



Memorandum

TO: The Whatcom County Council
FROM: Maddie Schacht, Senior Planner
THROUGH: Mark Personius, Director
DATE: April 24, 2026/Updated May 14, 2026
SUBJECT: Blaine Urban Growth Area Proposal

Background:

On March 25th, 2026, Whatcom County Planning and Development Services (WCPDS) received a Pre-Application submission for a 10-lot subdivision of 4579 Shipyard Road, Assessor Parcel Number 4001074592260000, located within the southern Blaine Urban Growth Area (UGA), a.k.a. "Dakota Creek" UGA with public sewer service.

As part of the periodic update, the City of Blaine, in its revised UGA Comprehensive Plan Map Proposal dated November 18, 2025, requested that Whatcom County remove the UGA designation for the area, as it believes the cost of servicing the subject area outweighs the tax revenue that would be received if incorporated, given the existing level of development and the lack of potential development capacity.

The City indicates in their [revised UGA proposal dated November 18, 2025](#) that the Dakota Creek UGA is not suitable for additional development due to the presence of critical areas, potential impacts from sea level rise, substandard roadways, and physical separation from the remainder of the City, as well as the fact that "*The remainder of the UGA is not on city sewer...*" as reasons why further development is not suitable, see page 10.

It was with this information that WCPDS supported the City's request to remove the UGA designation for the subject area, which the Whatcom County Planning Commission recommended for preliminary approval on December 4, 2025. The Planning Commission issued final recommendations on all UGA Comprehensive Plan Map amendment proposals, including the Blaine UGA map amendment proposal, on January 22, 2026.

On February 26, 2026, Blaine's Zoning Map amendment proposal to rezone the subject area from UR-4 to R-10A was presented to the Planning Commission, which did not support it. Instead, the Planning Commission approved a motion to "*Recommend County Council consider keeping the Dakota Creek in the UGA, or if they do not, adopt the highest potential density available in the rural designation.*"

It was after the submission of the referenced Pre-Application documents that WCPDS became aware that public sewer service was still available within the Dakota Creek UGA, and the developer purchased the last remaining 10 shares from the Harbor Shores Sewer Association.

Whatcom County Permit History:

On September 24, 2009, the Whatcom County Hearing Examiner granted the Harbor Shores development a Shoreline Substantial Development Permit (SHR2008-0014), Shoreline Conditional Use Permit (SHC2009-0005), and Zoning Conditional Use Permit (CUP2009-0007) for the installation of a sanitary sewer system, which led to the creation of the Harbor Shores Sewer Association.

City of Blaine Sewer Agreement:

The Harbor Shores Sewer Association then established a contract service with the City of Blaine in 2013, as documented in the City of Blaine's current [Capital Facilities Plan](#), see page 9.

WCPDS was able to obtain a copy of the contract which states under Article 5.04, *"The City shall provide continuous acceptance, conveyance and treatment of septic tank effluent from the Association subject to the terms of this Agreement"* (pg. 4).

In addition, the contract states under Article 6.06, *"The Association shall not allow connection to its wastewater system or certify wastewater availability for any Property not depicted in Exhibit 1 of this agreement..."* (pg. 6).

The subject property proposed for subdivision, 4579 Shipyard Road, Assessor Parcel Number 4001074592260000, is within the designated service area, as shown in Exhibit 1 of the contract (see page 12).

Concerns

In light of the new information that 10 public sewer shares remain within the Dakota Creek UGA, WCPDS is concerned about the current and any future developers' rights to use those shares if the UGA designation is removed.

It is uncertain whether the developer of the proposed long subdivision will be able to vest to current development standards, as no critical areas information was provided or accounted for in the proposal. Previous proposals have been submitted for the subject parcel, and significant critical areas are known to be present.

When we reached out to Blaine's Community Development Director, Alex Wenger, regarding the proposed subdivision and use of sewer, he responded, *"The City of Blaine remains admittedly (sic) opposed to retaining the Dakota Creek UGA. We intend to strongly object when this goes to Council, and request that County Council support PDS's [original] recommendation"*, see attached email dated April 21, 2026.

Options for "Dakota Creek" UGA Under the Periodic Update

1. Retain within the UGA, and consider removal at a later date.
 - a. This would support the Planning Commission's updated motion made on February 26, 2026, and ensure the subdivision proposal could move forward and allow for the remaining 10 sewer shares to be used by either this project or another.
 - b. However, this would also result in the area remaining within Blaine's UGA for an indeterminate amount of time, with the City having no intention of annexing or serving within the planning period.
 - c. The UGA is approximately 37 acres in size and currently developed with 68 SFRs, equating to 1.8 dwelling units/acre; considered a "non-urban" density.
 - d. If retained within the UGA, a possible additional 11 dwelling units could be constructed, resulting in an overall density of around 2.1 dwelling units/acre.
 - i. Even if fully developed, the resulting density would still be considered "non-urban" and would qualify for recategorization as "Rural" under the Comprehensive Plan at a later time.
2. Remove UGA designation, and Re-Categorize to "Rural" Comprehensive Plan Designation and Rezone to "Rural 1 Dwelling Unit/5 acres" (R-5A).
 - a. This is the City of Blaine's preferred option.
 - b. The City is correct that the area contains regulated critical areas (wetlands), and is partially within shoreline jurisdiction, which could result in impacts from sea level rise in the future.
 - c. If rezoned to R-5A, we estimate that an additional two dwelling units could be constructed, resulting in an overall density of around 1.9 dwelling units/acre; considered a "non-urban" density.
3. Retain a Portion of the Lots within the Area, with Development Potential, in the UGA.
 - a. WCPDS has attached an aerial of the UGA, with annotations showing where development potential exists, up to an additional 11 dwelling units as the subject area already contains five single-family residences. The yellow area represents the portion of the UGA with development potential.

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

From: [Alex Wenger](#)
To: [Maddie Schacht](#)
Cc: [Mark Personius](#); [Matt Aamot](#); [Lucas Clark](#)
Subject: RE: Dakota Creek UGA Discussion
Date: Tuesday, April 21, 2026 8:42:22 AM
Attachments: [image002.png](#)

Good morning Maddie,

The City of Blaine remains admittedly opposed to retaining the Dakota Creek UGA. We intend to strongly object when this goes to Council, and request that County Council support PDS's recommendation.

Unfortunately, I'm unavailable later this week as I'll be at the PAW Conference in Chelan. I do have good availability next Wednesday, April 29th, and also Thursday at 1:30 and Friday at 9am or 1:30.

Best regards,
Alex Wenger, AICP
CDS Director

City of Blaine Community Development Services
435 Martin | Suite 3000
Blaine, WA 98230
360.332.8311 Ext 2001

This email may be considered a record subject to the Public Records Act

From: Maddie Schacht <MSchacht@co.whatcom.wa.us>
Sent: Tuesday, April 21, 2026 8:25 AM
To: Alex Wenger <AWenger@cityofblaine.com>
Cc: Mark Personius <MPersoni@co.whatcom.wa.us>; Matt Aamot <MAamot@co.whatcom.wa.us>; Lucas Clark <LClark@co.whatcom.wa.us>
Subject: Dakota Creek UGA Discussion

EXTERNAL EMAIL

Hi Alex,

Hope you have been doing well. Reaching out to see if you have time this week for a quick meeting to discuss the "Dakota Creek" UGA proposal to Council.

We have just received a Pre-Application for a proposed 10-lot subdivision at 4579 Shipyard Road, Assessor Parcel Number 4001074592260000; see the attached packet. We have also confirmed that the applicant has purchased the final 10 sewer shares from the Harbor Shores Sewer Association.

We have availability this Thursday for a Zoom meeting at either 11 am or 1:30 pm.

Thank you,

Maddie Schacht, AICP (she/her)

Senior Planner

Whatcom County Planning & Development Services

5280 Northwest Drive

Bellingham, WA 98226

P. 360-778-5931

Disclaimer: The information contained in all correspondence with a government entity may be disclosable to third party requesters under the Public Records Act (RCW 42.56).