



Memorandum

January 5, 2022

To: The Honorable Satpal Sidhu, Whatcom County Executive
The Honorable Whatcom County Council

From: Matt Aamot, Senior Planner

Through: Mark Personius, Director

RE: Repealing the Cherry Point Ferndale Subarea Plan and Making a
Related Comprehensive Plan Amendment (PLN2018-00003)

The Growth Management Act (GMA) allows, but does not require, a county to adopt subarea plans under RCW 36.70A.080. However, the GMA also requires that subarea plans must be consistent with a county's comprehensive plan. Specifically, RCW 36.70A.080(2) states: "A comprehensive plan may include, where appropriate, subarea plans, each of which is consistent with the comprehensive plan."

The Cherry Point Ferndale Subarea Plan was adopted in 1981, some 40 years ago. Since that time, the GMA was adopted (1990) and the County adopted, and subsequently updated, a county-wide Comprehensive Plan.

Some of the comprehensive land use plan designations in the 1981 Cherry Point Ferndale Subarea Plan are not consistent with the designations in the Whatcom County Comprehensive Plan. Additionally, the requirement to designate urban growth areas (UGAs) was not enacted until after the Subarea Plan was adopted. The Subarea Plan has "Urban Reserve" designations, but they do not match the current UGA boundaries. The GMA's rural element requirements did not exist when the Subarea Plan was adopted and, therefore, were not addressed. The Subarea Plan utilized a 15-year planning period (which ended in 1996). The Subarea Plan contains policies that are inconsistent with the Whatcom County Comprehensive Plan. Therefore, Planning and Development Services recommends repealing the Subarea Plan and deleting a reference to the Subarea Plan in the Whatcom County Comprehensive Plan. Finally, we would note that the County has already repealed 6 subarea plans from the 1980s and 1990s within the past 8 years.

The Whatcom County Planning Commission also recommended repealing the Subarea Plan and deleting a reference to the Subarea Plan in the Comprehensive Plan on October 28, 2021.

Under the Growth Management Act, Comprehensive Plan amendments such as the subject proposal can only be adopted by the County Council at concurrent review. Therefore, we recommend that Council adopt a motion to forward this amendment to concurrent review and adopt the Ordinance with the other Comprehensive Plan amendments at concurrent review.

Thank you for your consideration of this matter. We look forward to discussing it with you.