whatcom County and WCD are currently working together on a Pollution Identification and Correction (PIC) program as high priority focus under the Portage Bay Shellfish Recovery Plan; and

WHEREAS, a PIC program is a data-driven program guiding pollution tracking activities to areas with the greatest water quality problems to improve and protect water quality; and

WHEREAS, the Fishtrap Creek Watershed has been identified as a contributing source of bacteria within the Portage Bay Shellfish Protection District; and

WHEREAS, the City operates a Municipal Separate Storm Sewer System (MS4) under an NPDES Phase II Stormwater Permit issued by the Washington State Department of Ecology, which includes fecal coliform monitoring to address Total Maximum Daily Load (TMDL) limits on the Nooksack River; and

WHEREAS, the City’s MS4 discharges stormwater into Fishtrap Creek, which discharges into the Nooksack River, and fecal coliform counts taken by Whatcom County at various locations on Fishtrap Creek within the City limits exceed Washington Department of Health (DOH) shellfish standards; and

WHEREAS, the sampling methodology and the public information materials that have been developed under the existing Whatcom County and WCD partnership could be easily extended and adapted to serve the needs of the City; and

WHEREAS, the most efficient use of resources is to have the WCD expand its outreach and education programs consistent with the specific needs of the City to help improve and protect water quality and quantity in Fishtrap Creek and the Nooksack River; which are part of the Portage Bay Shellfish Protection District; and

WHEREAS, the City is expanding its water conservation program to include educational outreach on conservation within the public schools; and

WHEREAS, the WCD is equipped to provide the additional water conservation public outreach services needed by the City; and

WHEREAS, it is in the best interest of each party to enter into this Interlocal Agreement; and

WHEREAS, the recitals herein are a material part of this agreement;

NOW THEREFORE, the WCD and City agree as follows:

- I. *Purpose:* The purpose of this Agreement is to set the terms whereby the City will make available funds to the WCD to implement a community education and outreach program for stormwater pollution prevention and water conservation to residents within the City of Lynden.
- II. *Administration:* No new or separate legal or administrative entity is created to administer the provisions of this Agreement.
- III. *Whatcom Conservation District Responsibilities:* The WCD hereby agrees to provide services as described in Exhibit A, Scope of Work, attached hereto.
- IV. *City Responsibilities:* The City hereby agrees to reimburse the WCD, not to exceed the total budget amount allocated to the WCD as shown in Exhibit B attached hereto, for the costs in providing and performing the services stated in the scope of work.
- V. *Payment:* The WCD shall submit itemized invoices in a format approved by the City. Each request for payment shall include invoices that detail work performed and supplies or materials purchased. The City agrees to pay WCD on a monthly basis, commensurate with portions of the work completed, for performing the work outlined in the scope of work (Exhibit A). WCD's compensation shall be paid monthly on account, for the services performed during that month, with payment due within 30 days of the invoice date. The City of Lynden Finance Department must receive invoices from WCD by the 5th of each month (or the following Monday if the 5th falls on a weekend day) for processing in the current month's run. The Finance Department is required to seek City Council approval to pay invoices during the second Council meeting of the month (third Monday) before payment can be rendered. All invoices must include the services rendered, according to the scope of work (Exhibit A) for which payment is to be rendered. WCD is also responsible for providing a cost tracking report for declining budget balances on invoices. Invoices will be reviewed for completeness before payment will be authorized. The City will compensate the WCD for services rendered within thirty (30) days following receipt of an approved invoice, provided all other terms and conditions of the contract have been met and are certified as such by the Contract Administrator.
- VI. *Term:* This Agreement shall be effective from January 1, 2023 through December 31, 2023; however, this agreement may be extended an additional year if both parties agree to the terms.
- VII. *Responsible Persons:* The persons responsible for administration of this Agreement shall be the City of Lynden Public Works Department Director and the WCD District Manager, or their respective designees.
- VIII. *Treatment of Assets and Property:* No fixed assets or personal or real property will be jointly or cooperatively acquired, held, used, or disposed of pursuant to this Agreement.
- IX. *Relationship of the Parties:* The Parties are separate entities organized under the laws of the State of Washington and this Agreement is not intended to create any new legal or corporate entity. No agent, employee, servant, or representative of any party shall be deemed to be an



employee, agent, servant, or representative or any other party for any purpose. Each party will be solely responsible for its acts and for the acts of its agents, employees, and servants during the term of this Agreement.

- X. *Indemnification:* Each party agrees to be responsible and assume liability for its own wrongful and/or negligent acts or omissions or those of their officials, officers, agents, or employees to the fullest extent required by law, and further agrees to save, indemnify, defend, and hold the other party harmless from any such liability. It is further provided that no liability shall attach to the Parties by reason of entering into this Agreement except as expressly provided herein.
- XI. *Non-discrimination in Employment and Client Services:* Neither Party shall discriminate against any person on the grounds of race, creed, color, national origin, sex, marital status, age, religion, or on the presence of any sensory, mental or physical handicap. No Party shall discriminate against any employee or applicant for employment because of handicap; provided that, this provision shall not apply if the particular disability prevents proper performance of the work involved.
- XII. *Termination:* This Agreement may be terminated by either party effective upon sixty (60) days written notice, mailed postage pre-paid by certified mail, return receipt requested, to the other party's last known address for the purposes of giving notice under this section. If this Agreement is so terminated, the Parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.
- XIII. *Modifications:* This Agreement may be changed, modified, amended or waived only by written agreement executed by the Parties hereto. Waiver or breach of any term or condition of this Agreement shall not be considered a waiver of any prior or subsequent breach.
- XIV. *Applicable Law:* In the performance of this Agreement, it is mutually understood and agreed upon by the Parties hereto that this Agreement shall be governed by the laws and regulations of the State of Washington and the federal government, both as to interpretation and performance. The venue of any action arising here from shall be in the Superior Court of the State of Washington in and for Whatcom County.
- XV. *Severability:* In the event any term or condition of this Agreement or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other terms, conditions, or applications of this Agreement that can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.
- XVI. *Entire Agreement:* This Agreement contains all the terms and conditions agreed upon by the Parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the Parties hereto.
- XVII. *Counterparts:* This Agreement may be executed in multiple counterparts, and each shall be deemed an original, but all of which together constitute a single instrument.
- XVIII. *Effective Date:* This Agreement shall be in full force and effect upon filing with the Whatcom

County Auditor or upon listing by subject on the City's web site, whichever method of filing is chosen.

IN WITNESS WHEREOF, the Parties have signed this Agreement this \_\_\_\_ day of \_\_\_\_\_, 2022.

WHATCOM CONSERVATION DISTRICT

CITY OF LYNDEN

By: \_\_\_\_\_  
Brandy Reed, WCD District Manager

By: \_\_\_\_\_  
Scott Korthuis, Mayor

Approved as to form:

\_\_\_\_\_  
Bob Carmichael, City Attorney

\_\_\_\_\_  
Steve Banham Director of Public Works

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF WHATCOM ).

I certify that I know or have satisfactory evidence that Scott Korthuis is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Mayor of the City of Lynden to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

\_\_\_\_\_  
NOTARY PUBLIC in and for the State  
of Washington, residing at\_\_\_\_\_.  
My commission expires: \_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF WHATCOM ).

I certify that I know or have satisfactory evidence that Brandy Reed is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the District Manager of the Whatcom Conservation District to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

\_\_\_\_\_  
NOTARY PUBLIC in and for the State  
of Washington, residing at\_\_\_\_\_.  
My commission expires: \_\_\_\_\_

**EXHIBIT A - SCOPE OF WORK**

**Task 1: Program Administration**

The WCD will track and report education and outreach activities and landowner assistance provided as part of the Community Education and Outreach Program.

**Deliverables:**

1. Invoices will be submitted by the 5<sup>th</sup> of every month or quarterly if no work was performed in a given month.
2. A short progress report summarizing work performed during the invoice period will be included.
3. Annual written reports to include a summary of outreach & education efforts.
4. Attend City of Lynden Stormwater meetings when needed.

**Task 2: Stormwater Education and Outreach**

WCD will collaborate with the City to implement a community education and outreach program for stormwater pollution prevention to residents within the City of Lynden.

**Tasks include, but are not limited to the following:**

- Develop and distribute education materials on Stormwater
- Implement, monitor and support of pet waste educational campaign
- Coordinate and evaluate Septic Smart initiative
- Coordinate and evaluate school-based Stormwater education program.
- Coordinate public participation activities
- Coordinate water quality sampling efforts to identify areas of concern
- Partner with other organizations to amplify efforts
- Assist with developing supplemental funding proposals as needed

**Deliverables:**

1. Educational materials generated
2. Report on number of students, teachers and classrooms visited
3. Water Quality data will be compiled and reported to City
4. Document response procedure for water quality reporting
5. Reports on other jurisdictions efforts in Stormwater
6. Other projects for specific audiences as needed

**Task 3: Water Conservation Education and Outreach**

WCD will collaborate with the City to implement a community education and outreach program for water conservation to residents within the City of Lynden.

**Tasks include, but are not limited to the following:**

- Develop and distribute education materials on Water Conservation
- Coordinate and evaluate school-based Water Conservation education program
- Coordinate and administer water conservation rebate program and home audit
- Partner with other organizations to amplify efforts
- Assist with developing supplemental funding proposals as needed

**Deliverables:**

1. Educational materials generated (CCR, web design, print materials)
2. Report on number of students, teachers and classrooms visited
3. Report on number of rebate applications and home audits completed
4. Other projects for specific audiences as needed

**Task 4: Northwest Washington Fair Stormwater Improvements**

WCD will collaborate with the City and the Northwest Washington Fairgrounds (Fair) on Education and Outreach material development help protect and restore water quality in Fishtrap Creek by reducing stormwater impacts from existing infrastructure and development at the Fair.

**Tasks include, but are not limited to the following:**

- Assist in Education and Outreach material development
- Manage the fabrication and installation of educational kiosk
- Manage the fabrication and installation of stormdrain markers
- Assist in Coordination and reporting with the Fair

**EXHIBIT B - BUDGET**

<b>Cost Center</b>	<b>Task 1: Admin</b>	<b>Task 2: Stormwater</b>	<b>Task 3: Water Conservation</b>	<b>Task 4: NW WA Fairgrounds</b>	<b>Documentation Needed with Invoice</b>
Salary & Benefits	\$ 4,890.36	\$ 24,795.00	\$ 13,775.00	\$ 4,006.03	Timesheets
Overhead 30%	\$ 1,467.11	\$ 7,438.50	\$ 4,132.50	\$ 1,201.81	
Total personnel plus overhead	\$ 6,357.47	\$ 32,233.50	\$ 17,907.50	\$ 5,207.84	
Supplies/postage		\$ 1,000.00	\$ 1,000.00	\$ 11,000.00	Receipts or invoices
Mileage		\$ 100.00	\$ 100.00	\$ 50.00	Mileage log or travel voucher
<b>Total</b>	<b>\$ 6,357.47</b>	<b>\$ 33,333.50</b>	<b>\$ 19,007.50</b>	<b>\$ 16,257.84</b>	
	<b>Contract total</b>	Wages & Benefits		\$ 47,466.39	
		Overhead 30%		\$ 14,239.92	
		Total personnel plus overhead		\$ 61,706.31	
		Supplies/postage		\$ 13,000.00	
		Mileage		\$ 250.00	
		Total		\$ 74,956.31	

# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Public Works Committee Meeting Minutes November 9, 2022	
<b>Section of Agenda:</b>	Approval of Minutes	
<b>Department:</b>	Public Works	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input checked="" type="checkbox"/> Review Not Required
<b>Attachments:</b>		
November 9, 2022 Draft Public Works Committee Meeting Minutes		
<b>Summary Statement:</b>		
Draft minutes for the November 9, 2022 Public Works Committee meetings.		
<b>Recommended Action:</b>		
For Review		

# CITY OF LYNDEN

PUBLIC WORKS DEPARTMENT  
360-354-3446



## PUBLIC WORKS COMMITTEE MINUTES

4:00 PM November 9, 2022  
City Hall 2<sup>nd</sup> Floor Large Conference Room

### CALL TO ORDER

Members Present: Mayor Scott Korthuis, Councilors Gary Bode, and Ron De Valois

Members Absent: Jerry Kuiken with notice

Staff Present: City Administrator John Williams, Programs Manager Mark Sandal;  
and Sr. Admin. Assistant Jessica King

Public Present: Gary Vis, David Vos, Calvin DenHartog

### ACTION ITEMS

**1. Approve Minutes from October 5, 2022**

De Valois motioned to approve the minutes and Bode seconded the motion.

**Action**

***The minutes from October 5, 2022, were approved.***

**2. Airport Board Term Renewals**

The Airport Board terms for Don Korthuis, Corwin McCaig, and Bryant Paulsen expire on December 31, 2022. All board members have agreed to a three-year renewal, through December 31, 2025.

**Action**

***The Public Works Committee concurred to recommend that City Council renew the terms for board members Don Korthuis, Corwin McCaig, and Bryant Paulsen through December 31, 2025.***

**3. Stormwater Source Control Inspection Options**

This was tabled at the October 5 Public Works Committee Meeting. At today's meeting, the Committee discussed inspection methods and which option is preferable.

Banham reviewed with the Committee the enclosure discussing options for the Source Control Program and options for conducting those inspections in compliance with the Washington State Department of Ecology's National Pollution Discharge Elimination System (NPDES) Phase II guidelines. The City is required to develop and implement this program by January 2023. Lynden has over 1,600 businesses within the City's jurisdiction. 209 of these were identified as potential pollutant generating businesses per the NPDES permit. The City is required to annually inspect 20% of these businesses, which equates to conducting 58 site inspections in 2023.

Banham presented the three options currently available to the City to meet the new permit requirements:

Option 1: Partnering with Whatcom County Health with an Interlocal Agreement to perform 20 of the required inspections. A consultant and City Staff will complete the remainder.

Option 2: Complete the inspections using only a consultant and City staff, with an increased consultant cost of approximately \$22,000.

Option 3: Hire additional staff to conduct all required inspections.

The Committee discussed these options. Banham noted that Option 1 would meet the requirements with the least expense to the City. The draft agreement specifies that the City is the only one that can take enforcement actions and any communication with Ecology comes from the City.

Banham noted that staff will again provide the Committee with the Scope of Work addressed in the Interlocal Agreement in case there are additional changes the Committee would like to see.

Bode expressed concerns on how County inspections (not Source Control) have been handled in the past.

Korthuis discussed his past experience with the County inspections at a different operation. He noted that the business would invite the County in to inspect and then the County would help with repairs, rather than giving a poor inspection report. Korthuis explained that there is a huge benefit to inviting the County instead of getting a mandatory inspection because it incentivizes people if they volunteer to be inspected.

Bode requested to see a list of the County’s checklist for the inspection items. Banham replied that he will provide this at the next Committee meeting and added that the information will also be added to the City of Lynden website.

DeValois said he would like the process to be as non-adversarial as possible.

Banham suggested that a County spokesperson be invited to the next Public Works meeting to address questions and go over their role in the program.

Vis suggested a flyer be sent out to local business owners notifying them that inspections will be required and include details of the program.

**Action**

***The Public Works Committee concurred and requested a) that staff provide the requested information, b) that staff check with City of Ferndale for an opinion as to how their experience has been working with Whatcom County, and c) that staff invite a Whatcom County Inspection spokesperson to the next Public Works Committee meeting.***



**4. Welch Ecological Services Agreement 2023**

Banham presented the 2023 agreement proposed by Welch Ecological Services, noting that this is the City's consultant for the NPDES Phase II Stormwater permit.

Banham reviewed pricing, noting that it saves the City money compared to hiring someone with these skills. The Welch Ecological Services pricing is the equivalent to a part time position City employee. Banham noted that the pricing may change based on the results of the Committee's discussion on the Whatcom County Stormwater Source Control Inspection program.

**Action**

***The Public Works Committee concurred to recommend forwarding the agreement with Welch Ecological Services to City Council for approval, but will hold until the decision is made on Source Control inspections (item 3 above).***

**5. Whatcom Conservation District Interlocal Agreement**

Banham presented the 2023 Interlocal Agreement with the Whatcom Conservation District, noting that the agreement includes provisions for stormwater and water education and requirements of the City's NPDES permit. The 2023 agreement also includes funding for work on the Northwest Washington Fairgrounds stormwater efforts, which will be billed to the project.

Banham mentioned that the Whatcom County Council recently adopted a new system with rates and charges for the Whatcom Conservation District. (\$5 per parcel in Whatcom County). The Committee discussed how that program would be administered and what benefits that might have for the City. Korthuis stated he would look further into these rates and charges.

**Action**

***The Public Works Committee concurred to recommend forwarding the Interlocal Agreement to City Council for approval.***

**6. New Poles for Downtown Flower Baskets**

Banham presented an exhibit provided by the Downtown Business Association outgoing president showing his thoughts on possible new locations for flower baskets downtown. Staff is looking for additional direction on the Committee's preference for basket placement. A decision needs to be made prior to 2023 basket orders.

Vis suggested that baskets be placed within the 32" diameter closer to the building on either side of a bench in front of the store buildings. The Committee agreed that hanging baskets should be located closer to the buildings instead of some of the current awning placements.

**Action**

***The Public Works Committee recommended that staff work with the Downtown Business Association and the Chamber of Commerce before placing orders, specifically identifying options for locations of flower basket poles that would be more pedestrian friendly.***

- 7. Request for Flashing Crosswalk Light at Depot Road and Homestead Boulevard**  
Banham stated the City received a request for a flashing crosswalk light at Depot Road and Homestead Boulevard. Bode said that he passes by this location frequently and has rarely seen pedestrians using this crossing. Banham suggested a “crosswalk ahead” sign instead of a flashing crosswalk light.

**Action**

***The Public Works Committee concurred to recommend that staff do research before installing additional signage, but to not install a flashing crosswalk sign at this time.***

- 8. Request for Parking Restriction on the North Side of Grover Street at Garden Drive "Loading Zone" sign requested for Adult Care facility (Glorious Home Care).**  
Banham explained that the apartment across the street is taking up the on-street parking on Grover Street, adjacent to Glorious Home Care. They use this space for loading and unloading deliveries and also for visitor parking.

**Action**

***The Public Works Committee concurred that a “Loading Zone” sign is not recommended at this time but requested that staff continue to monitor the parking situation.***

- 9. Nooksack Valley Disposal Request for Rate Increase**  
Calvin DenHartog, representing Nooksack Valley Disposal (NVD) stated that NVD is requesting a 9% increase on garbage rates and \$1 per month for recycling rates (a total of \$2.56 per month for the average residential user), effective January 1, 2023. He presented supporting information for the requested rate increase and explained that, due to increasing transport costs, landfill costs, wages, benefits, and fuel, NVD has found it necessary to increase rates again in January 2023.

Bode asked if a bar code system has been considered. DenHartog said it was reviewed but found to be more expensive and subject to vandalism. DenHartog also said NVD is considering a single toter for all recyclables; however, this may cost more for sorting.

**Action**

***The Public Works Committee concurred and recommended forwarding the Nooksack Valley Disposal rate increase request to City Council for approval.***

**INFORMATION ITEMS**

- 10. ADA Transition Plan**  
Banham said staff is working on an ADA Transition Plan that is required to be adopted in early 2023 for the City to be eligible for Federal funding. Staff is using other plans as examples and will be presented to Committee and then to City Council for a Public Hearing.
- 11. Emergency Response Plan Updates**  
Banham noted that the following Emergency Response plans have been or are in the process of being updated:  
- Winter weather plan has been updated.

- Wastewater and Water Treatment Plants Emergency Response Plans have been updated and approved by Washington State Department of Health.
- Flood response plan is being updated and will incorporate the new Main Street bridge.

## 12. Janitorial Service Out for Bid

Banham and Sandal explained that the janitorial service locations include City Hall Annex, Police Department, Downtown Restrooms, and City Shop (new for 2023).

Vis asked if we were still paying extra to do events, because the Downtown Restrooms were not being serviced during or right after events. The Public Works Committee expressed concern at this.

### **Action**

***The Public Works Committee requested that staff verify that MSNW is contracted to clean the downtown restrooms during and after events, and to add this to a future contract if needed.***

## 13. Projects Update

East Front Street Stabilization – Emergency Repair – Small Works Roster project, DeKoster Excavating had a low bid of \$43,111. A Notice of Award has been sent and work is scheduled to begin this month.

Pepin Creek Main Street Bridge – Interwest – Main Street to remain closed until mid-December. Sandal said that rebar delays did delay the project slightly.

Pepin Creek Relocation and Street Infrastructure – Federal Grant Application – Williams and Banham are working with CFM Advocates (Federal lobbyists) and Reichhardt and Ebe Engineering to prepare an application for federal funding in 2023. The next meeting is scheduled with them before Thanksgiving. The City received notice of an award of \$5.5 million in Public Works Trust Fund money for this project which the City can use as match to the federal grant.

West Front Street Improvements – Stremler – Started the week of September 26th. Good progress on underground utilities. Final paving to occur Spring, 2023. Sandal explained that some gravel driveways were installed so that residents had access to their residences.

West Main Street – Presentation to CERB Board November 17<sup>th</sup>. Banham and Korthuis will be travelling to Olympia to make the presentation along with representatives from Alliance Freeze Dry (Canature Kitchen).

Industrial Condensate Outfall – Strider – Valve Turning/Ribbon Cutting Date is scheduled for Monday, November 14<sup>th</sup> at 11:30 a.m.

South 6th Street CIPP - Iron Horse - Banham said that the timing was good for this Project. Iron Horse was able to clean, line, and do an additional patch through a particular deteriorated section. These are major sewer trunk lines to the wastewater plant. Sandal added that manholes were also being repaired during this project.

Guide Meridian Pump Station – Colacurcio – Gravity sewer to the west is starting. Possible delay due to damage to wet well. City staff is coordinating with adjacent property owners for future connections.

Benson Waterline Replacement (Small Works) – Completed by Exxcel Pacific.

South Park Water/Street/Sidewalk Improvements – Strider – Good progress. Will rubblize the road (use existing roadway grindings as new road base) and add more asphalt (3½”) in two lifts. Sandal said there is a potential sewer main replacement change order on Park Place.

Northwest Washington Fair Stormwater Improvements – Bids due November 17<sup>th</sup>.

9th Street Stormwater LID – Finalized DOE Grant/Loan Agreement pending signatures. Planned for 2024 Construction.

Greenfield Pond Maintenance – Stremler – Sandal said that the pond had a good clean out by Stremler. Work was done quickly and with no complaints.

Bradley Road Complete Street Improvement – Presenting Right-of-Way Dedication and Construction Easement documents to School Board Thursday, November 10<sup>th</sup>.

Mouw Ditch Bertrand Water Improvement District Meeting – Staff is planning to submit CERB Planning Grant application (\$50K) to fund Hydraulics and Hydrology Report and Fish Habitat Survey. Banham explained the Planning Grant is due 11/28 or staff may push it to a later January 2023 due date.

Pine Street Bridge over Pepin – Banham said the City just got \$5.5 Million for the Pine Street Bridge and for Pepin Creek streambed from Main Street to the north end of the Bogaard development.

Cedar Drive Utility and Street Improvements – Right-of-Way Vacation and Sewer Pump Station Easement on NE corner property at Depot Rd.

Vos asked for an update on the status and expected timeframe for the Cedar Drive Improvement Project.

Banham explained that the Transportation Benefit District sales tax initiative passed, so the City should be able to proceed with construction, as identified in the 2023 budget. Sewer and stormwater utilities will be funding partners.

The City is working with a property owner on the corner of Depot Road and Cedar Drive to exchange right-of-way for a sewer pump station easement.

The proposed design directs stormwater to the Depot Road culvert, removing the piping that currently runs under houses and garages. Banham said CDF would be used to fill the old pipe to prevent any future sinkholes.

Banham also said there will be a neighborhood meeting once the design is complete. The Committee asked if sidewalks are included in the design of this project. Banham stated the design replicates the existing street layout, hence sidewalks are not included.

However, City staff will be soliciting opinions from neighbors about participating in sidewalk installation costs.

**NEW BUSINESS:**

**14. Request to bring Northwest Washington Fairgrounds Stormwater Improvements Project Bids directly to December 5 City Council Meeting**

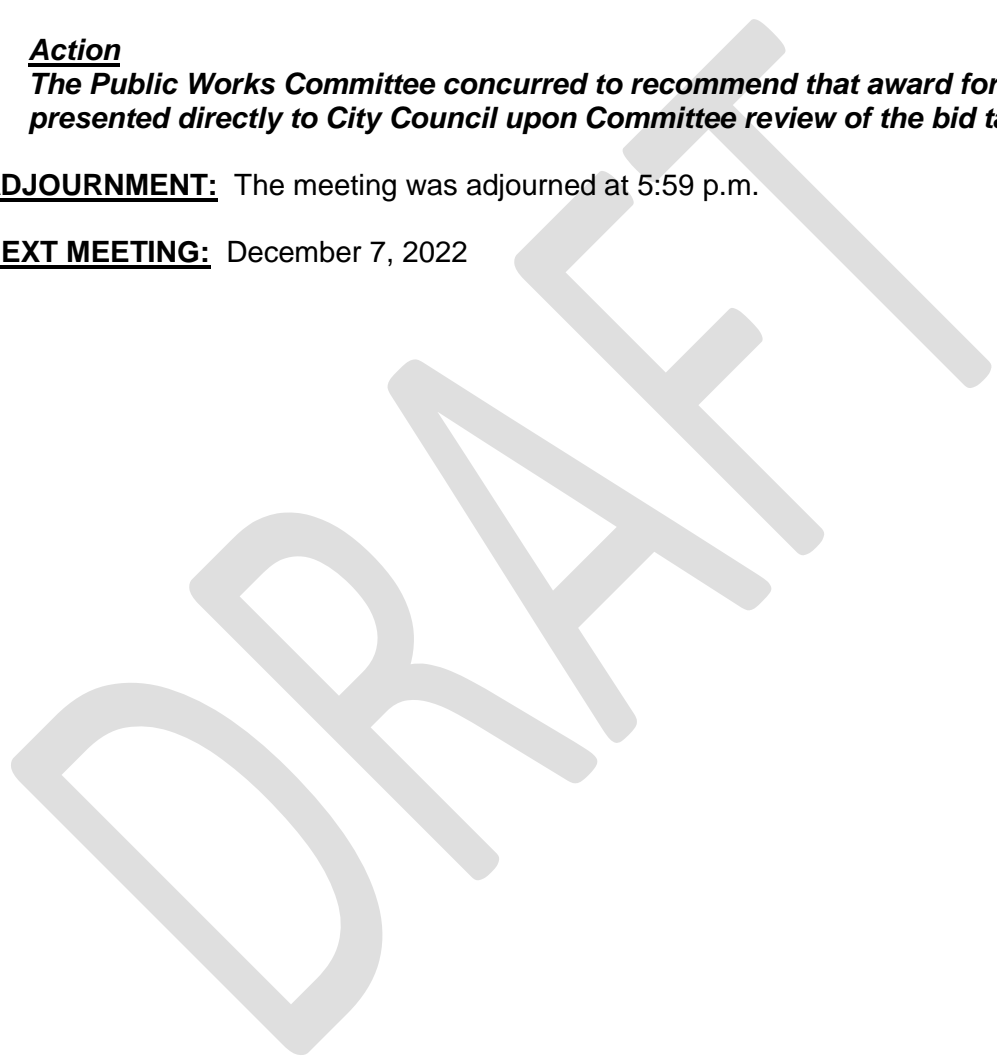
Banham stated that the bid opening is scheduled for November 17<sup>th</sup>. Staff is requesting authorization to take bids directly to the City Council on November 21<sup>st</sup> upon review and approval by Committee.

**Action**

***The Public Works Committee concurred to recommend that award for bid be presented directly to City Council upon Committee review of the bid tabulation.***

**ADJOURNMENT:** The meeting was adjourned at 5:59 p.m.

**NEXT MEETING:** December 7, 2022



# CITY OF LYNDEN

## EXECUTIVE SUMMARY



<b>Meeting Date:</b>	November 21, 2022	
<b>Name of Agenda Item:</b>	Calendar	
<b>Section of Agenda:</b>	Other Business	
<b>Department:</b>	Administration	
<b>Council Committee Review:</b>	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
	<b>Legal Review:</b> <input type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required	
<b>Attachments:</b>		
<b>Summary Statement:</b>		
<b>Recommended Action:</b>		

**November 21, 2022**

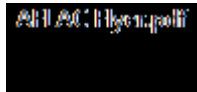
Monday

8:00 AM - 8:30 AM

Timesheets Due by Noon

10:00 AM - 2:00 PM

Informational Meeting with AFLAC Rep Larry VanderPol (contact Larry at [larry\\_vanderpol@us.aflac.com](mailto:larry_vanderpol@us.aflac.com) or (360) 354-7733 to make appt.) -- City Hall 1st Floor Large Conference Room



Larry Vanderpol from AFLAC will be at City Hall on Monday, November 21<sup>st</sup> from 10:00 am to 2:00 pm. This is a chance to sign up for or make changes to your supplemental insurance plans. Please contact Larry directly to make an appointment: [larry\\_vanderpol@us.aflac.com](mailto:larry_vanderpol@us.aflac.com) or **(360) 354-7733**. See the attached AFLAC flyer for details.

1:00 PM - 3:00 PM

CPR -- Annex Council Chamber

4:00 PM - 5:00 PM

Parks Committee Meeting -- City Hall 1st Floor Large Conference Room

7:00 PM - 9:00 PM

Council Meeting -- Annex Council Chamber

**November 22, 2022**

Tuesday

9:00 AM - 10:00 AM

Leadership Team Meeting -- City Hall 1st Floor Large Conference Room

**November 24, 2022**  
Thursday

All Day Thanksgiving Day -- United States

**November 25, 2022**  
Friday

12:00 AM - 12:00 AM OFF

All Day Day After Thanksgiving Day -- United States

All Day PAYDAY  
PAYDAY

**November 26, 2022**  
Saturday

All Day OFF  
Please See Above

**November 27, 2022**  
Sunday

All Day OFF  
Please See Above

**November 28, 2022**  
Monday

12:00 AM - 12:00 AM OFF  
Please See Above

All Day Pam Off

**November 29, 2022**  
Tuesday

All Day A-1 Shredding -- City Hall

All Day Payroll & Claims???

5:00 PM - 5:00 PM Verify Admin Door is Unlocked for Stamp Club -- Unlock Admin office inner door for the Stamp Club meeting



**November 30, 2022**

Wednesday

All Day COMMITTEE PUBLIC NOTICE

All Day Court -- Annex Council Chamber; Annex South East Conference Room; Annex East Training Room; Annex North East Conference Room

All Day Last Day to Submit Open Enrollment Documents

All Day Mak Off Insurance

All Day OPEN ENROLLMENT DUE @ 4

**December 1, 2022**

Thursday

4:00 PM - 4:30 PM Public Safety Committee Meeting -- Lynden Police Department (203 19th St, Lynden, WA 98264)

**December 2, 2022**

Friday

All Day Linde Retirement

All Day Lunch 11:30-12:30+Appt+Flex -- Do Request

**December 3, 2022**

Saturday

All Day Lighted Christmas Parade

**December 4, 2022**

Sunday

All Day 12-4 thru 12-17 Pay Period

**December 5, 2022**

Monday

**8:00 AM - 8:30 AM**

**Timesheets Due by Noon**

**7:00 PM - 9:00 PM**

**Council Meeting -- Annex Council Chamber**