Planning Commission approved draft = Redline
Pending Council amendments = Yellow Highlight
Approved Council amendments = Green Highlight

Chapter Two
Land Use

Introduction

The fundamental precepts of the Whatcom County Comprehensive Plan are to comply with the Growth Management Act (GMA), adhere to the Countywide Planning Policies and implement the Vision for Whatcom County.

***** VISION *****

Whatcom County is a place where urban growth is concentrated in urban areas, where there is a distinct boundary between urban and rural uses, where agricultural use is encouraged, and where resource lands and water resources are protected. Rural areas are peaceful and quiet with less traffic and congestion than in urban areas~~,~~ and ~~T~~there (#1) is low-density development with open spaces allowing for privacy. A sense of community is retained and local input is considered in land use decisions.

Chapter Organization

The Land Use chapter and map include a set of adopted land use designations which combine the predicted needs of future populations with the availability of land and the desires of residents. These needs and desires are expressed through the goals and policies included below as well as through implementation of the land use map. This chapter is divided into sections that address:

- Overall Land Use
- Urban Growth Areas (UGAs)
- Rural Lands
- Urban Growth Area Reserves
- Special Study Areas
- Comprehensive Plan Designations
- Open Space
- Essential Public Facilities~~; and~~
- Adult Businesses
- Historic and Cultural Resources
- Vehicle Miles Traveled Per Capita
- Wildfire

GMA Goals and Countywide Planning Policies

The Land Use chapter supports many of the GMA goals. The land use plan is based on a vision of Whatcom County that concentrates growth in urban areas but recognizes the need for economic diversity across the Countycountry. This chapter has been coordinated with all other chapters in the plan, with the Whatcom County Natural Hazards Mitigation Plan (September 2021), and Climate Hazards and Impacts in Whatcom County, WA (June 2025). Natural resource industries are encouraged and property rights and the permitting process are addressed.

Countywide Planning Policies (CWPP), found in Appendix C, are supported throughout the Land Use chapter in goals, policies, and land use designations.

The "Urban Versus Rural Distinctions" and "Urban Growth Areas" sections of the CWPP are addressed by discouraging urban levels of development outside urban growth areas, allowing small cities adequately sized UGAs, accommodating the projected population, housing & employment and calculating needed land capacityarea, defining rural areas and drawing distinct boundaries between rural and urban areas, and minimizing impacts on resource lands and environmentally sensitive areas.

The "Contiguous, Orderly Development and Planning in Urban Growth Areas" section of the CWPP is addressed through the urban growth area analysis and identification of areas where timely and adequate services can be provided.

The "Open Space/Greenbelt Corridors" section of the CWPP is addressed and supported in goals and polices in the Open Space section of this chapter and in the designation of Open Space Corridors.

Goal 6 of the Growth Management Act, regarding Property Rights and the "Private Property Rights" section in the CWPP have been addressed by the emphasis on incentives including transfer of development rights rather than downzoning. The Fiscal Impact section of the CWPP has been addressed by providing urban growth areas in the county, providing for economic development opportunities in the eastern portion of the county and addressing fiscal impact in interlocal agreements with cities.

The Citizen Participation goals of both the Growth Management Act and the Public Involvement Countywide Planning Policies have been addressed in the development of this chapter through County Advisory Groupscitizen committee (#2) participation, workshopstown hall meetings, and public hearings. Also, specific goals and policies give direction for property owner notification and the establishment of on-going citizen committee input.

The Land Use chapter also incidentally addresses and is coordinated with many other Countywide Planning Policies.

Commented [MA1]: Modification by the Planning Commission on 12/18/2025.

Commented [MA2]: Modification by the Planning Commission on 12/18/2025.

Commented [MA3]: UGAs need to have sufficient land capacity, which consists of both area *and densities*.

Overall Land Use

Introduction

Purpose

The purpose of this section is to provide a broad, general direction for land use policy in Whatcom County. It is the foundation upon which all of the subsections of the Land Use chapter are based.

Process

The Land Use chapter was developed to address future land use in Whatcom County in accordance with Section 36.70A.070 of the Growth Management Act. It represents the county's policy plan for growth over the next twenty years. The Land Use chapter implements many of the goals and objectives in the other plan chapters through adopted land use designations and other action recommendations.

The Land Use chapter was also developed in accordance with the Countywide Planning Policies and was integrated with the other plan chapters to ensure consistency throughout the comprehensive plan. The Land Use chapter considers the general distribution and location of land uses, the appropriate intensity and density of land uses given current development trends, ~~and~~ the provision of public services, and the mitigation of natural hazards.

Commented [MA4]: Modification by the Planning Commission on 12/18/2025.

GMA Requirements

Commented [MA5]: The Climate Impact Advisory Committee, in a letter of March 15, 2024, recommended setting forth the new requirements of House Bill (HB) 1181. HB 1181 requirements for the Land Use Element are included along with other GMA requirements in the language below.

Section 36.70A.070 of the Growth Management Act requires that the comprehensive plan of a county include a land use element which includes the following: ~~designates proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. It is required to include population densities, building intensities, and projections of future population growth. Building intensity can be described in terms of such variables as lot coverage, building height, and the spacing between buildings and property lines and between buildings and other structures. The GMA also states that the goals and policies of the Shoreline Management Program are considered elements of the Comprehensive Plan (RCW 36.70A.480).~~

- The proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces and green spaces, urban and community forests within the urban growth areas, general aviation airports, public utilities, public facilities, and other land uses.

- Population densities, building intensities[1], and estimates of future population growth.
- Provide for protection of the quality and quantity of groundwater used for public water supplies.
- Give special consideration to achieving environmental justice in its goals and policies, including efforts to avoid creating or worsening environmental health disparities.
- Wherever possible, consider utilizing urban planning approaches that promote physical activity and reduce per capita vehicle miles traveled within the jurisdiction, but without increasing greenhouse gas emissions elsewhere in the state.
- Where applicable, review drainage, flooding, and stormwater runoff in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.
- Reduce and mitigate the risk to lives and property posed by wildfires by using land use planning tools, which may include, but are not limited to, adoption of portions or all of the wildland urban interface code developed by the international code council or developing building and maintenance standards consistent with the firewise USA program or similar program designed to reduce wildfire risk, reducing wildfire risks to residential development in high risk areas and the wildland urban interface area, separating human development from wildfire prone landscapes, and protecting existing residential development and infrastructure through community wildfire preparedness and fire adaptation measures.

Background Summary

Most of the nonfederal land in unincorporated Whatcom County is dedicated to forestry and agricultural uses. The next largest category of land use is residential. Much smaller areas of the county are dedicated to industrial, commercial, and other uses.

The goal of growth management is to provide sufficient land area with adequate facilities and utilities either presently available or economically feasible to accommodate future growth. This means having an adequate distribution of land to provide housing, services, jobs, and resource land for the expected population ~~and housing~~(#3). Whatcom County has almost 790 square miles of area outside of National Park and National Forest, which will accommodate the expected increase in

[1] Building intensity can be described in terms of such variables as lot coverage, building height, and the spacing between buildings and property lines and between buildings and other structures.

population over the 20-year planning period in Whatcom County. However, this growth must be accommodated in ways that achieve desired land use goals.

An adequate supply of serviced industrial and commercial land must also be provided to accommodate the projected increase in employment.

A key need for meeting land demands to generate ~~family-~~living(#92) wage employment is land that is "ready to go" for industrial development. Many potential industrial employers seeking to locate in Whatcom County require large tracts of land where the infrastructure and site improvements are already in place. This is a major missing element of the industrial land supply.

It is important to assess the demand and supply of land planned and zoned for various types of uses to meet the economic needs of the county, as well as utilize this information to guide policy decisions regarding land use. The multiplicity of values reflected in the vision statement must all be considered, in addition to the competing goals and policies in other chapters of the comprehensive plan. Having adequate residential lands must include adequate provision of services, and it means densities that meet the mandates of the Growth Management Act to prevent urban sprawl as well as reflecting the desires of Whatcom County residents. Industrial lands should be provided in areas that have access to transportation routes and adequate infrastructure and can meet the demands of market trends. Commercial areas should also be located so as to provide the kinds of goods and services that meet the needs of local residents with consideration given to market-driven forces. Sufficient urban land must be provided to accommodate growth. Rural areas with a range of densities must also be available. It must be recognized that future land use patterns will in large part determine the transit service that can be provided. All of this needs to be done in light of those aspects of the county which are most valued: treaty natural and cultural resources (#86/#94), water quality, productive agricultural and forest (#4) land, economic development in rural areas, distinct boundaries between rural and urban areas, and predictability in land use plans. Drainage, flooding and stormwater run-off are addressed in both Chapter 2 and in Chapter 10 (Environment).

Commented [MA6]: Language concept from the Whatcom Transportation Authority.

Issues, Goals, and Policies

Issues for this section were drawn from the Growth Management Act and public participation.

Accommodating Growth

The Growth Management Act requires, and the Vision statement encourages, concentrating growth in urban growth areas. This allows for efficient provision of services, transportation, and infrastructure (#5), conservation of resource lands, and preservation of rural areas as quiet, open spaces where development pressures are not such that extraordinary regulations must be imposed. A distinct boundary is needed between rural and urban areas, discouraging sprawl, maintaining desired rural lifestyles, and conserving agricultural land.

Goal 2A: **Ensure designation of sufficient land and densities, with consideration of water availability and protection of water quality, to accommodate the growth needs of Whatcom County and protect the local economy, rural lifestyle, habitat, fish, and wildlife, which are the cornerstone qualities that make the county a desirable place to live.**

Policy 2A-1: Concentrate urban levels of development within designated urban growth areas.

Policy 2A-2: Draw a distinct boundary between urban and rural uses.

Policy 2A-3: Provide a range of land use designations that consider locational and market factors as well as required quantities of land.

Policy 2A-4: Designate land uses that reflect the best use of the land.

Policy 2A-5: Provide predictability to property owners in land use designation.

Policy 2A-6: Allow appropriate development in existing small self-contained communities through the use of the "Rural Community" land use designation.

Policy 2A-7: Establish sufficient levels of developable residential, commercial, and industrial zoned lands informed by approved population, housing and economic forecasts, inventory of existing use, land capacity outside of critical areas and buffers, cost of infrastructure, legally available water, and goals and policies of all chapters of this plan.

Commented [MA7]: The Business and Commerce Advisory Committee recommended coordinating and balancing zoning for housing development and zoning for industrial/commercial development in their letter of August 20, 2024.

Policy 2A-8: Where applicable, retain existing light and heavy industrial zoning and identify additional industrial sites prioritizing locations with existing infrastructure, transportation access, and permitting feasibility for timely development and (#173) as recommended by the July 2025 Whatcom County Industrial Lands Study to ensure the county can meet future demand. (#6)

Policy 2A-9~~11~~: Where heavy industrial zoning is located within municipal urban growth areas adjacent to residential neighborhoods, the County should identify and implement measures that minimize neighborhood exposure to industrial pollution and advance public health, environmental justice, and long-term economic resilience. These measures should be developed through clear, objective, and measurable standards with meaningful involvement of affected communities while ensuring continued viability and expansion of industrial uses within designated industrial zones (#115) (#135) (#174)

Commented [KO8]: Added via motion COTW 5/12/26 (no associated amendment number)

Policy 2A-~~8~~10: Include business/industry parks, tourist/resort areas, and allowance for existing crossroads commercial areas within urban growth areas or limited areas of more intensive rural development.

Policy 2A-~~9~~11: Retain existing rural and heavy industrial areas in the northwestern region of the county within urban growth areas or limited areas of more intensive rural development.

Policy 2A-~~10~~12: Recognize the importance of tourism and its influence on the need for land for various types of development.

Policy 2A-~~11~~13: Ensure that the development potential of contiguous lands in common ownership is not compromised when urban growth boundaries and/or limited areas of more intensive rural development (LAMIRD) boundaries are designated. ~~-~~This should be accomplished without expanding UGA boundaries beyond that ownership and without bridging natural divisions of urban/rural land uses such as roads, rivers, and other natural features.

Policy 2A-~~12~~14: Adoption of residential, industrial, and commercial comprehensive plan or zoning designations in rural areas must comply with the criteria for "limited areas of more intensive rural development" in the Growth Management Act (RCW 36.70A.070(5)).

Policy 2A-~~13~~15: Allow for adequate economic development to provide economic sustainability, adequate employment opportunities, and services in and for the rural areas.

Policy 2A-~~14~~16: Maintain a density credit program to incentivize increased land use intensity in designated areas and decrease residential density in agricultural and rural areas by authorizing density credits. Density credits allow development incentives, such as increased density, in exchange for a voluntary contribution towards preserving agricultural lands and open space. This is accomplished through a voluntary payment of funds to Whatcom County for use in the Conservation Easement Program (WCC 3.25A) in order to allow a higher density as specifically set forth in the Whatcom County Zoning Code.

Policy 2A-~~15~~17: Strive to improve predictability to property owners regarding the connection between legal water use, and land use and development by:

- Supporting completion of groundwater studies that provide a better understanding of water quantities available and the connection between groundwater use and instream flow levels.
- Supporting the efforts of water purveyors to develop new legal water sources and the infrastructure and systems necessary to transport that water to existing water users that lack safe potable water or sufficient water rights.

- ~~Encouraging a~~ Supporting adjudication or other negotiated water rights quantification and settlement between the Lummi Nation, Nooksack Indian Tribe and other water users in the Nooksack River basin.
- Encouraging the Department of Ecology to protect instream flows, particularly in times of extremely low summer flows.
- Coordinating with the Department of Ecology to find solutions to provide adequate water for out-of-stream users while protecting instream flows. Potential solutions may include consideration of recycling, conservation, water banking, public water system interties, stream recharge augmentation, change in place of use, desalinization and other alternative water supply measures.
- Requesting the Department of Ecology to create a water management plan for exempt wells in closed water basins that better aligns instream flows with current water rights and legal decisions on hydraulic continuity.

Policy 2A-~~16~~18: Protect the quality and quantity of groundwater used for public water supplies by implementation of the Whatcom County Code.

Policy 2A-~~17~~19: Develop a Countywide Wetland Mitigation Bank to facilitate development and appropriately mitigate for impacts to wetlands.

Commented [MA9]: Per comments from the Shellfish Protection Districts and the WRIA 1 Watershed and Salmon staff teams (February 12, 2024).

Commented [MA10]: The Growth Management Act requires that the land use element provide for protection of the quality and quantity of groundwater used for public water supplies (RCW 36.70A.070(1)). As detailed in the Rural section of Chapter 1, there are many existing County Codes that are intended to protection water quality and quantity.

Commented [MA11]: The Business and Commerce Advisory Committee recommended a policy to create a countywide wetland mitigation bank in their letter of August 20, 2024.

Resort Communities and Master Planned Resorts

The County's resort areas are important to the economic viability of the County's tourist industry and provide numerous and varied recreational opportunities for county residents and visitors. Historically important resort areas include Birch Bay, Point Roberts, the Semiahmoo area, and the Mount Baker winter recreational area. Resort communities provide recreational opportunities for residents of the surrounding areas.

Goal 2B: **Encourage the continued viability of existing resort communities and allow the development of new Master Planned Resorts in the future.**

Policy 2B-1: Permit through the planned unit development process master planned resorts in settings of significant natural amenities within urban growth areas.

Policy 2B-2: New large-scale resort development in rural areas outside of UGAs and outside established resort areas, should only be permitted as Master Planned Resorts and only when substantially in compliance with these policies and with RCW 36.70A.360.

Policy 2B-3: Work with property owners in the resort communities to develop an understanding of the unique needs of these areas and evaluate land use regulations for their responsiveness to these needs.

Policy 2B-4: New resort development and Master Planned Resorts should be developed consistent with the development regulations established for critical areas.

Policy 2B-5: No new urban land uses should be allowed in the vicinity of Master Planned Resorts, except in areas otherwise designated as urban growth areas under the Comprehensive Plan.

Policy 2B-6: Capital facilities, utilities, and services, including those related to sewer, water, stormwater, security, fire suppression, and emergency medical, provided onsite shall be limited to meeting the needs of the master planned resort. Such facilities, utilities, and services may be provided to a master planned resort by outside service providers, including municipalities and special purpose districts, provided that all costs associated with service extensions and capacity increases directly attributable to the master planned resort are fully borne by the resort. A master planned resort and service providers may enter into agreements for shared capital facilities and utilities, provided that such facilities and utilities serve only the master planned resort or urban growth areas.

Policy 2B-7: Master Planned Resorts should only include other residential uses within their boundaries if residential uses are integrated into and support the onsite recreational nature of the resorts. The density of such residential uses should be consistent with density requirements of the zoning code.

Policy 2B-8: Master Planned Resorts should only be approved when it can be demonstrated that onsite and offsite impacts to public services and infrastructure have been fully considered and mitigated.

Policy 2B-9: Master Planned Resorts should not be located on designated agricultural lands. Master Planned Resorts should not be located on forestry resource lands designated under the Comprehensive Plan.

Capital Facilities

There should be a relationship between provision of services and land use designations. Levels of service need to be set that will assure adequate services within realistic financing capabilities. This needs to be balanced against the amount of funding which taxpayers are willing to support.

Goal 2C: **Channel growth to areas where adequate services and infrastructure (#7) can be provided.**

Policy 2C-1: Coordinate capital facilities and land use planning.

Policy 2C-2: Support the comprehensive plan with capital facility plans that facilitate urban growth in UGAs at acceptable urban levels of service.

Policy 2C-3: Preclude urban development within a UGA until public services and facilities are available.

Policy 2C-4: Prior to modifying growth allocations or UGA boundaries, ensure that capital facility plans address the following elements:

- Provide a 20-year facility plan to serve urban growth within the UGA boundaries.
- Provide financial plans addressing at least a 6-year period with funding sources.
- Address existing unserved areas as well as new UGA expansion areas.

Policy 2C-5: The County will coordinate with city, special district, and other service providers to ensure amendments to capital facility plans support the Comprehensive Plan.

Policy 2C-6: Assess climate risk and take steps to reduce the climate impacts on County capital facilities.

Commented [MA12]: Language concept from the Climate Impact Advisory Committee letter of March 15, 2024.

Policy 2C-7: To defray the costs of infrastructure and service improvements required by development in areas under county jurisdiction, Construction Impact Fees may be levied as per state law. (#8)

Policy 2C-8: Implement transparent and accountable systems to ensure timely assessment, collection, tracking, and reporting of impact fees, permit fees, and development-related charges consistent with state law.(#116)

Policy 2C-9: Periodically review fee schedules and collection practices to ensure alignment with actual infrastructure and service costs and to prevent unintended cost shifting to existing residents.(#116)

Regulations

It is very important to Whatcom County ~~citizens~~ residents to maintain local control over land use decisions. Regulations should be clear, concise, and predictable with enough flexibility to allow for reasonable and efficient decision making. Regulations should be enforced. Promote and maintain incentive programs to encourage land to be used in ways that meet community goals.

Goal 2D: Refine the regulatory system to ensure accomplishment of desired land use goals in a fair and equitable manner.

Policy 2D-1: Eliminate unnecessary regulations.

Policy 2D-2: Eliminate or modify regulations that could be more effectively achieved through incentive or education programs.

Policy 2D-3: Streamline development regulations to eliminate unnecessary time delays.

Policy 2D-4: Coordinate permitting requirements among jurisdictions to improve consistency and (#9) minimize duplication and delays.

Policy 2D-5: Provide enforcement of regulations.

Policy 2D-6: Review and update the Whatcom County Shoreline Management Program in accordance with the schedule in the Shoreline Management Act (RCW 90.58.080). Updates should improve the integration of the Shoreline Program with Growth Management and with the Cherry Point Aquatic Reserve Management Plan in order to provide predictability and consistency in regulation, and eliminate regulatory redundancy.

Policy 2D-7: Incompatible uses will be discouraged adjacent to public use airports to preserve the safety and efficient use of these airports. Incompatible uses are land uses that:

- Could be impacted by airplane noise;
- Could create or be impacted by airplane accidents; or
- Create height hazards that could adversely impact aircraft that are taking off or landing.

Policy 2D-8: Require disclosure of potential airport noise impacts to people who are buying or obtaining a permit on property within one mile of a public use airport.

Policy 2D-9: Land uses that are incompatible with the operation of the Bellingham International Airport or Lynden Airport should be discouraged when Whatcom County evaluates conditional use permits and rezones. Specifically, Whatcom County should follow the process set forth below when considering whether proposed conditional use permits and rezones would allow incompatible land uses:

- Notify the applicable airport representative of the proposed conditional use permit or rezone. Consider comments submitted by the airport representative relating to compatibility of the proposed land use with the operation of the airport; and
- Determine whether the proposed conditional use or rezone is within zone 1 (runway protection zone), zone 2 (inner approach/departure zone), zone 3 (inner turning zone), zone 4 (outer approach/departure zone), zone 5 (sideline zone), or zone 6 (traffic pattern zone) as shown in the Safety

Compatibility Zone Examples from the *California Airport Land Use Planning Handbook* (Shutt Moen Associates, January 2002, p. 9-38). Safety compatibility zone "example 1" will be applied to the Lynden Airport and safety compatibility zone "example 3" will be applied by the Bellingham International Airport; and

- Compare any proposed or potential land uses within zones 1 through 6 with the Basic Safety Compatibility Qualities and the Safety Compatibility Criteria Guidelines in the *California Airport Land Use Planning Handbook* (Shutt Moen Associates, January 2002, pp. 9-44, 9-45 and 9-47) and identify incompatible land uses.
- The above provisions of Policy 2D-9 do not apply to property owned by the airport. However, airport owners should assess the compatibility of land uses proposed on airport property with operation of the airport.

Policy 2D-10: Discourage tall structures around public use airports that hamper the efficient and safe use of navigable airspace. Specifically, discourage structures from exceeding the height of the imaginary surfaces defined in Federal Aviation Regulations (FAR) Part 77 around airports that have mapped such imaginary surfaces (airports that have mapped Part 77 imaginary surfaces are shown in Appendix ~~I~~ H of the Whatcom County Comprehensive Plan).

Policy 2D-11: Consider requiring disclosure of potential impacts from lawful maritime and industrial activity to people who are buying or obtaining a permit on property within one mile of industrial-zoned lands. (#10)

Policy 2D-~~11~~12: To reduce compliance and construction costs related to land use and development for housing not specifically authorized by the county code, the Executive shall publish a credible analysis of how land supply and construction costs could be affected before amending any land use or construction section of the county code.

Commented [MA13]: Modification passed by the Planning Commission on 12/16/2025 (based on new Charter Section 9.70 language).

Goal 2E: **Encourage both a stewardship ethic and respect for cultural resources and natural systems and processes as well as support individual responsibility to support~~achieve~~ community values.**

Commented [MA14]: Modification passed by the Planning Commission on 12/16/2025.

Policy 2E-1: Provide education on the assets of the community and offer incentives for individual residents ~~citizens~~ (#11) to take responsibility to protect those assets.

Goal 2F: **Make use of incentive programs that can effectively encourage achievement of land use goals.**

Policy 2F-1: Develop and periodically evaluate~~a set of~~ incentives, including economic, which encourages property owners to achieve land use goals.

Policy 2F-2: Base incentive programs on suggestions from residents~~citizens~~ (#11), government officials, and experts in the field.

Policy 2F-3: Revise regulations to include incentive programs.

Policy 2F-4: Review and adopt, where appropriate, incentive programs such as density bonuses in urban growth areas in association with the density credit program, Conservation Easement Program, transfer of development rights, and tax deferrals.

Policy 2F-5: Monetary compensation as an economic incentive shall be based only on market value at the time of compensation, not on "possible" future value of the land.

Policy 2F-6: Monitor incentive programs on a five-year basis to ensure the comprehensive plan goals are being achieved. Develop an alternate approach if necessary, using adaptive management steps to effect compliance with individual programs.

Commented [MA15]: The Business and Commerce Advisory Committee recommended reviewing incentive programs in their letter of August 20, 2024.

Public Participation in Decision Making

Goal 2G: **Encourage public~~citizen~~ participation in the decision making process.**

Policy 2G-1: Examine and improve methods to notify affected property owners of proposed land use changes.

Policy 2G-2: Ensure early and continuous public involvement in planning decisions through development and implementation of public participation plans for large-scale, long-range planning activities.

Property Rights

Property rights are an important issue in Whatcom County. Land can be used as desired as long as it doesn't conflict with applicable regulations or the rights of others. It is not necessary for the preservation of property rights and protection of the environment and resources to conflict with one another. People are looking for ways to achieve all of these things. They understand that it is important to protect the community's general interest.

Goal 2H: **Preserve private property rights while recognizing the importance of the rights of the community and tribal treaty rights (#13), including protecting the natural environment and conserving resources while maintaining the County's sole decision-making authority for land use consistent with state law. (#175)**

Policy 2H-1: Review and retain regulations that serve to protect the public welfare, health, and safety.

Policy 2H-2: Establish and maintain incentive programs such as density bonuses in urban growth areas in association with the density credit program and Conservation Easement Program, where appropriate, to compensate property owners if rights are unduly infringed, encourage housing that is affordable, and conserve agricultural lands, forest lands, and important ecosystems.

Commented [MA16]: Housing affordability is a critical issue and, therefore, has been added to this policy. The County's Conservation Easement Program (WCC 3.25A) provides for protection of agricultural land, forestry land, and ecosystems.

Policy 2H-3: Provide information to the public as to government's role and responsibility in relation to property rights.

Policy 2H-4: Lands designated for agriculture under Whatcom County code shall retain their agricultural designation and associated protections, and remain farmable and available for agricultural use consistent with the intent of the agricultural zone as defined in Whatcom County Code, regardless of whether they are in active agricultural production, unless such agricultural lands are de-designated to UGA or another non-resource land use type consistent with the provisions of the GMA. Periodically review Title 16.16 (Critical Areas) to ensure the program components of Article 8 of Title 16.16 Conservation Program on Agricultural Lands (CPAL)—are compatible with GMA requirements to protect both critical areas and agricultural lands of long-term commercial significance. (#129)

Diverse Cultural Composition and Environmental Justice

Commented [MA17]: The GMA, as amended by House Bill 1181 in 2023, requires the Land Use Chapter to address environmental justice.

Whatcom County is home to a diverse and evolving population that includes people of many different cultural, racial, ethnic, and linguistic backgrounds. The County values this diversity and acknowledges that inclusive land use planning must actively consider equity, access, and historical injustices.

Planning decisions will work to advance equity by ensuring that all residents, regardless of race, income, age, ability, or language, have fair access to housing, transportation, economic opportunity, and participation in the planning process. This includes recognizing and addressing disparities that have historically affected Indigenous Peoples, communities of color, and low-income residents.

The County also recognizes and respects the sovereignty of the Lummi Nation, Nooksack Tribe, and other Coast Salish peoples, whose ancestral territories include lands within Whatcom County. In alignment with the government-to-government relationship, the County is committed to meaningful consultation and collaboration with tribal governments in land use planning and decision-making, especially where it relates to treaty rights, natural resource stewardship, and cultural heritage.

By incorporating both equity and sovereignty into land use planning, Whatcom County aims to support a future that is inclusive, just, and culturally respectful.

Commented [MA18]: Language drafted by the consultant to address County Council priorities (Resolution 2022-036).

The Growth Management Act was amended in 2023 to require that the land use element of local comprehensive plans must give special consideration to environmental justice (RCW 36.70A.070(1).

Whatcom County strives to cultivate a safe and inclusive community that respects the civil and human rights and dignity of all Whatcom County residents regardless of identity, citizenship status, or geography. Whatcom County is also committed to equal protection and provision of county services to all who call this place home. (#14) Whatcom County is becoming more diverse and accepting this diversity is important.

Goal 2J:	**Encourage individuals to honor and respect cultural diversity in our community. Give special consideration to environmental justice as defined by the GMA.**
Policy 2J-1:	Encourage the preservation of cultural resources.
Policy 2J-2:	Ensure that land use policies are not discriminatory.
Policy 2J-3:	Cooperate with Tribal governments to ensure local traditions are respected in all land use decisions.
Policy 2J-4:	Protect culturally and spiritually significant places from nonessential development that is viewed as incompatible by the affected community.
Policy 2J-5	Give special consideration to achieving environmental justice, including efforts to avoid creating or worsening environmental health disparities. Under the GMA, "Environmental justice" means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to development, implementation, and enforcement of environmental laws, regulations, and policies. Environmental justice includes addressing disproportionate environmental and health impacts in all laws, rules, and policies with environmental impacts by prioritizing vulnerable populations and overburdened communities and the equitable distribution of resources and benefits.
Policy 2J-6	When planning for and siting uses with adverse environmental impacts, direct those uses away from areas with significant health disparities and existing uses that adversely impact the community and equitably distribute the new uses.(#100)
Policy 2J-7	For uses that cannot be located in a different location, such as highway expansions, mitigate adverse impacts including in those areas with significant health disparities. (#100)
Policy 2J-8	Equitably site beneficial uses such as trails, parks, and schools and prioritize new investments in underserved areas. (#100)

Policy 2J-9	Equitably plan for capital facilities and invest in underserved or overburdened areas. (#100)
Policy 2J-~~6~~10	Public participation plans for future Comprehensive Plan updates should include reaching vulnerable populations in overburdened communities.
Policy 2J-11	Meaningfully involve all affected people in planning decisions, not just comprehensive plan updates. (#100)

Flooding

Flooding of rivers and streams in Whatcom County is a natural event due to the combination of climate, geology, and topography present in the region. The first measured flood by the USGS occurred on January 25, 1935. Additional major floods along the Nooksack River occurred in 1951, 1975, 1989, 1990, 1997, 1999, 2004, 2006, 2009, 2020, 2021, and 2025. While the February 2020 "Super Bowl" flood was large and overtopped the Nooksack River's north bank at Everson and caused flood damage northward to Sumas and into lower British Columbia, the subsequent November 2021 floods were larger and created more devastating damages in Whatcom County, including the displacement of thousands of families, damage to transportation infrastructure, and a tragic loss of life. Both the 2020 and 2021 floods were declared as presidential disasters. Damages in British Columbia were significantly higher, as floodwaters in the Sumas River in the West Sumas Prairie could not discharge during several days of elevated high Fraser River levels. The December 2025 floods were similarly damaging, The County estimates nearly 1300 households were flooded in communities along the Nooksack River and damage to business and government infrastructure alone has surpassed $23 million. Total damage may end up surpassing the estimated $150 million in damage from the 2021 flood. (#15) ~~Two major floods occurred in 1989 and 1990 along the Nooksack River, with damage estimates running over $20 million for 1990 alone. The cities of Nooksack, Everson, Sumas, and Ferndale are often flooded by the Nooksack. Flood damage can also occur along smaller streams in Whatcom County, especially on those streams associated with alluvial fans.~~

The majority of the Nooksack River floodplain is currently used for agricultural purposes. Residential density within the floodplain is low outside of the north county cities, ~~; h~~However, portions of Sumas, Nooksack, Everson, Lynden and Ferndale are located within the floodplain and several major transportation routes cross the floodplain and may be temporarily closed during periods of flooding. Increased building development within the floodplain, and especially within the floodway where flood water velocity can be great enough to sweep away structures, could heighten the existing level of flood hazards along the Nooksack River, Saar Creek, and the Sumas River. Development on alluvial fans can also increase flood hazards. *Chapter 10: Environment*, contains more detailed discussion of flood issues, as well as goals and policies for managing flood hazards in Whatcom County.

Commented [MA19]: Whatcom County River and Flood Engineering Manager Paula Harris suggested the text changes in the first paragraph below in an email dated 2/28/2024. Several modifications were made to this language because the amount of the damages was not verified.

Commented [MA20]: Modification by the Planning Commission on 12/18/2025.

Goal 2K: **Discourage development in areas prone to flooding. If development must occur in the flood plain, then the County should coordinate with adjacent cities to implement mitigation measures sufficient to keep people and their property out of harm's way. (#16)**

Policy 2K-1: Limit lands in one-hundred year floodplains (using most current flood maps and projections) (#17) to low-intensity land uses such as open space corridors or agriculture.

Policy 2K-2: Use the *Lower Nooksack River Comprehensive Flood Hazard Management Plan* as a basis to balance land use and flooding.

Policy 2K-3: Prohibit expansion of urban growth areas into floodplains, except where allowed under the GMA, and consider danger to individuals related to flooding when designating land use in other areas. When expanding UGA Reserves, take into account currently designated floodplains, the most current preliminary or draft FEMA flood maps, and possible changes in flooding frequency or severity due to climate change.

Commented [MA21]: Language concept from the Climate Impact Advisory Committee letter of March 15, 2024, with addition of "the most current preliminary or draft FEMA flood maps" per emails with the County's Climate Action Manager on Nov. 19, 2025.

Policy 2K-4: Encourage multi-purpose problem solving relative to flooding, aquifer recharge, improved water quality, water for human consumption, and fish habitat. Consider the purchase of land along the Nooksack River for flood water storage that could be used by cities and water providers.

Policy 2K-5: Development in flood prone areas must comply with adopted regulations to mitigate identified flood hazards.

Policy 2K-6: Reduce the impacts on physical infrastructure of increasing stormwater inundation and localized flooding due to climate change and sea level rise.

Commented [MA22]: Language from Climate Impact Advisory Committee letter of March 15, 2024.

Regions of Whatcom County

Not all parts of Whatcom County have the same available resources and land use options. A one-size-fits-all approach to comprehensive planning may not adequately serve the needs of different regions of the county.

Goal 2L: **Recognize the important regional differences within Whatcom County.**

Policy 2L-1: Use the subarea planning process, where appropriate, to identify and support distinctions among different areas of the county.

Policy 2L-2: Retain and periodically review the adopted Subarea Plans (Lummi Island, ~~Urban Fringe,~~ Birch Bay Community Plan, Foothills, and Point Roberts).

1. Utilize a process which ensures consistency between the Whatcom County Comprehensive Plan and subarea plans. The

Commented [MA23]: The County, in consultation with the City of Bellingham, may consider repealing the Urban Fringe Subarea Plan and relying on the Whatcom County Comprehensive Plan for Bellingham UGA goals and policies. A number of other subarea plans have already been repealed. The City of Bellingham Planning and Community Development Department indicated support for this change in an email dated 10/13/2025.

subarea plan review process should include the following steps:

a. Consistency Analysis. The County should review subarea plans based on the priority order in subsection "2" for gaps, overlaps, or inconsistencies. Topics include, but are not limited to, plan boundaries, growth forecasts, land uses, capital facilities and services, horizon year, and other appropriate issues.

b. ~~Regional and Local Government Coordination. The County should consult and coordinate with cities where city-associated UGAs are included in subarea plan boundaries.~~

c. Public Participation. Each subarea plan update process will be based on a public participation program that addresses public~~citizen~~ input on the identification and discussion of (#127) key issues associated with the subarea plan update.

d. Subarea Plan Amendment. Only those portions of existing subarea plans in conflict with the Comprehensive Plan are required to be amended. Local issues of concern or changed conditions may be addressed.

e. ~~Comprehensive Plan Revisions. Where the subarea plan process recommends growth levels, growth boundaries, or other essential features, Comprehensive Plan amendments will be considered in conjunction with the subarea plan update process. Land capacity analysis may also be updated if appropriate.~~

2. Prioritize review of subarea plans. Subarea plans should be reviewed in the following order.

a. ~~Post-GMA~~ Subarea Plans addressing UGAs. These subarea plans should be reviewed and amended, if necessary, during or after Whatcom County's periodic review of the comprehensive plan ~~or repealed~~. ~~Subarea plans addressing UGAs associated with a city should be coordinated with the city's comprehensive plan update process.~~

b. ~~Post-GMA~~ Subarea Plans addressing Rural Areas. These subarea plans should be subject to a consistency review. If significant inconsistencies are found, these should be considered for potential update during or after Whatcom County's periodic review of the comprehensive plan ~~or repealed~~. Minor updates may be considered through the County's docket process in subsequent years.

Commented [MA24]: No cities are in the 4 remaining subarea plans referenced in Policy 2L-2 above.

Commented [MA25]: Subarea plans should be consistent with Comprehensive Plan boundaries, growth forecasts, etc. (see 1.a above). Population, housing, and employment projections are accomplished in a countywide process that includes close coordination with the cities.

Commented [MA26]: All subarea plans are now post GMA (adopted after 1990).

Commented [MA27]: Modification by the Planning Commission on 12/18/2025.

~~c. Pre-GMA Subarea Plans. These should be repealed or updated in accordance with County department work programs or the docketing process. Priority criteria may be used to determine the order of update. Example criteria include:~~

~~i. whether update is needed for health, safety, or welfare concerns;~~

~~ii. whether there is a city associated UGA included in the subarea plan boundaries – in which case, the subarea plan update could be timed to be developed in association with or following city comprehensive plan update process;~~

~~iii. whether the subarea plan would benefit from broader policy concepts to be completed in advance or in tandem, such as agricultural land protection measures;~~

~~iv.~~i. ~~whether a significant policy objective would be met by amending the plan.~~

In the event there is an inconsistency between a Subarea Plan and the Whatcom County Comprehensive Plan, the Whatcom County Comprehensive Plan shall prevail.

Policy 2L-3: Emphasize forestry uses with some provision for rural and agricultural uses in the south and southeastern regions of the county.

Policy 2L-4: Support the rural economic base by permitting natural resource based industries, home-based businesses~~cottage industries~~, forestry, fishing and agriculture in rural areas, as well as commercial and industrial activity contained within designated Rural Communities.

Policy 2L-5: Emphasize agriculture in the north central regions of the county.

Commented [MA28]: All pre-GMA subarea plans have either been updated or repealed.

Commented [MA29]: County Ordinance 2025-020 replaced cottage industries and home occupations with "home-based businesses" in the Zoning Code.

Fish and Wildlife

Whatcom County has historically enjoyed abundant and diverse fish and wildlife populations. Maintaining healthy fish and wildlife populations is a vital goal in maintaining the quality of life and protecting treaty natural resources(#87/95) in Whatcom County. Chapter 8: Natural Resource Lands and (#18) Chapter 10: Environment, contains additional discussion of fish and wildlife issues, as well as goals and policies regarding fish and wildlife habitat protection and management.

Goal 2M: **Protect and encourage restoration and enhancement (#19) of habitat for fish and wildlife populations including adequate instream flows.**

Policy 2M-1: Ensure that new land uses do not degrade habitat of threatened and endangered species.

Policy 2M-2: Ensure that existing land uses do not cause further degradation of habitat for threatened and endangered species.

Policy 2M-3: Develop educational tools, technical assistance, and incentives-based programs to encourage and support (#117) existing land uses to restore and enhance(#20) degraded habitat to properly functioning ecological conditions, with measurable outcomes, (#117) especially for threatened and endangered species.

Policy 2M-4: Prioritize restoration efforts for areas with cumulative environmental impacts, including previously disturbed or industrial lands, riparian corridors, and habitats supporting threatened and endangered species. (#118)

Policy 2M-5: Encourage the use of nature-based solutions for stormwater management, erosion control, soil stabilization, carbon sequestration, and phytoremediation. This may include evaluation and pilot use of emerging sustainable agricultural crops, such as industrial hemp where appropriate, as a tool for runoff mitigation, soil improvement, and ecological restoration. (#118)

Policy 2M-6: Coordinate with local, state, federal, and tribal partners to align habitat restoration efforts with regional recovery strategies and improve ecological resilience within both rural and Urban Growth Areas. (#118)

Policy 2M-~~4~~7: All permits issued by the County for clearing or development activity within ¼ mile of the documented habitat of threatened or endangered species, as shown on the County Fish Distribution Map, shall include notice to the property owner of the presence of these species.

Policy 2M-~~5~~8: Require subdivisions and short plats to be designed in a manner to protect fish habitat and water quality when a fish bearing stream or river passes through the site.

Policy 2M-~~6~~9: Engage the Wildlife Advisory Committee to develop recommendations of critical habitat and species protection areas, and for a system to monitor the status of fish and wildlife habitat function.

Policy 2M-~~7~~10: Engage in efforts to better define groundwater resources and connection to surface water, current water usage, water rights, adequate instream flows, and policy barriers that create conflicts between these things.

Policy 2M-~~8~~11: Explore voluntary, incentive driven, non-regulatory frameworks to encourage net ecological gain and the restoration and enhancement of riparian areas. (#21)

Urban Growth Areas

Introduction

This section presents policies, map designations and rationale for the urban growth areas for Bellingham, Blaine, Everson, Ferndale, Lynden, Nooksack, Sumas, Birch Bay, Columbia Valley, and Cherry Point. **Map 2-1** shows designated urban growth areas.

Purpose

The Growth Management Act requires the designation of urban growth areas (RCW 36.70A.110). These areas include cities and other areas characterized by urban growth or adjacent to such areas, and are designed to accommodate the projected population, housing and employment growth for twenty years. Any growth that occurs outside the areas cannot be urban in nature. The Act further specifies that urban growth should, first, be located in areas that already have adequate existing public facilities and service capacity and, second, in areas where such services if not already available, can be served adequately by a combination of both existing public facilities and services and any additional public facilities and services that are provided by either public or private sources.

The purpose of this section is to establish areas within the County where growth will be directed. The boundaries, as defined, are an attempt to concentrate growth and provide urban areas in accordance with expected growth needs while ensuring the county's identified values to preserve private property rights, ~~and~~ reduce unnecessary regulations, and reduce residents' risk of harm from climate impacted natural hazards like flooding, sea level rise, and wildfires (#22).

Process

Planning staff worked with representatives from each city to develop the methodologies, policies, forecasts and allocations for each urban area. Each city was asked to submit a proposed Urban Growth Area, along with growth allocation requests, for the County to consider. Following receipt of those requests, the County Council held various committee presentations, discussions, public comments, and (#23) a public hearing before developing a response to city proposals and final action.

Background Summary

Each city provided information in their comprehensive plans, in work sessions with planning staff, and at public hearings and work sessions before the County Planning Commission and County Council to provide the data and assumptions used as a guide in setting Urban Growth Area boundaries. The comprehensive plans for each city and

the written and oral input provided by them at the public hearings and work sessions serve as background for establishing UGAs. The cities worked with Whatcom County staff to develop a single methodology for analysis of the urban land capacity within the County. Such variables as average population per household, occupancy, residential and employment densities, infrastructure requirements, natural systems and critical areas constraints, flood impacted or adjacent areas, (#24) ownership and development trends, and appropriate market factors to assure adequate supply and affordable housing were considered.

Issues, Goals, and Policies

Overall

The Growth Management Act assigns the responsibility of designating urban growth areas to counties. Growth is to be encouraged within urban growth areas and discouraged outside them. Urban Growth Areas are set in accordance with the policies established in Chapter 36.70A RCW and applicable countywide planning policies. The County should work with cities to ensure that comprehensive plans are coordinated and consistent. Modifications have been incorporated into this plan during the UGA review based upon several criteria:

- The need to assure logical service boundaries,
- The need to avoid isolated pockets or abnormally irregular boundaries,
- Consideration of land capacity analysis of residential, commercial and industrial needs within urban areas, ~~and~~
- Identification of special needs with respect to unique non-city industrial sites (Cherry Point), and County areas for which the County will actively support incorporation as appropriate (Birch Bay or Columbia Valley),.
- Access to services and infrastructure, and
- Floodplain or adjacent based on most current flood maps and future projections. (#25)

Countywide Planning Policies set guidelines for designating city urban growth areas including:

- Small cities' UGAs shall be of an adequate size to allow them to become viable as economic centers.
- The size of cities' UGAs shall be consistent with their ability to provide services, utilities, and infrastructure(#26).
- UGAs shall include contiguous areas that are suitable for urban growth as set forth in the GMA~~with urban characteristics and zoning~~.
- Sufficient land capacity shall be provided within UGAs to accommodate the 20-year urban growth projection, plus a reasonable land supply market factor.

Commented [KS30]: Amendment #96 withdrawn

Commented [MA31]: See revised Countywide Planning Policy D.2, adopted by the County Council on 10/21/2025.

Commented [MA32]: See revised Countywide Planning Policy C.3a, adopted by the County Council on 10/21/2025.

- Setting of UGAs shall minimize impacts on agricultural land, forestry, mineral resources, watersheds, water resources, and critical areas. Cities should accommodate ~~absorb~~ additional housing ~~population~~ at appropriate urban densities before expanding into areas where growth would adversely impact critical areas or resource lands or be at risk of flooding or other natural hazards {#26}.

Commented [MA33]: See revised Countywide Planning Policy D.4, adopted by the County Council on 10/21/2025.

In deciding appropriate ways to manage land within urban growth areas, there are some overriding guidelines in the Growth Management Act and Countywide Planning Policies.

GMA requires counties to include areas and densities sufficient to permit the urban growth that is projected to occur in the county for the succeeding twenty-year period. Urban growth should be first located in areas already characterized by urban growth that have existing public facility and service capacity to serve such development, second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources.

Countywide Planning Policies require establishment of interlocal agreements between the county and cities to manage development within urban growth areas until annexation takes place. Factors to be addressed in these agreements include a mechanism to compensate jurisdictions that suffer revenue losses without attendant reductions in service delivery demands, and mitigation for activities related to development. It should be assured that utilities can be delivered at urban levels of service within city urban growth areas.

Timing of required improvements and who pays for these improvements within urban growth areas are issues to be addressed between the county and cities. This is particularly difficult when costly transportation improvements are required within an urban growth area prior to annexation by a city. Transportation planning for Whatcom County assumes that costs and installation of the improvements would be completed by the city associated with the urban growth area. In the case of Bellingham where some growth will continue to occur prior to annexation, this may need to be negotiated.

Areas within designated urban growth areas which are not yet ready for urban levels of density can become a problem if they are allowed to develop at low densities. Land use patterns can become established that will disrupt later infilling at urban densities. Other areas have environmental constraints such as flood plains and sensitive watersheds which would dictate using lower densities.

Outside urban growth areas, the presence of urban levels of services can put financial pressure on rural areas to develop more densely than desired. Countywide Planning Policies restrict cities from delivering urban levels of water and sewer service for urban uses outside urban growth areas.

The Growth Management Act requires that the County plan for a 20-year population growth that is within the range projected by OFM unless the County has studies to

prove that a different figure is justified. The County's population projection is within OFM's range and therefore requires no further justification.

Goal 2N: **Within Urban Growth Areas, outside present city limits, the County will maintain jurisdiction until annexation or incorporation of the property. During this interim period the following policies shall be in place to assure that the purposes of this plan and growth management are in fact accomplished.**

Policy 2N-1: Establish urban growth areas for cities, first, by determining the land and zoning capacity of the existing UGA ~~city limits~~ to accommodate growth in the 20-year planning period. If it is determined that additional land or density (#27) is needed to accommodate the projected allocated growth, or to meet other goals of the GMA, then include contiguous areas which have urban characteristics; and, finally, by including other suitable areas that demonstrate the ability to provide adequate public facilities and services at urban levels of service to accommodate growth.

Commented [MA34]: The land capacity analysis evaluates the entire UGA, not just land within city limits.

Policy 2N-2: Reevaluate UGA boundaries when significant changes in city land uses are proposed.

Policy 2N-3: Consider development incentives, such as expedited permitting or density bonuses, in UGAs in association with the density credit program. Work with the cities to coordinate permitting processes and ~~E~~encourage(#28) cities to consider development incentives in association with a cooperative City-County density credit program.

Policy 2N-4: Ensure that cities or other service providers do not extend sewer or urban levels of water service to serve areas outside urban growth areas except when necessary to protect basic public health and safety and the environment and when such services are financially supportable at zoned densities and do not permit urban development.

Policy 2N-5: Protect resource lands by controlling or buffering adjacent uses and encouraging increased densities within existing city boundaries before expanding into county resource lands.

Commented [KS35]: Amendment #97 withdrawn

Policy 2N-6: Maintain proper buffers between urban growth, including established residential neighborhoods and industrial sites, and natural resource areas.(#98)

Policy 2N-7: Encourage increased densities within existing city boundaries before expanding into county resource lands.(#99)

Policy 2N-~~6~~8: Encourage provision of serviced industrial sites by cities. Where applicable, within urban growth areas, preserve the regulatory ability of existing industries to continue operating, if proposed for

rezoning, and protect existing industrial and maritime zoned developments and adjacent residential areas from ~~encroachment by~~ incompatible uses and developments ~~on adjacent lands. Protective measures should include but may not be limited to the adoption of notice of disclosure requirements~~. These protections should support both operational viability and neighborhood health and safety. (#29) (#91) (#176)

Policy 2N-~~7~~9: Consider mixed-use zoning, where appropriate, to encourage walkability and reduced vehicle miles travelled (#30).

Goal 2P: **Whatcom County seeks to support and encourage the cities and unincorporated UGAs in efforts to increase residential densities within their jurisdictions throughout the planning period, as a way to increase vitality, reduce the cost of services, promote physical activities, manage outward growth, and protect the environment. The County encourages cities to achieve ~~approve new residential developments at~~ citywide average net densities for new developments as shown below, while respecting unique characteristics of each city:**

- **Bellingham – six to 43~~24~~ units per net acre;**
- **Ferndale – six to 10 units per net acre;**
- **Lynden – six to 10 units per net acre;**
- **Blaine – six to 10~~four to six~~ units per net acre;**
- **Everson – four to six units per net acre;**
- **Nooksack – four to six units per net acre; and**
- **Sumas – four to six units per net acre.**

The County should achieve ~~approve new residential developments at~~ overall average net densities for new developments as shown below, while respecting unique characteristics of each community:

- **Birch Bay – five to ten units per net acre; and**
- **Columbia Valley – four to six units per net acre.**

Policy 2P-1: Encourage cities to adopt and implement policies and development regulations that promote urban densities. Coordinate with cities on policies and development regulations in the city adjacent UGAs for consistency. (#32)

Policy 2P-2: Consider natural limitations on the development capacity of land, such as critical aquifer recharge areas or floodplains, and other characteristics unique to each city, such as seasonal population or adjacent county urban zoning, in designating urban growth areas and densities.

Commented [MA36]: The City of Lynden, in an email of 10/13/2025, raised the issue of whether the County is encouraging 1) each new development to be "approved" within the density range or 2) the average citywide density to be within the range, with individual developments that may fall outside of range (either lower or higher). The amended language addresses this ambiguity in existing Goal 2P.

Commented [MA37]: Recommended by the Bellingham Planning and Community Development Department in an email dated 10/13/2025.

Commented [MA38]: Per Blaine Community Development Director email of 10/29/2025, the Blaine City Council passed Resolution 1990-25 on 10/27/2025 requesting that Whatcom County encourage Blaine to develop at 6 to 10 units per net acre overall density range.

Policy 2P-3: Encourage infilling to occur in existing areas with urban characteristics in a manner that takes into consideration physical constraints such as location within a floodplain, steep slopes, and wetlands buffers~~which is more harmonious with existing neighborhood character~~.

Policy 2P-4: Encourage housing to develop with the greatest possible mix of household incomes by utilizing such techniques as lot clustering, varied lot sizes, small scale multifamily dwellings, inclusionary zoning, permanent affordability covenants, (#33) and responsible reductions in infrastructure requirements for subdivisions.

Policy 2P-5 Use urban planning approaches that promote physical activities such as higher density residential development, mixed-use development, planning for multi-modal and active transportation infrastructure including bicycle and pedestrian routes, and access to green space and recreational sites.

Commented [MA39]: The GMA, at RCW 36.70A.070(1) states ". . . Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity . . ." WAC 365-196-405 includes options that counties and cities can use.

Goal 2Q: Ensure that development in the Birch Bay and Columbia Valley Urban Growth Areas is of an urban level and proceeds in a logical and efficient manner.

Policy 2Q-1: Ensure that service providers do not extend sewer or urban levels of water service to serve areas outside urban growth areas except when necessary to protect basic public health and safety and the environment and when such services are financially supportable at zoned densities and do not permit urban development.

Policy 2Q-2: Work with urban service providers located within Urban Growth Areas to coordinate urban service and facility planning with land use planning.

Policy 2Q-3: Support the Birth Bay Community Advisory Committee and ~~E~~encourage the establishment of an advisory committee for the ~~Birch Bay and~~(#34) Columbia Valley Urban Growth Areas to provide a mechanism to interface with the County regarding their respective community development issues.

Policy 2Q-4: Provide planning assistance to the residents ~~citizens~~ (#11 & 35) of the Birch Bay and Columbia Valley Urban Growth Areas for the purpose of developing and implementing Subarea or Community Plans to further define future uses and facilitate orderly urban development.

Policy 2Q-5: ~~Encourage and a~~Assist the ~~citizens~~ communities of Birch Bay and Columbia Valley Urban Growth Areas with incorporation when appropriate. (#136)

Goal 2R: Establish an interlocal agreement with each city which sets out general guidelines to address revenue sharing, the

provision of services, management of growth, annexation, protection of critical areas, and designation of open space within urban growth areas.

Policy 2R-1: Include in interlocal agreements, a clear, predictable, and fair formula for revenue sharing agreements which compensates jurisdictions that suffer revenue loss without attendant reduction in service demands as a result of annexation.

Policy 2R-2: Establish procedures for development project review within urban growth areas which protect the interests of both the city and the county.

Policy 2R-3: Responsibility for construction of capital facilities, including transportation facilities to accommodate urban levels of growth, generally, should be assigned to cities. In some cases, timing may require installation of these improvements prior to annexation. In these cases, interlocal agreements should address allocations of costs and revenues between cities and the county.

Policy 2R-4: Limit development within urban growth areas with no municipal sewer and water service through zoning at a density no greater than one unit and two ADUs per ~~ten acres~~parcel so long as the development meets all applicable building and construction, development and land use, and health codes (#37).

Policy 2R-5: Coordinate with cities on UGA planning, facilitating urban development, balancing commercial, industrial and residential lands in the UGA, timing of annexations, service extensions and linking greenbelts and open space.

Policy 2R-6: Use the existing geographical information system and encourage its use and coordinate with the cities to provide a consistent and economical data base for making land use decisions.

Goal 2S: Ensure adequate land supply is provided to accommodate twenty years of growth within urban growth areas.

Policy 2S-1: Review all urban growth areas ~~at least every eight years~~ in accordance with the schedule in the Growth Management Act. Coordinate with cities to determine the population, housing and employment growth projected to occur within the urban growth areas, and revise the urban growth area densities and/or boundaries, if necessary, to ensure they are appropriately sized to accommodate the projected growth within the planning period.

Policy 2S-2 Ensure that land use plans provide for development at urban densities within the 20-year planning period.

Policy 2S-3 Facilitate phasing of development within urban growth areas as follows:

Commented [KS40]: If passed, will need to change subsequent references.

Commented [MA41]: The State Legislature modifies the timeframes for reviewing UGAs from time to time. These reviews are now required every 10 years, instead of every 8 years.

- Require a maximum gross density of one dwelling/ten acres~~at least ten acre minimum lot sizes~~ within unincorporated portions of urban growth areas until public facilities and services are provided to serve such development at urban levels of service.
- Recognizing that UGAs are sized to accommodate urban growth over a 20 year period and that all land within UGAs will not be required to meet urban land needs immediately, allow Agriculture and Rural Forestry zoning designations, on an interim basis, within UGAs. These zones function as holding districts that will allow continued resource land uses in the near term while protecting these areas from suburban sprawl. It is anticipated that they will be rezoned to allow phased urban development within the 20-year planning period when public facilities and services can be provided at urban levels of service.

Policy 2S-4: Coordinate with cities to maintain a land capacity analysis methodology that is consistently applied to all urban growth areas, including a common definition of net developable land. When determining urban land needs, assume that urban densities will be developed within UGAs over the 20-year planning period.

Policy 2S-5: Complete the Implementation Progress Report under RCW 36.70A.130(9) and the Review and Evaluation Program (Buildable Lands) report under RCW 36.70A.215 within the time frames set by State law. ~~Annually monitor population growth and publish a report no later than November 1 of each year that analyzes population growth trends over five years in comparison with the adopted population growth projections. If the trend over five years indicates that population growth in urban growth areas is significantly higher than adopted projections, coordinate with the cities to consider appropriate action. Actions may include amending growth projections, or amending urban growth area densities or boundaries.~~

Policy 2S-6: Coordinate with cities to plan for designated Urban Growth Area Reserve areas, including long-range capital facility, utility, and service needs and an evaluation of costs associated with potential future annexation. Where UGA Reserves are identified, the County and city shall establish a work program and schedule, through an interlocal agreement, to complete such planning prior to the next Buildable Lands Analysis. Coordination does not presume annexation, zoning changes, development approval, or capital funding commitments. (#38)

Goal 2T: Establish Urban Growth Areas within which annexations and urban levels of development can occur and outside of

Commented [MA42]: The zoning code requires a maximum density of one dwelling/10 acres when public water and sewer are not available in Urban Residential zones (located in UGAs). Clusting is required when public water and sewer are not available. Clustering requires smaller lots with one large reserve tract (10 acre lots are not allowed). The reserve tract is preserved for urban density development when public water and sewer become available at a later date (or open space, etc). For example, on a 40 acre parcel in a urban residential zone that is not served by public water and sewer, a land owner could divide the property into 3 small clustered lots, with one large reserve tract. The land owner could not divide the parcel into four 10 acre lots.

Commented [MA43]: The State Legislature amended the GMA in 2022 creating a new requirement that counties must prepare an "implementation progress report" addressing housing, permit processing, greenhouse gas, and vehicle miles travelled (HB 1241). For Whatcom County, this report is due by 2030. The State Legislature also amended the GMA in 2017 to require Whatcom County to comply with the "Review and Evaluation" (buildable lands) provisions of RCW 36.70A.215 (ESSSB 5254). For Whatcom County, this report will be due in 2034.

which urban levels of development will not occur. This is intended to be a sprawl preventing measure.

Policy 2T-1: Land within a UGA that is not served by public water and sewer will have the following limitations on development which shall be included in the County development regulations:

- Development shall be done in a manner which will not preclude development at urban levels of density when the area is annexed into the city.
- No residential development shall occur at a gross density greater than one dwelling unit per ten acres.
- All residential land divisions will be developed as cluster subdivisions. All clustered lots will be grouped together in one cluster. Clustered lots will be as small as possible in order to maintain a large reserve tract available for future urban development. Wells, sewage disposal systems, and easements associated with these facilities may be placed on the reserve tract only if it is not feasible to place them within the boundaries of the clustered lots.
- When public water and sewer serve the site, the reserve tract of a cluster subdivision may be developed with urban densities allowed in the zoning district.
- If the clustered lots are served by wells, sewage disposal facilities and/or associated easements that are located on the reserve tract, then the clustered lots will be required to hook up to public water and sewer when the reserve tract is developed with urban densities. The intent of this provision is to ensure that the reserve tract can be developed to its fullest potential, and such development will not be restricted by the existence of wells, sewage disposal facilities and easements associated with these facilities.

Bellingham

~~Bellingham's Urban Growth Area (UGA) was first established in 1997 as a result of a lengthy public involvement process. Three geographical areas comprise the City's UGA: Bellingham's Northern UGA, the Geneva/Watershed Resource Protection UGA, and the Yew Street UGA.~~

The Whatcom County Comprehensive Plan, along with City of Bellingham Comprehensive Plan~~the Urban Fringe Subarea Plan~~, provides the policy framework for addressing the impacts and opportunities of growth in Bellingham's UGA. Together, these plans address County zoning designations, ~~comparable~~ City zoning upon annexation, land uses, and development standards~~ and Transfer of Development Rights from the Lake Whatcom Watershed to receiving areas in the UGA~~. They address a number of important objectives related to plan development,

Commented [MA44]: Map UGA-1 shows the proposed UGA boundary, so this text unnecessary. Additionally, the Geneva area is proposed for removal from the UGA.

Commented [MA45]: The County may consider, in consultation with the City of Bellingham, repealing the Urban Fringe Subarea Plan and relying on our respective Comprehensive Plans. The County has repealed a number of other subarea plans.

Commented [MA46]: The TDR program has not succeeded for a number of reasons. Additionally, the City of Bellingham typically does not extend public water and sewer outside City limits until annexation (urban residential densities cannot be achieved without public water and sewer).

public participation, land use, housing, density, the natural environment, open space, parks, recreational opportunities, transportation, utilities and other public services. ~~Urban Fringe Subarea Plan updates will be made in the context of the Growth Management Act planning goals, the Countywide Planning Policies, the UGA goals and policies of the Whatcom County Comprehensive Plan and Bellingham's Comprehensive Plan.~~

Goal 2U: **Periodically ~~E~~evaluate ~~every eight years or as necessary~~ Bellingham's Urban Growth Area, as required by the Growth Management Act, to determine if the UGA is sufficient in size to accommodate twenty year growth projections, provide an adequate supply of affordable housing, industrial, commercial and recreational development, and recognize ~~historical development patterns and~~ commitments for service.**

Policy 2U-1 Consider new data, research and public participation when conducting the UGA review.

Policy 2U-2: Periodically update procedures for joint city/county review of development proposals in the UGA prior to annexation.

Policy 2U-3: Work with Bellingham to identify and establish a system of neighborhood parks, greenbelts and open space to serve the urban growth area as it develops.

Policy 2U-4: Review land capacity~~supply~~ analysis and consider appropriate urban growth area boundaries consistent with the Growth Management Act and Countywide Planning Policies.

Policy 2U-5: Review and update the interlocal agreement with Bellingham, prior to expiration of the current interlocal agreement, to provide for:

- Coordinated growth management and capital facility planning;
- timing and provision of utility services and other urban services;
- timing and procedures to be used for review of adequate land supply;
- timing of annexations;
- revenue sharing formulas prior to and after annexation;
- development standards and regulations;
- joint City/County review of development proposals in the UGA;
- ~~affordable housing; and~~
- ~~a density credit program and/or transfer of development rights within the City of Bellingham.~~

Policy 2U-6: Whatcom County and Bellingham should continue to coordinate protection and development within ~~the~~ its eight ~~W~~watersheds

Commented [MA47]: The State Legislature modifies the timeframes for reviewing UGAs from time to time. These periodic reviews are now required every 10 years, instead of every 8 years.

Commented [MA48]: GMA changes require Bellingham to allow housing densities and types that may be different than historical patterns.

Commented [MA49]: This study is called the "land capacity analyis" rather than the "land supply analysis."

including Lake Whatcom, Whatcom Creek, Squalicum Creek, Padden Creek, Chuckanut Creek, Silver Creek, Little Squalicum Creek, and Bellingham Bay (#39).

Policy 2U-7: Coordinate with Bellingham to adopt regulations to limit development in the FEMA coastal high hazard area, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Bellingham through the City of Bellingham's Sea Level Rise Vulnerability and Risk Assessment planning process to address increased coastal flooding and erosion due to climate change, consistent with Countywide Planning Policy T4. (#109) (#152)

~~Policy 2U-7: Whatcom County and Bellingham should designate areas that can accommodate density bonuses in association with a density credit program and/or receiving areas within the City of Bellingham and its UGA for Transfer of Development Rights from the Lake Whatcom Watershed.~~

Policy 2U-8: The City and Whatcom County should designate appropriate zoning ~~and residential~~ densities in Bellingham's UGA consistent with Whatcom County's Comprehensive Plan and Bellingham's Comprehensive Plan as amended.

Policy 2U-9: Annexation should be considered prior to or concurrently with the extension of City sewer and water and prior to urban development. Annexations should be a logical extension of the city boundaries and not create unincorporated islands.

Policy 2U-10: Coordinate with the City of Bellingham in evaluating benefits and costs of existing or proposed industrial zoning in the Bellingham UGA and seek additional industrial zoning sites countywide in coordination with the *Whatcom County Industrial Lands Study* (July 2025). (#40)

~~Policy 2U-10: The Geneva and Hillsdale areas, located within the Lake Whatcom Watershed, are designated urban growth areas in order to allow the City of Bellingham to annex these areas. The City has a long-term interest in the water quality of Lake Whatcom because the City is responsible for providing Bellingham with safe drinking water from the Lake. Whatcom County and the community also have long-term interests in the watershed based upon the special environmental sensitivity of the Lake Whatcom Watershed as a drinking water source and the Total Maximum Daily Load (TMDL) findings requiring a reduction of phosphorus inputs into the lake. Therefore, only non-urban densities should be allowed in that portion of the Urban Growth Area within the watershed.~~

Commented [MA50]: Whatcom County has already designated receiving areas for transfer of development rights within the Bellingham UGA on the Zoning Map (all URMX zones except Dennett Dr.). The TDR program is still in place (WCC 20.89) but has not been very effective. Additionally, Bellingham is subject to HB 1110 and HB 1220. HB 1110 states that ". . . Washington is facing an unprecedented housing crisis for its current population and a lack of housing choices. . ." and requires the City to zone for increased density and other measures to support creation of more units that are affordable. HB 1220 requires the City and the County to ". . . Plan for and accommodate housing affordable to all economic segments of the population . . ." (RCW 36.70A.020(4)). There are a various factors that contribute to housing affordability. Requiring density credits or TDRs to achieve increased densities would be one more factor that could add to housing costs. Finally, the City of Bellingham indicated, in an email of 10/9/2025 that ". . . Bellingham's growth policies related to changes in state law have all but eliminated the market for these programs because there is now so much more residential development capacity within our UGA."

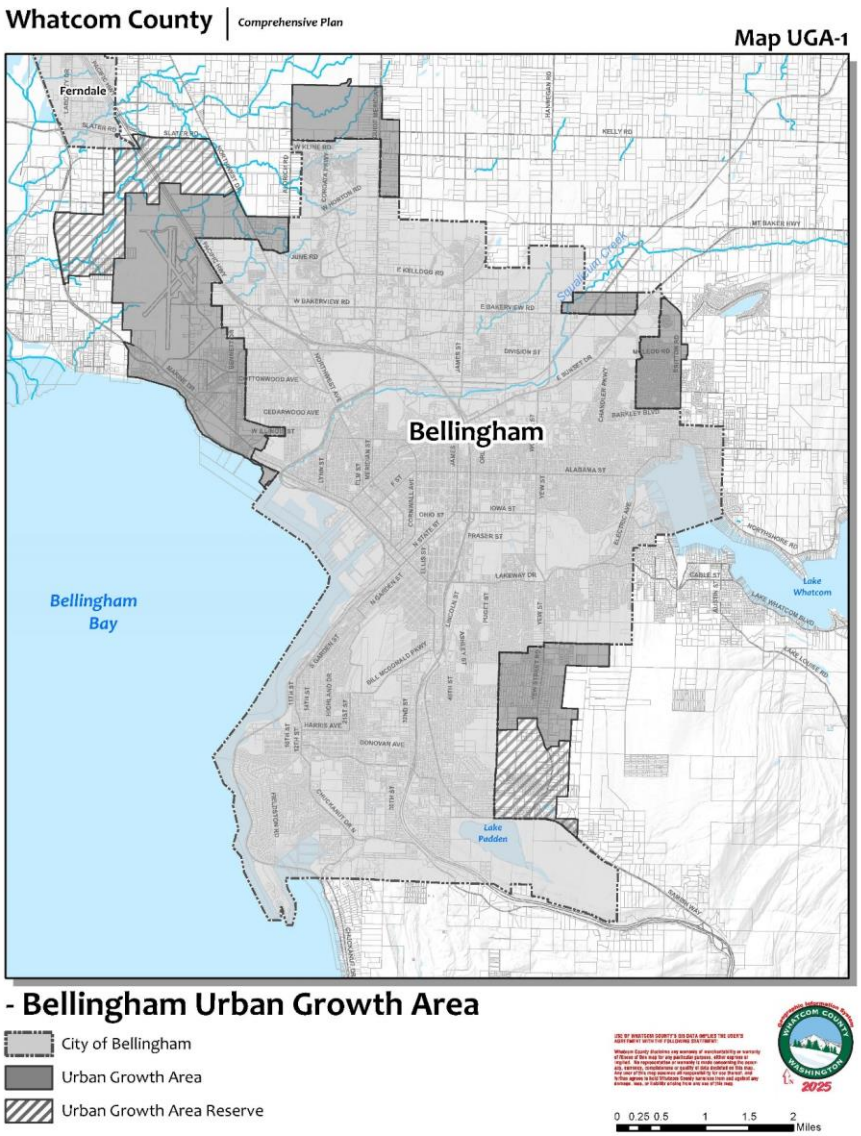
Commented [MA51]: The City of Bellingham is subject to new GMA requirements (HB1110) that do not apply to land outside the City limits. Bellingham will typically allow higher residential densities once annexed.

Commented [KO52]: Council passed motion to retain Planning Commission's recommendation for 2U-9 (3.3.26)

Commented [MA53]: The City of Bellingham is proposing to remove areas within the Lake Whatcom Watershed from the UGA. These include the entire Geneva area and most of the Hillsdale area.

Policy 2U-11: To inform long term planning within the Bellingham Urban Growth Area, coordinate with the City of Bellingham to complete an annexation and land use compatibility plan that evaluates the long-term compatibility of existing light and heavy industrial zoning with surrounding land uses. Such evaluation shall include consideration of:

- Proximity to established and planned residential neighborhoods;
- Zoning transitions, landscaping and buffering between residential and industrial uses;
- Cumulative environmental and public health impacts;
- Economic impacts;
- Infrastructure capacity and fiscal sustainability;
- Development patterns consistent with walkability and reduced vehicle miles traveled. (#120) (#137)



Commented [MA54]: The City of Bellingham indicated, in an email dated 10/29/2025, that "Bellingham's proposed changes to remove LII and GC areas west and north of the airport for designation as UGA Reserves, inclusion of the North UGA Reserve and adjacent parcels, and retention of the South Yew Street area as UGA Reserve are based on factors related to which areas can provide the needed quantity and mix of housing and employment in close proximity to existing city limits, and where the City anticipates having adequate capacity to provide infrastructure and services within the 2025-2045 planning period."

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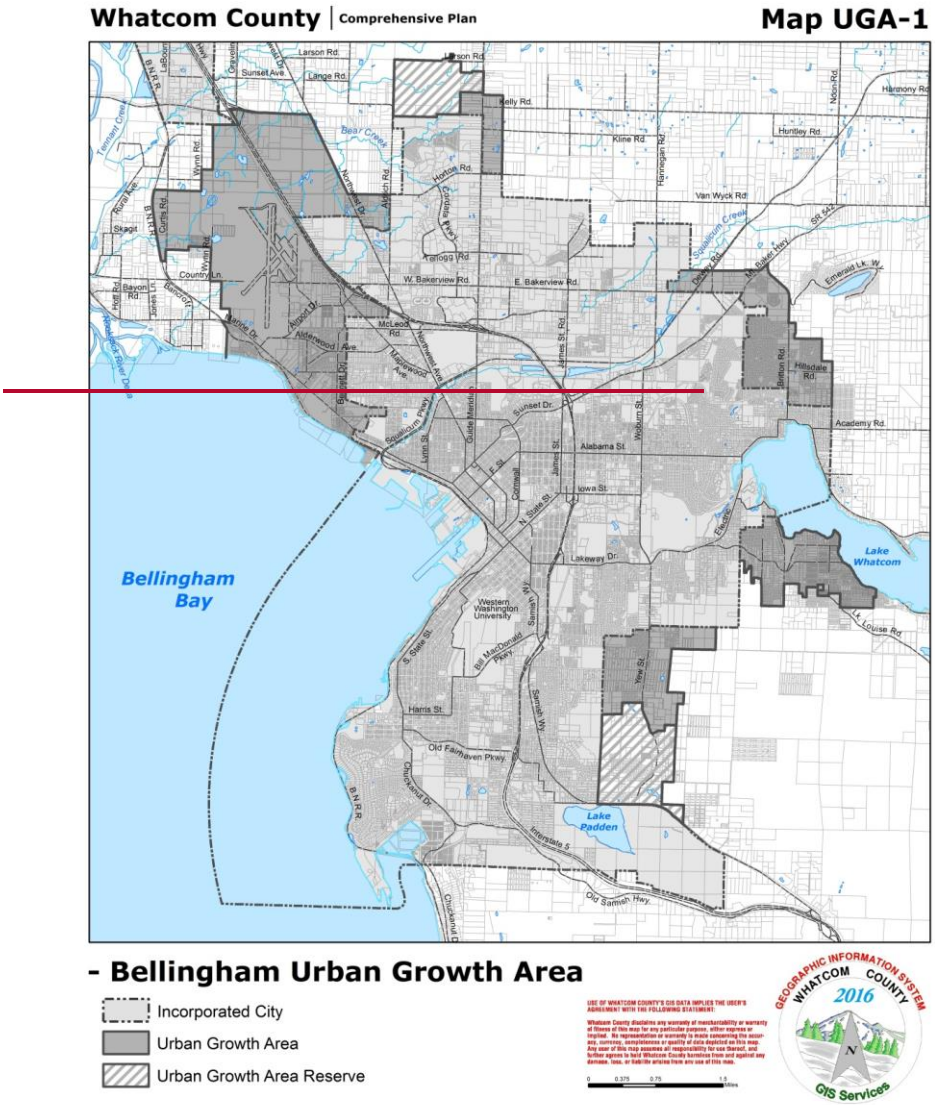


Blaine

Blaine is the northwestern-most city in Whatcom County. The city is divided by Drayton Harbor into two parts: central Blaine and the Semiahmoo area to the west. These two areas are distinctly different areas of Blaine. The central area is a traditional northwestern city with a vibrant downtown surrounded by neighborhoods of single family houses. The central area includes an extension of largely undeveloped, incorporated land about 3 miles out H Street. The Resort at Semiahmoo is located in west Blaine.

Both the County and the City of Blaine are concerned about water quality in Drayton Harbor. Drayton Harbor has a rich history as a shellfish growing area and supports tribal, commercial, and recreational shellfish harvesting that depends on good water quality. Land uses throughout the watershed contribute nonpoint source pollution flowing into the harbor. Fecal coliform bacteria pollution in the harbor is monitored by the Washington State Department of Health.~~resource. Studies have shown that fecal coliform levels in Drayton Harbor are high and have led to the closure of shellfish harvesting beds.~~ Shellfish ~~H~~harvest has been restricted due to fecal bacteria pollution since 1952 with closures beginning in 1988. In 1995, the Drayton Harbor Shellfish Protection District was established to reduce nonpoint source pollution in the watershed and restore shellfish growing areas. For decades, a coalition of government and community partners throughout the watershed has worked to make on-the-ground improvements that reduce fecal bacteria pollution. These efforts have resulted in some water quality improvements; however, closure areas remain and ongoing efforts are needed. The 2024 Drayton Harbor Shellfish Recovery and Protection Plan outlines actions and priorities to maintain and continue water quality improvements. Drayton Harbor water quality is also monitored by the Washington State Department of Ecology. Sections of the harbor and its two major tributaries, Dakota and California Creeks, are on Washington's impaired waters list, called the 303(d) list, for fecal coliform pollution. In 2025, Ecology published the draft Drayton Harbor Bacteria Total Maximum Daily Load (TMDL) Technical Study and Water Quality Improvement Plan. This clean-up plan sets targets to meet water quality standards. ~~Drayton Harbor was entirely closed to commercial shellfish harvest in 1999. In 2004, 575 acres were upgraded to conditionally approved with closures occurring after heavy rainfall. Currently the conditionally approved portion is closed from November through February. Several waterbodies in the watershed are on the 303(d) list, including California and Dakota Creeks. In 2007, the County adopted an update to the Drayton Harbor Shellfish Protection District Recovery Plan. This plan reflects the success of reopening some areas for shellfish harvesting in 2004 and outlines future plans for Drayton Harbor restoration. In 2014, the City initiated a three-year project intended to identify point and nonpoint sources of pollution and take corrective action. The study targets Cain Creek, which also contributes pollutants to the Harbor through tidal flushing from Semiahmoo Bay. Land uses throughout the watershed contribute to water quality in the Harbor and efforts by both the County and the City are necessary to manage water quality.~~

The City of Blaine provides public sewer, water, stormwater, and police services. Public schools for the area are operated and maintained by the Blaine School District.

Commented [MA55]: Text changes in this paragraph suggested by a County Public Works Natural Resources Division representative in an email dated 10/17/2025.

Fire protection services are provided by North Whatcom Fire and Rescue (Fire District # 21).

Areas included in the UGA – (Map UGA-2)

As part of the 2009 UGA Update, portions of the Blaine UGA were removed to place Blaine's land supply in closer relationship to its projected population growth. Only the eastern portion of the unincorporated UGA ~~and a small area south of the city~~ remains in the UGA. The rest of the UGA has reverted to a Rural designation.

Commented [MA56]: The revised City of Blaine UGA Proposal (Nov. 18, 2025) would remove this area from the UGA.

Goal 2V: **Provide a sufficient Urban Growth Area for Blaine to accommodate future growth needs, ensure adequate housing, commercial and industrial land supplies and meet Growth Management Act and county land use goals.**

Policy 2V-1: Coordinate with Blaine to adopt regulations to limit development in the FEMA coastal high hazard area, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Blaine through the City of Blaine's Shoreline Master Program update to address increased coastal flooding and erosion due to climate change, consistent with Countywide Planning Policy T4. (#108) (#153)

Policy 2V-~~1~~2: Work cooperatively with Blaine to increase critical area protection and water quality controls sufficient to protect shellfish harvesting and marine resources in Drayton Harbor.

Policy 2V-~~2~~3: Encourage Blaine to implement infill policies in the *Blaine Comprehensive Plan*.

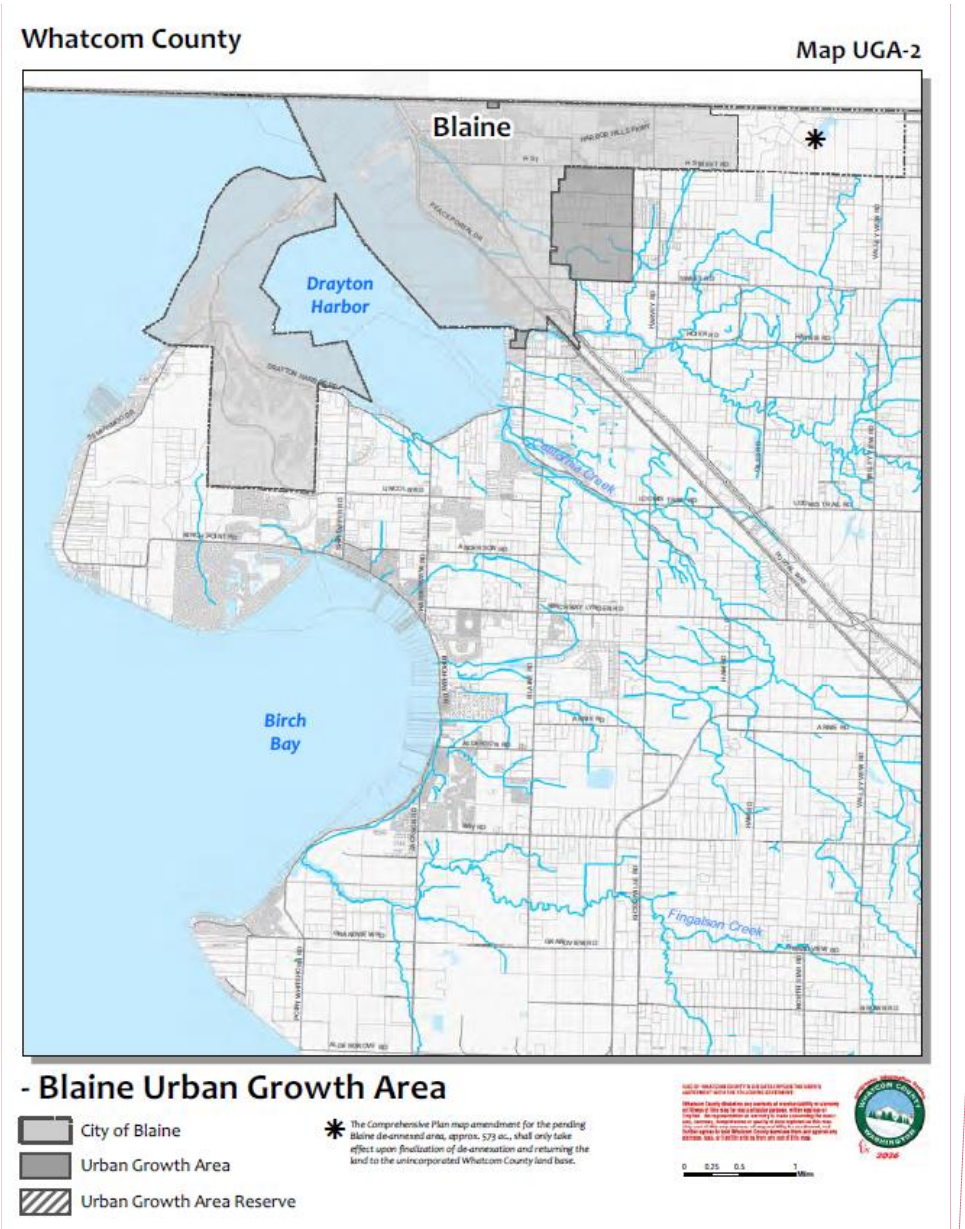
Policy 2V-~~3~~4: Readjust the Urban Growth Area as urban services are planned and need is demonstrated.

Policy 2V-~~4~~5: Ensure that adequate capital facilities can be provided to the Blaine Urban Growth Area.

Policy 2V-~~5~~6: Review and update the interlocal agreement with Blaine, prior to expiration of the current interlocal agreement, to provide for:

- Coordinated growth management and capital facility planning;
- County maintenance of 10-acre zoning for the UGA which would allow urban densities to develop only with extension of city water and sewer;
- identification of needed capital improvements and establishment of funding mechanisms;
- timing and procedures to be used for review of adequate land supply; and
- consistency with the Coordinated Water System Plan.

Commented [KO57]: Council approved motion on 5/19 to amend to retain a portion of the lots of the Dakota Creek area into the UGA *(option 3 of PDS memo).* This map has been updated to show this change.



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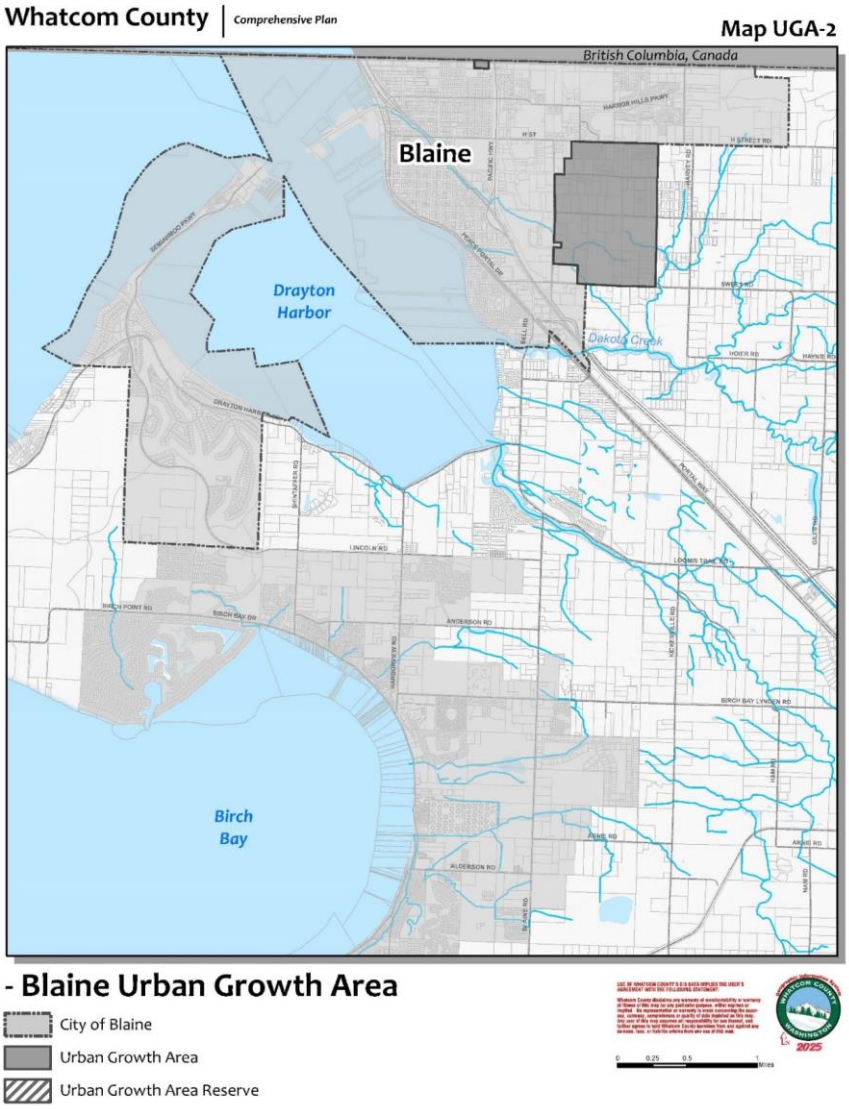

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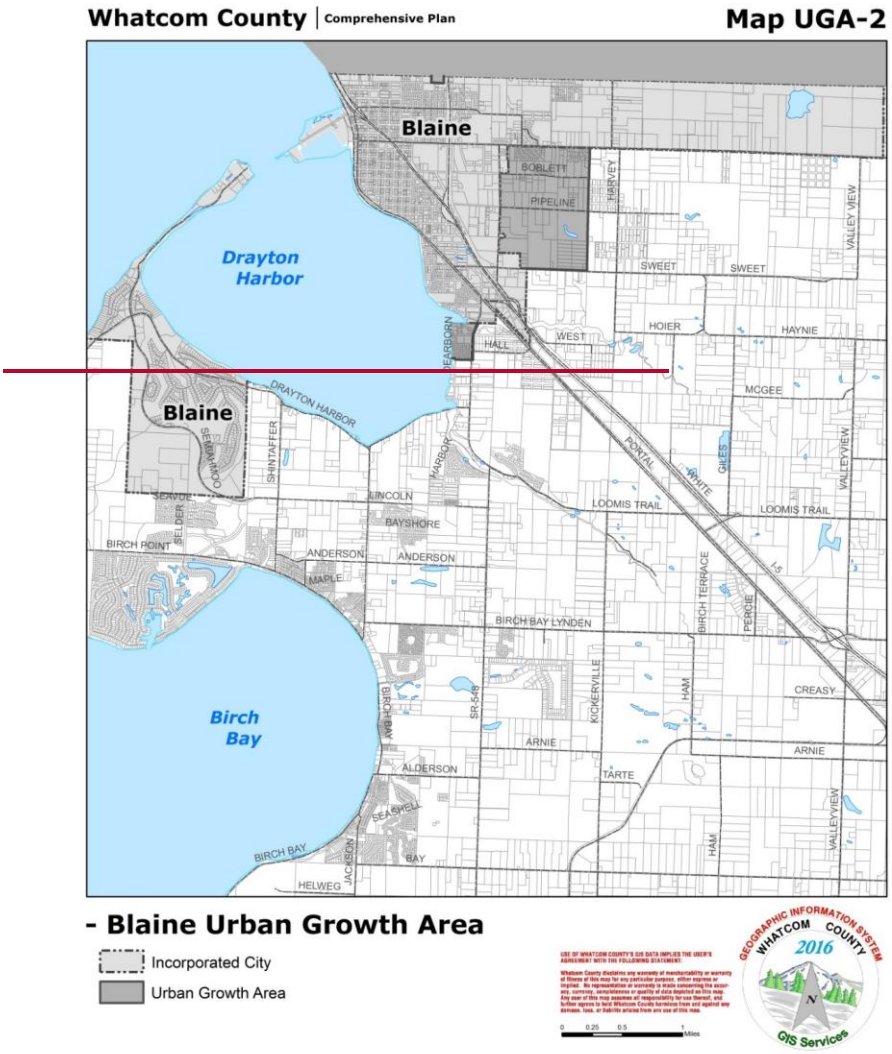


Everson

Everson urban growth area is located in central Whatcom County, northeast of Bellingham. The City and its UGA serve the surrounding area as a commercial, retail and industrial center. The entire UGA is accessible by two major state highways—SR-544 and SR-9—that connect the city to the Canadian border and to points further south. The Burlington Northern railway passes through the eastern portion of the UGA.

Flood prone areas, preservation of agricultural resource land, appropriate use or reuse of adjacent mineral resource lands and provision of adequate urban level services are among the factors considered in determining the City of Everson Urban Growth Area boundary.

The City is bisected by the Nooksack River, which periodically floods and inundates parts of downtown Everson. Lying to the south of Everson are mineral resource lands and several active gravel mines.

Everson UGA is also adjacent to agricultural lands. County goals include working cooperatively with the City of Everson to enhance or maintain the county's agricultural land base.

The City of Everson provides public sewer, water, stormwater, and police services, while public schools for the area are operated and maintained by the Nooksack Valley School District. Fire protection services are provided by Fire District # 1.

The urban growth area for Everson is intended to provide sufficient land area to accommodate future urban growth with adequate public services, while minimizing impacts to resource lands and critical areas. County goals encourage Everson to develop residentially zoned areas at average net densities of four to six units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure and open space.

Areas included in the UGA – (Map UGA-3)

East

This area, located east and south of the existing city limits, straddles State Route 9 and adjacent rail access, and drops below the southern boundary of City of Nooksack. The proposed uses for this area are industrial to the east and residential to the west of SR 9.

North

An area northwest of Everson is included in the UGA to allow expansion of the existing Everson Riverside Park (south of Stickney Island Rd) and, when annexed, residential zoning (north of Stickney Island).

Commented [MA58]: Language concept recommended by Everson City Planner in an email dated 10/16/2025.

West

The most likely place for future development is in the upland areas located west of the city limits, adjacent to existing residential development, and with a public school

in close proximity. Proposed future zoning for this area includes a mix of uses including industrial, commercial, and residential.

South

An area to the south of the existing city limits is in the UGA. This land is outside of the floodplain and adjacent to existing residential and industrial uses.

Goal 2W: **Provide an Urban Growth Area for Everson which accommodates future growth needs and recognizes constraints imposed by Nooksack River flooding and adjacent designated agriculture and mineral resource lands.**

Policy 2W-1: ~~Work~~ Coordinate with Everson to adopt regulations ~~measures~~ to limit development in ~~floodplains~~ the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Everson through the Floodplain Integrated Planning process to address increased risk of riverine flooding due to climate change, consistent with Countywide Planning Policy T4.(#42)(#103) (#154)

Policy 2W-2: Continue to utilize best available science and updated flood mapping in floodplain development regulations, and consider cumulative impacts on downstream communities. (#121) (#160)

Policy 2W-3: Coordinate regionally to ensure flood mitigation efforts align with watershed-scale planning and long-term climate resilience goals. (#121)

Policy 2W-~~24~~: Recognize adjacent mineral resource lands as potential urban development areas and work with Everson and land owners to develop an environmentally safe plan to facilitate this conversion.

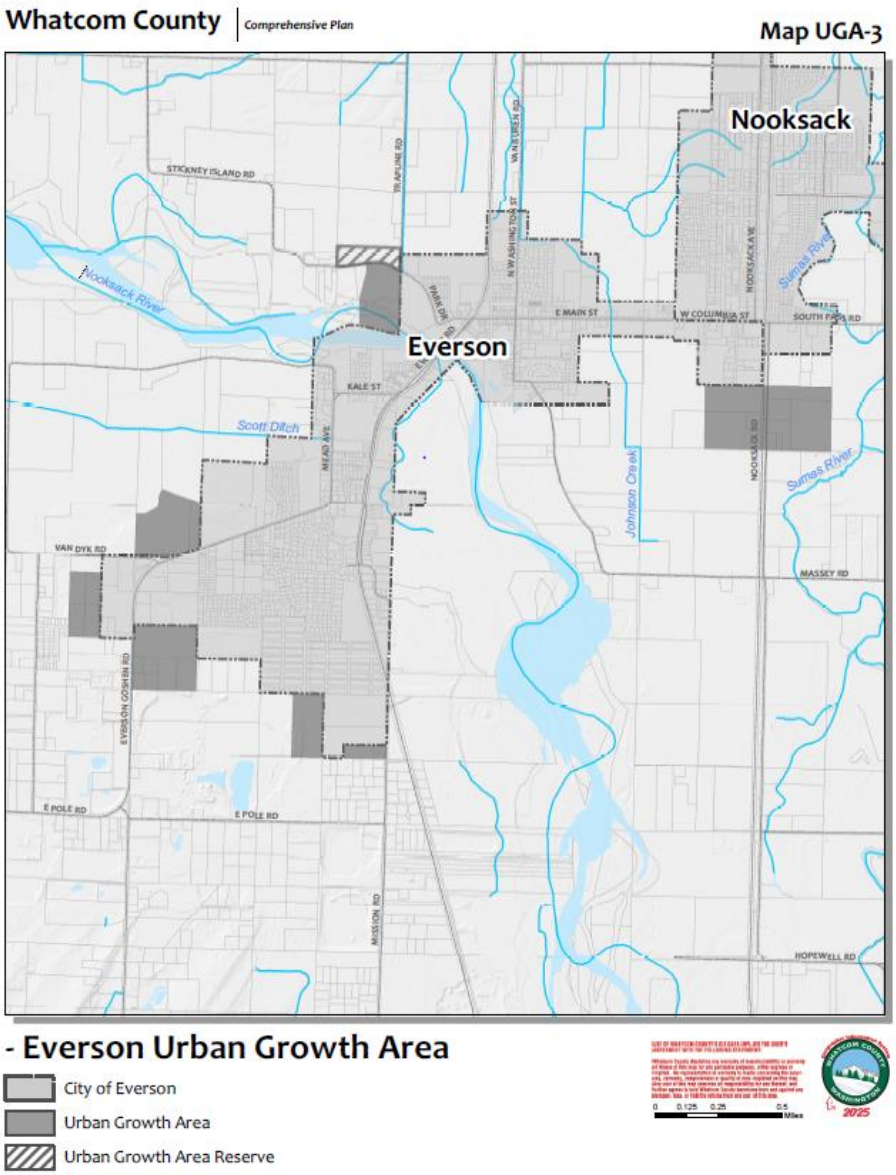
Policy 2W-~~35~~: Avoid new land uses that are an identified threat to groundwater quality within the delineated wellhead protection area of the Everson wellfield.

Policy 2W-~~46~~: Review and update the interlocal agreement with Everson, prior to expiration of the current interlocal agreement, to provide for:

- Coordinated growth management and capital facility planning;
- identification of needed capital facility improvements and funding mechanisms;
- timing and procedures to be used for review of adequate land supply;
- consistency with the Coordinated Water System Plan;
- cooperation regarding conversion of mineral resource lands; and

- long term measures to assure compatibility with resource lands.

Commented [KS59]: Map reflects 2/10/26 Council direction. (#84)



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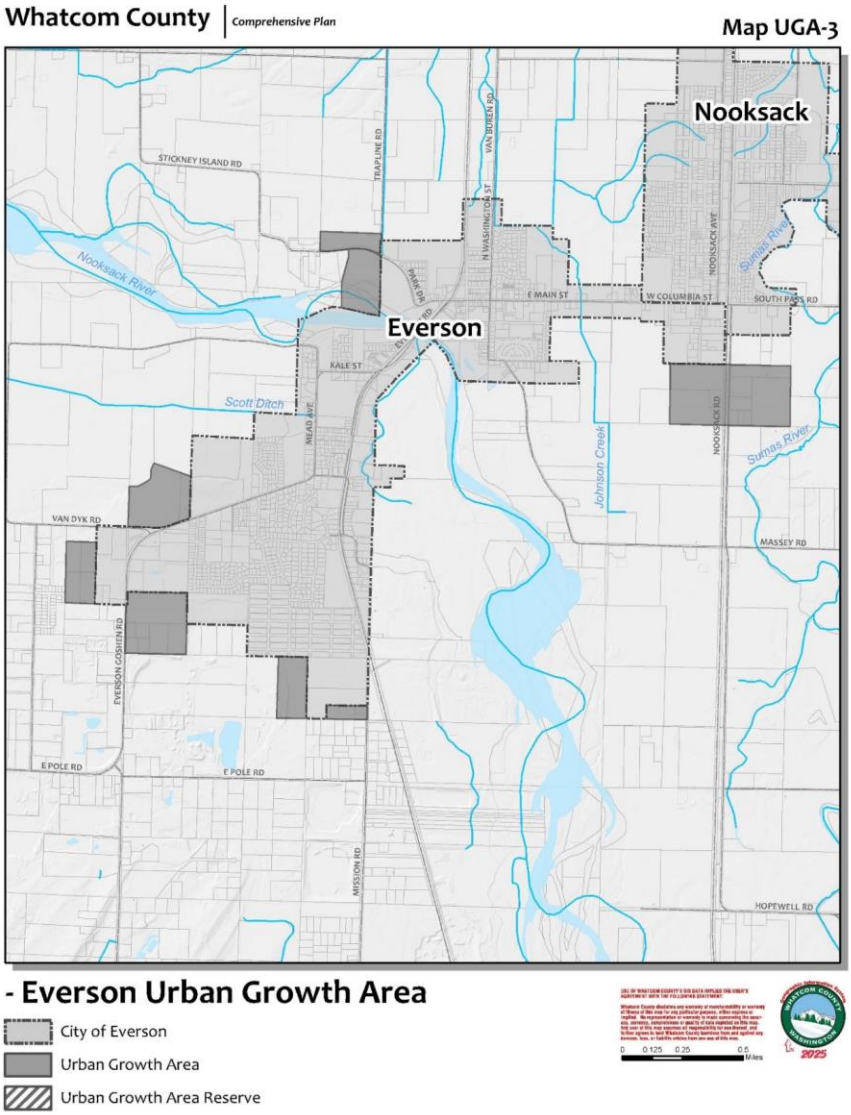

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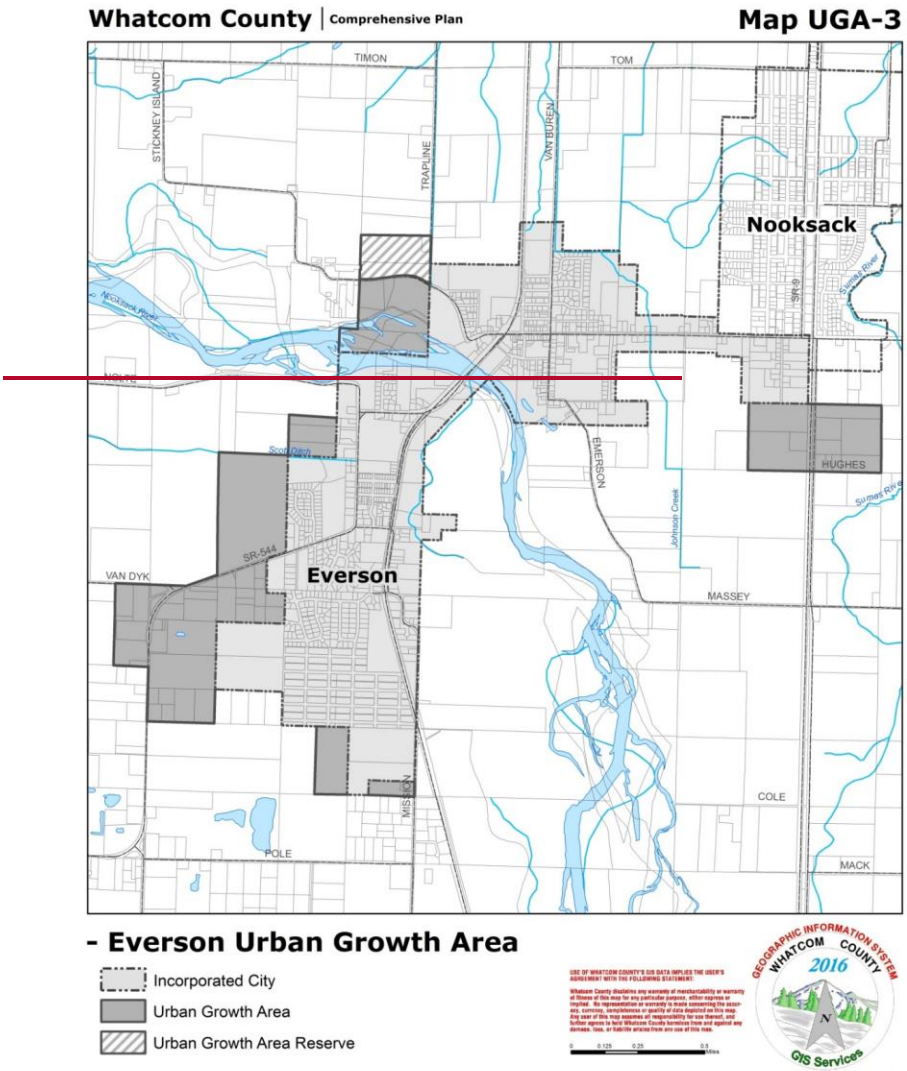


Ferndale

County goals encourage Ferndale to develop residentially zoned areas at overall average net densities of six to ten units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slope, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure, and open space.

Issues in defining the Ferndale Urban Growth Area include protection of large wetlands complexes, the Nooksack River floodplain, provision of serviced industrial land, inclusion of sufficient land with planned services to accommodate projected urban growth, proximity to the Bellingham UGA and proximity to the North Bellingham Rural Neighborhood. Future growth areas are likely to located west of the Nooksack River and north of Mountainview Road.

Commented [MA60]: Text changes in this paragraph suggested by the City of Ferndale Community Development Director in an email dated 11/3/2025.

The Grandview Industrial area is included in the urban growth area. This supports the policies in the Economics chapter of this plan to provide a sufficient supply of serviced industrial land.

Ferndale will provide most of the urban governmental services within the Urban Growth Area, including public sewer, water, stormwater and police services. Public schools for the area are operated and maintained by the Ferndale School District. Fire protection services are provided by Fire District #7.

Areas included in the UGA – (Map UGA-4)

North

The Urban Growth Area extends north to include ~~the~~ industrial and commercial areas around the Grandview Road/I-5 interchange. ~~A certain area between~~ East of the Grandview Interstate 5 Interchange~~industrial area and the Ferndale city center~~ is an area designated Urban Growth Area Reserve~~, as this area~~ that has been identified as a logical extension of the Urban Growth Area to provide employment opportunities in the future.

Commented [MA61]: Text changes in this paragraph suggested by the City of Ferndale Community Development Director in an email dated 11/3/2025.

West

Areas west of the city are included in the UGA and UGA Reserve, as these areas are generally located in proximity to existing water lines, sewer lines, City streets and/or schools. This area presents a logical area for the City to grow in the future.

Commented [MA62]: Text changes in this paragraph suggested by the City of Ferndale Community Development Director in an email dated 11/3/2025.

South

Land southeast of the City, near the intersection of I-5 and Slater Rd., is included in the UGA to accommodate commercial development. The State, Whatcom Council of Governments, Whatcom County, City of Ferndale, City of Bellingham, Lummi Nation, and Port of Bellingham are coordinating long-range transportation improvements in the Slater Rd. area.

Goal 2X: Provide a sufficient Urban Growth Area for Ferndale to accommodate future growth needs, meet Ferndale's long-

term vision and attain Growth Management Act and county land use goals.

Policy 2X-1: Support City of Ferndale planning efforts for infill development within the existing city limits and development of its UGA.

Policy 2X-2: Ensure that adequate capital facilities can be provided to the Grandview Industrial area within a timely fashion to accommodate development of the area.

Policy 2X-3: Work with the City of Ferndale to establish County zoning regulations within the unincorporated Urban Growth Area and Urban Growth Area Reserves to protect large tracts of land and limit development until such time as water and sewer can be provided. ~~Establish a revenue sharing agreement which fairly compensates the county if a loss of revenue from the Grandview Industrial Area exceeds reduction in associated costs.~~

Policy 2X-4 Coordinate with Ferndale to adopt regulations to limit development in the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Ferndale through the Floodplain Integrated Planning process to address increased riverine and compound flooding due to climate change, consistent with Countywide Planning Policy T4. (#107) (#155)

Policy 2X-~~5~~4: Encourage Ferndale to participate in~~work towards~~ development of a regional "wetland bank" to mitigate impacts of development on scattered wetland areas within the city.

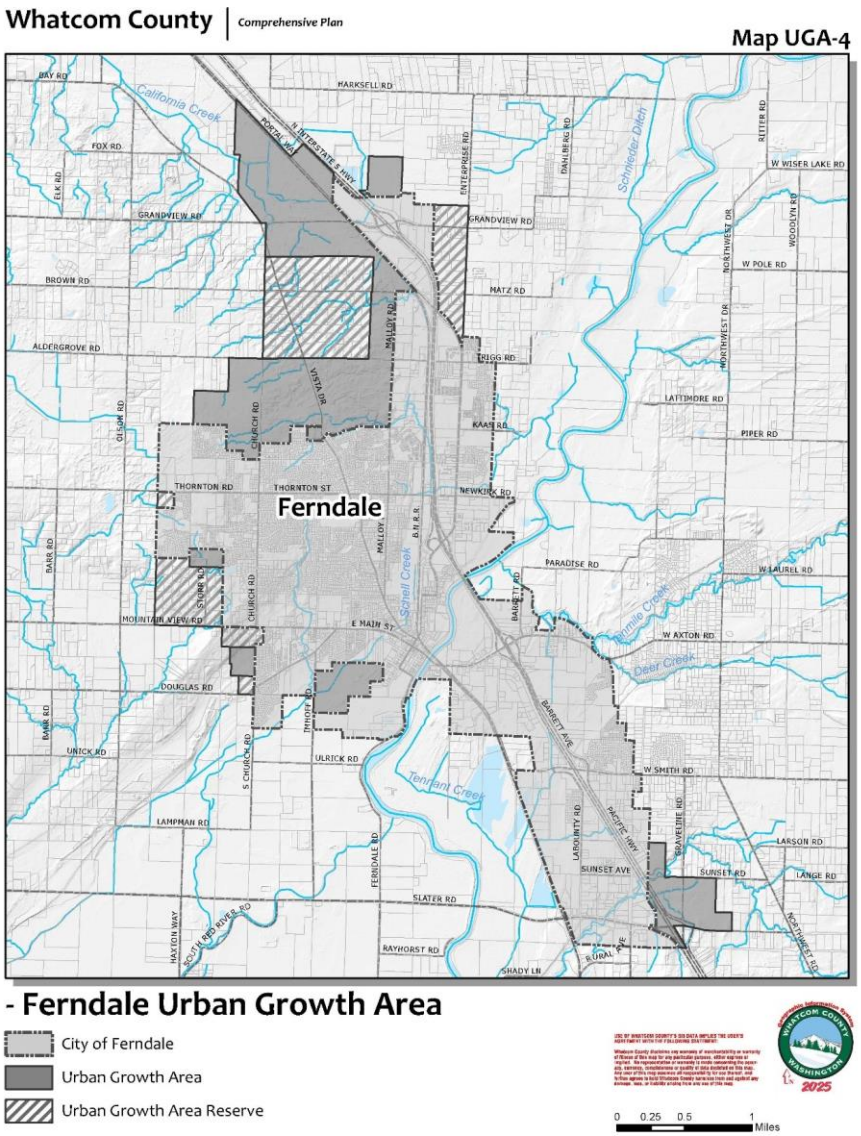
Policy 2X-~~6~~5: Review and update the interlocal agreement with Ferndale, prior to expiration of the current interlocal agreement, to provide for:

- Coordinated growth management and capital facility planning;
- policies regarding utility service outside the UGA;
- identification of needed capital facility improvements and funding mechanisms;
- zoning designations and density within the UGA and UGA Reserve;
- coordination with the county of greenbelts and open space;
- the use of Urban Growth Area Reserves for long range planning;
- timing and procedures to be used for review of adequate land supply; and
- consistency with the Coordinated Water System Plan.

Commented [MA63]: Text changes in this Policy (both additional language and deleted language) suggested by the City of Ferndale Community Development Director in an email dated 11/3/2025. The new language was modified per the County Planning and Development Services Director email of 11/5/2025, with concurrence by Ferndale on 11/6/2025. With regard to deleting the existing text suggested by Ferndale, the County notes that Countywide Planning Policy F.3 states ". . . Interlocal agreements shall specify guidelines on size, timing of annexations and urban levels of development, and tax revenue sharing when appropriate." Additionally, Countywide Planning Policy O.1 states "It is recognized that if the Growth Management Act and these policies are implemented to their maximum extent, County government may eventually lose the tax base needed to operate essential services, including the criminal justice function and the Offices of Treasurer, Assessor, and Auditor, which serve all jurisdictions in the area. Revenue-sharing shall be addressed in inter-local agreements between Cities and the County."

Commented [MA64]: Text changes in this paragraph suggested by the City of Ferndale Community Development Director in an email dated 11/3/2025.

Commented [MA65]: Text changes suggested by the City of Ferndale Community Development Director in an email dated 11/3/2025, as modified by the County and agreed to by the City.


Whatcom County | Comprehensive Plan
Map UGA-4
Ferndale
BAY RD
FOX RD
ELK RD
GRANDVIEW RD
BROWN RD
ALDERGROVE RD
OLSON RD
BARR RD
MOUNTAIN VIEW RD
DOUGLAS RD
UNICK RD
LAMPMAN RD
SLATER RD
RAYHORST RD
SHADY LN
MARKSELL RD
ENTERPRISE RD
DAHLBERG RD
MATZ RD
MALLOY RD
TRIGG RD
KAST RD
NEWKIRK RD
THORNTON RD
THORNTON ST
CHURCH RD
STORE RD
E MAIN ST
PARADISE RD
BARRETT RD
BARRETT AVE
W AXTON RD
W LAUREL RD
W WISER LAKE RD
RETTER RD
WOODLYN RD
NORTHWEST DR
W POLE RD
LATTIMORE RD
PIPER RD
W SMITH RD
LARSON RD
SUNSET AVE
SUNSET RD
LANGE RD
GRAVELINE RD
LARSON TY RD
PACIFIC HWY
FERNDALE RD
S CHURCH RD
MAXTON WAY
SOUTH RD
RIVER RD
SURAL AVE
NORTHWEST RD
California Creek
Schlieder Ditch
Schell Creek
Tennant Creek
Deer Creek
Jimmie Creek
B.N.R.R.
- Ferndale Urban Growth Area
City of Ferndale
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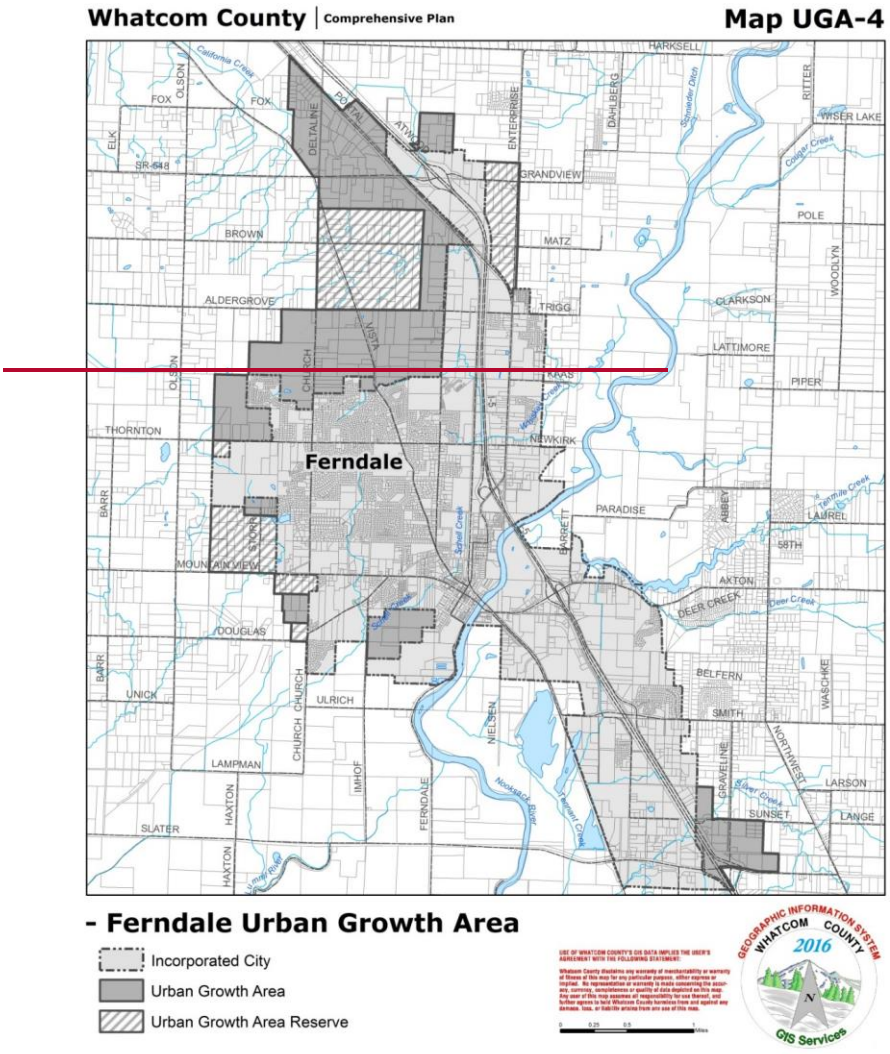


Lynden

County goals encourage Lynden to develop residentially zoned areas at average net densities of six to ten units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure, and open space.

Issues in defining the Lynden Urban Growth Area include preservation of agricultural resource lands and accommodating projected urban growth over the planning period. Lynden is surrounded by agricultural resource lands. The Growth Management Act requires cities to protect adjacent resource lands through the adoption of buffers or the regulation of uses.

The city of Lynden provides public water, sewer, stormwater, police and fire protection services. The City of Lynden and the Washington State Department of Ecology have an existing dispute over the city's water rights. The city has entered into a memorandum of agreement (MOA) with Ecology to address long-standing water right issues. The Lynden School District also serves the area.

The Lynden Urban Growth Area has been designated to provide a sufficient land supply for Lynden and minimize impact on adjacent agricultural resource land.

Areas included in UGA – (Map UGA-5)

North

Approximately 240 acres of unincorporated UGA remain northwest of the Lynden city limits. This unincorporated UGA lies within the City's Pepin Creek Subarea and is identified as the area that will absorb the majority of Lynden residential growth during the planning period. Currently, most of this land is actively farmed for feed crops, berries, and regular row crops. The city has adopted the comprehensive Pepin Creek Subarea Plan that will guide development as annexation continues. The plan identifies zoning categories, open space and trail locations, and an approximate transportation network that will serve the subarea. Future development here must address existing substandard roads, a high-water table, and the realignment of Pepin Creek away from the two large ditches adjacent to Double Ditch Road.

~~Land in the northwest area of Lynden has been included in the UGA. While this is prime agricultural land, it is logically located for service provision and is necessary to adequately accommodate Lynden's growth needs through the 20 year planning period. The City of Lynden has been the lead in developing the Pepin Creek realignment project in the UGA for the last 10 to 15 years. This has involved coordination with the County, WSDOT, WDFW, DOE, North Lynden Watershed Improvement District and other impacted shareholders. This project would realign deep roadside ditches along Benson Road and Double Ditch Road into a single stream channel roughly centered between the two. The project is intended to address flooding, fish habitat, and roadside drainage that impacts water quality and creates narrow roadways without adequate shoulders. It will also provide a new trail corridor and provide space in the existing right of ways for bike and pedestrian movements.~~

Commented [MA66]: This new paragraph (and deleting the current language) suggested by the City of Lynden Planning & Community Development Department in an email dated 11/4/2025.

~~West~~

~~A large amount of land located west of Lynden is included to facilitate industrial and commercial growth for the City of Lynden and accommodate a city stormwater detention facility.~~

South

There remains a patchwork of~~are~~ several relatively small~~er~~ unincorporated UGAs along the southern city limits of ~~areas south of~~ Lynden ~~in the UGA~~. For the most part, these have minimal future development potential due to critical areas, the Nooksack River floodplain, and property owner intent.

Goal 2Y: **Provide an Urban Growth Area for Lynden of sufficient size to accommodate future growth, ~~protect the existing character of Lynden, and~~ but minimize impact on county resource lands.**

Policy 2Y-1: Ensure that conditional uses in the agricultural zone do not discourage the development of such uses within the City of Lynden.

Policy 2Y-2: Work with Lynden to develop long term measures to assure compatibility of adjacent uses to designated agricultural resource lands.

Policy 2Y-3 Coordinate with Lynden to adopt regulations to limit development in the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Lynden through the Floodplain Integrated Planning process to address increased riverine flooding due to climate change, consistent with Countywide Planning Policy T4. (#106) (#156)

Policy 2Y-~~3~~4: Review and update the interlocal agreement with Lynden, prior to expiration of the current interlocal agreement, to provide for:

- Coordinated growth management and capital facility planning;
- restrict extension of urban levels of service to the urban growth areas;
- identification of needed capital facility improvements and establishment of funding mechanisms;
- zoning designations and density within the UGA;
- timing and procedures to be used for review of adequate land supply; and
- consistency with the *Coordinated Water System Plan* and demonstration of sufficient water rights for current and projected needs.

Commented [MA67]: This area has been annexed into the City of Lynden.

Commented [MA68]: The revised language below was suggested by the City of Lynden Planning & Community Development Department in an email dated 11/4/2025. The County made a minor change to the City's suggested language.

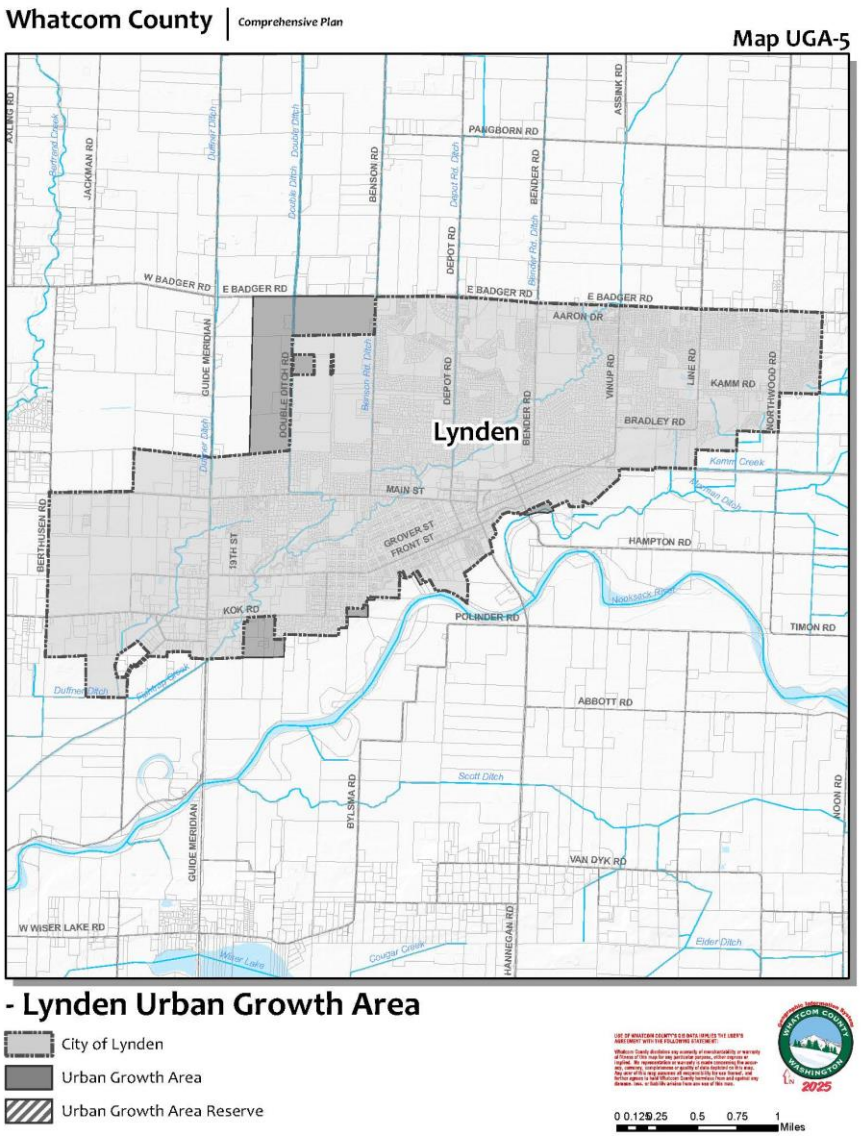
Commented [MA69]: The County requested that the City of Lynden consider updating/revising this language. In response, the City of Lynden Planning & Community Development Department recommended deleting the language in an email dated 11/4/2025.

Policy 2Y-~~4~~5: Land uses that are incompatible with the operation of the Lynden Airport should be discouraged when rezoning land in the Urban Growth Area west of Benson Rd. and south of Badger Rd. Specifically, Whatcom County should follow the process set forth below when considering whether a proposed rezone discourages incompatible land uses:

- Determine whether any land in the proposed rezone is within zone 1 (runway protection zone), zone 2 (inner approach/departure zone), or zone 3 (inner turning zone) as shown on Safety Compatibility Zone Example 1 from the *California Airport Land Use Planning Handbook* (Shutt Moen Associates, January 2002, p. 9-38).
- Compare the land uses allowed by the proposed zoning with the Basic Safety Compatibility Qualities for zones 1, 2, and 3 and the Safety Compatibility Criteria Guidelines for zones 1, 2, and 3 in the *California Airport Land Use Planning Handbook* (Shutt Moen Associates, January 2002, pp. 9-44 and 9-47) and identify incompatible land uses.
- Determine whether land in zone 1, 2 or 3 is proposed for a zoning district that allows residential land uses, schools, day care centers, hospitals, nursing homes, or above ground bulk fuel storage.
- Unless no alternatives are feasible, require residential land uses, schools, day care centers, hospitals, and nursing homes to be clustered or otherwise located outside of zones 1, 2 and 3 and require above ground bulk fuel storage to be located outside of zones 1, 2 and 3. The intent is to preserve as much open space as possible in zones 1, 2 and 3.

Policy 2Y-~~5~~6: Land uses that are incompatible with the operation of the Lynden Airport should be discouraged if expansion of the Urban Growth Area west of Benson Rd. and south of Badger Rd. is considered. Specifically, the Lynden Urban Growth Area should not be expanded in this area unless it can be demonstrated that:

- Residential land uses, schools, day care centers, hospitals, nursing homes, and above ground bulk fuel storage would be clustered or otherwise located outside zone 2 (inner approach/departure zone), zone 3 (inner turning zone), and zone 4 (outer approach/departure zone) as shown on Safety Compatibility Zone Example 1 from the *California Airport Land Use Planning Handbook* (Shutt Moen Associates, January 2002, p. 9-38).


Whatcom County | Comprehensive Plan
Map UGA-5
Lynden
PANGBORN RD
ASSINK RD
BENSON RD
DEPOT RD
BENDER RD
W BADGER RD
E BADGER RD
AARON DR
GUIDE MERIDIAN
DOUBLE DITCH RD
VINUP RD
LINE RD
KAMM RD
NORTHWOOD RD
BRADLEY RD
Kamm Creek
MAIN ST
GROVER ST
FRONT ST
BERTHUSEN RD
13TH ST
HAMPTON RD
KOK RD
POLINDER RD
Nooksack River
TIMON RD
ABBOTT RD
Scott Ditch
BYLSMA RD
VAN DYK RD
W WISER LAKE RD
HANNEGAN RD
Wiser Lake
Cougar Creek
Elder Ditch
- Lynden Urban Growth Area
City of Lynden
Urban Growth Area
Urban Growth Area Reserve
0 0.125 0.25 0.5 0.75 1
Miles

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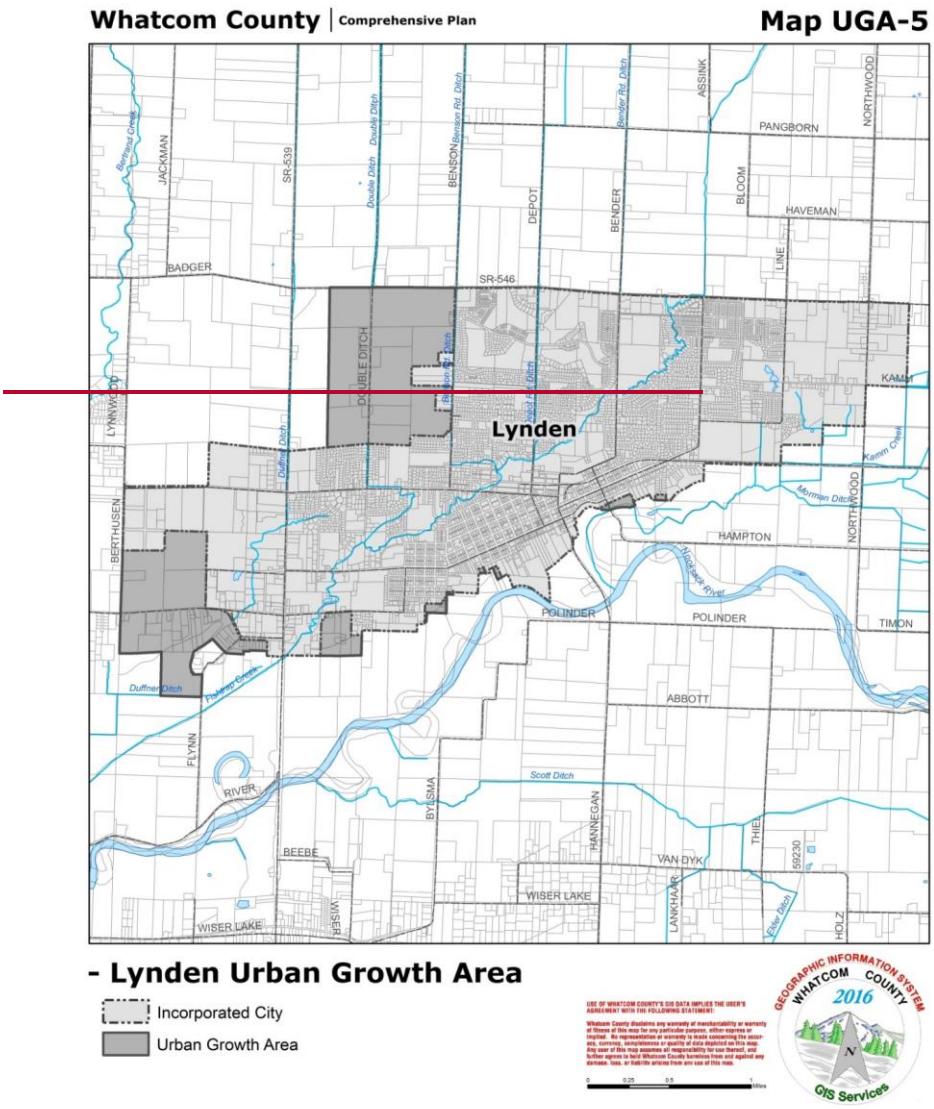


Nooksack

The Nooksack urban growth area is located in central Whatcom County, northeast of Bellingham. The UGA is located immediately to the east and northeast of the City of Everson, and is served by a major state highway, SR 9 that connects the City to the Canadian border and to points further south. From points south, Burlington Northern railway passes through the town center, on the way to Canada.

The Community's expressed vision is to maintain an atmosphere of safe and friendly ~~family~~(#93) living in a small town rural setting, while protecting and enjoying the natural environment and agricultural lands of the surrounding area, and promoting development of new jobs and businesses.

Flood prone areas, preservation of agricultural resource land, appropriate use or reuse of adjacent mineral resource lands, and provision of adequate urban level services, are among the factors considered in designating the City of Nooksack Urban Growth Area boundary. The Nooksack UGA is located entirely within the Sumas River watershed, with portions of the City's eastern boundary following the Sumas River as it flows north toward Sumas and British Columbia, Canada. Nooksack is surrounded on almost all sides by physical constraints that present challenges to development. West of the city limits is the Nooksack River floodplain with a history of recurrent flooding, and east of the city are the Sumas River, Breckenridge Creek, and Swift Creek, all of which are prone to flooding. Mineral resource designated lands with active mining operations are located northeast of the city limits. The Nooksack UGA includes areas with high aquifer recharge susceptibility, protected by City and County critical areas regulations.

Commented [MA70]: Recommended by Nooksack City Planner in an email dated 10/16/2025. Land east of Nooksack is zoned Rural, outside the floodplain, outside designated Agricultural lands and outside Mineral Resource Lands.

Nooksack UGA is surrounded by agricultural land, or rural land with agricultural soils on nearly all sides. County goals include working cooperatively with the City of Nooksack to enhance or maintain the county's agricultural land base.

The City of Nooksack collects and transmits wastewater to City of Everson's Sewage Treatment Plant for treatment. Both cities provide funding for operation and maintenance of Everson's sewer treatment facility.

The City of Nooksack has a Water System that provides water to the City and a portion of the UGA. The City of Nooksack purchases water from the City of Sumas per the terms of a mutual supply agreement between Sumas and Nooksack and the Nooksack Valley Water Association (NVWA). Sumas has water rights to provide City of Nooksack with adequate supply necessary to support projected growth. Public schools for the area are operated and maintained by the Nooksack Valley School District. Fire protection services are provided by Fire District # 1.

The urban growth area for Nooksack is intended to provide sufficient land area to accommodate future urban growth with adequate public services, while minimizing impacts to resource lands and critical areas. County goals encourage Nooksack to develop residentially zoned areas at average net densities of four to six units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure and open space.

Areas included in the UGA – (Map UGA-6)

North

Land northwest of the existing city limits, north of Tom Rd., has been included in the Urban Growth Area. This land is ~~mostly~~ located outside the floodplain and, after annexation, is planned for future commercial, industrial, residential and institutional development.

East

Land east of the existing city limits and north of Breckenridge Creek has been included in the Urban Growth Area. This land is ~~mostly~~ located outside floodplains, and upon annexation Nooksack has indicated a willingness to provide urban services. ~~This area currently contains the Nooksack Elementary School and an adjacent cemetery, both of which are considered public uses. The majority of the remaining~~ This area is planned for future residential development.

Land east of the existing city limits and south of Breckenridge Creek has been included in the Urban Growth Area. This area is planned for future light industrial zoning.

South

Land south of the existing city limits and east of SR 9 has been included in the Urban Growth Area. This land~~, formerly in the Everson Urban Growth Area,~~ is planned for future residential and commercial development.

West

Land west of the existing city limits, adjacent to the Nooksack Valley Middle School, has been included in the Urban Growth Area. This land is located within the floodplain and, after annexation, is planned for ball fields.

Goal 2Z:	**Provide an Urban Growth Area for Nooksack which accommodates future growth needs and recognizes constraints imposed by Nooksack and Sumas River flooding, and adjacent designated agriculture and mineral resource lands.**
Policy 2Z-1:	Coordinate ~~Work~~ with Nooksack to adopt regulations ~~measures~~ to limit development in ~~floodplains~~the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Nooksack through the Floodplain Integrated Planning process to address increased riverine flooding due to climate change, consistent with Countywide Planning Policy T4. (#43)(#104)(#157)
Policy 2Z-2:	Continue to utilize best available science and updated flood mapping in floodplain development regulations, and consider cumulative impacts on downstream communities. (#122) (#160)

Commented [MA71]: Recommended by Nooksack City Planner in an email dated 10/16/2025. Nooksack modified their UGA expansion proposal to exclude the area in the current flood zone.

Commented [MA72]: The School is now in City limits.

Commented [MA73]: Existing UGA Reserve proposed for UGA by the City of Nooksack.

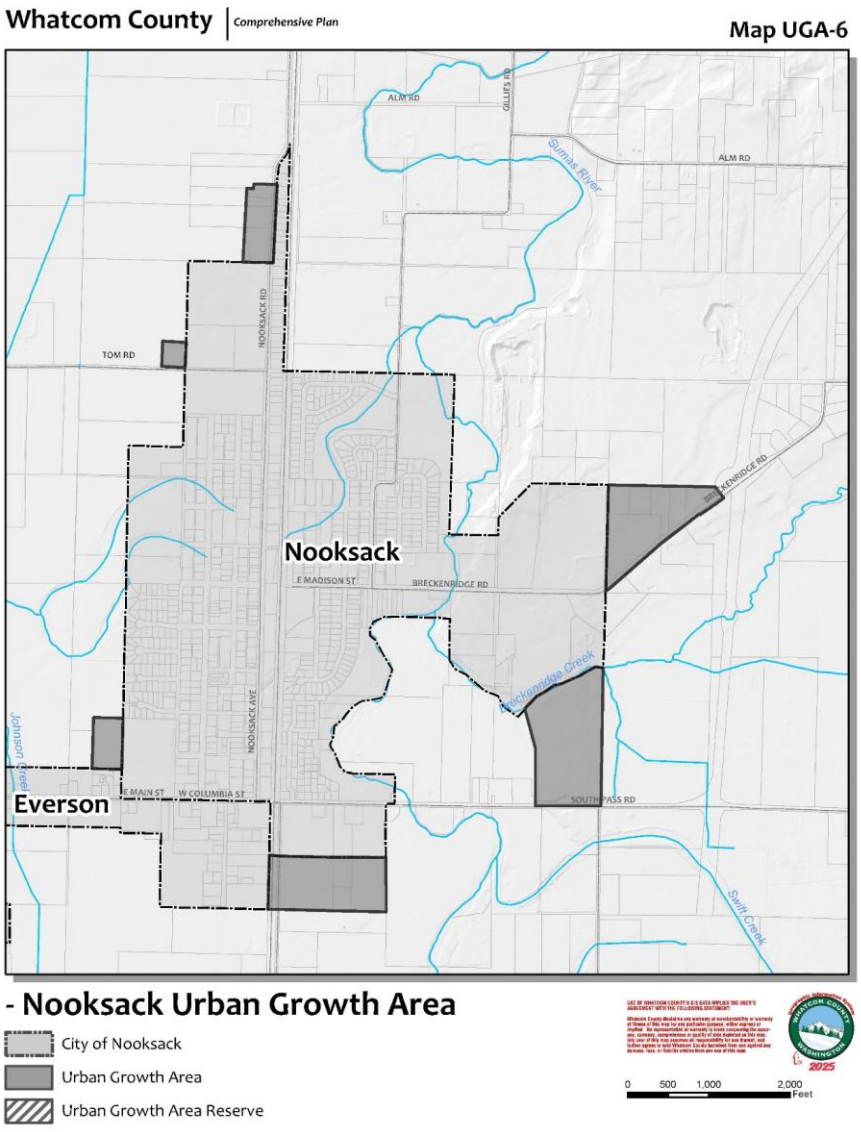
Policy 2Z-3: Coordinate regionally to ensure flood mitigation efforts align with watershed-scale planning and long-term climate resilience goals.(#122)

Policy 2Z-~~2~~4: Encourage Nooksack to pursue multifamily development and to adopt measures to develop within the existing city limits at increased densities.

Policy 2Z-~~3~~5: Ensure Nooksack can provide adequate urban services to accommodate projected housing and employment~~population~~ growth within the urban growth area.

Policy 2Z-~~4~~6: Review and update the interlocal agreement with Nooksack, prior to expiration of the current interlocal agreement, to provide for:

- Coordinated growth management and capital facility planning;
- identification of needed capital facility improvements and funding mechanisms;
- timing and procedures to be used for review of adequacy of land supply;
- consistency with the Coordinated Water System Plan;
- periodic reexamination of flood prone and agricultural areas;
- measures for protection of adjacent resource lands through control of incompatible uses and/or buffers; and
- long term measures to assure compatibility with resource lands.


Whatcom County | Comprehensive Plan
Map UGA-6
ALM RD
GILLIES RD
Sumas River
TOM RD
NOOKSACK RD
KENDRIDGE RD
Nooksack
E MADISON ST
BRECKENRIDGE RD
Breckenridge Creek
Johnson Creek
NOOKSACK AVE
E MAIN ST
W COLUMBIA ST
Everson
SOUTH PASS RD
Swift Creek
- Nooksack Urban Growth Area
City of Nooksack
Urban Growth Area
Urban Growth Area Reserve
0 500 1,000 2,000
Feet

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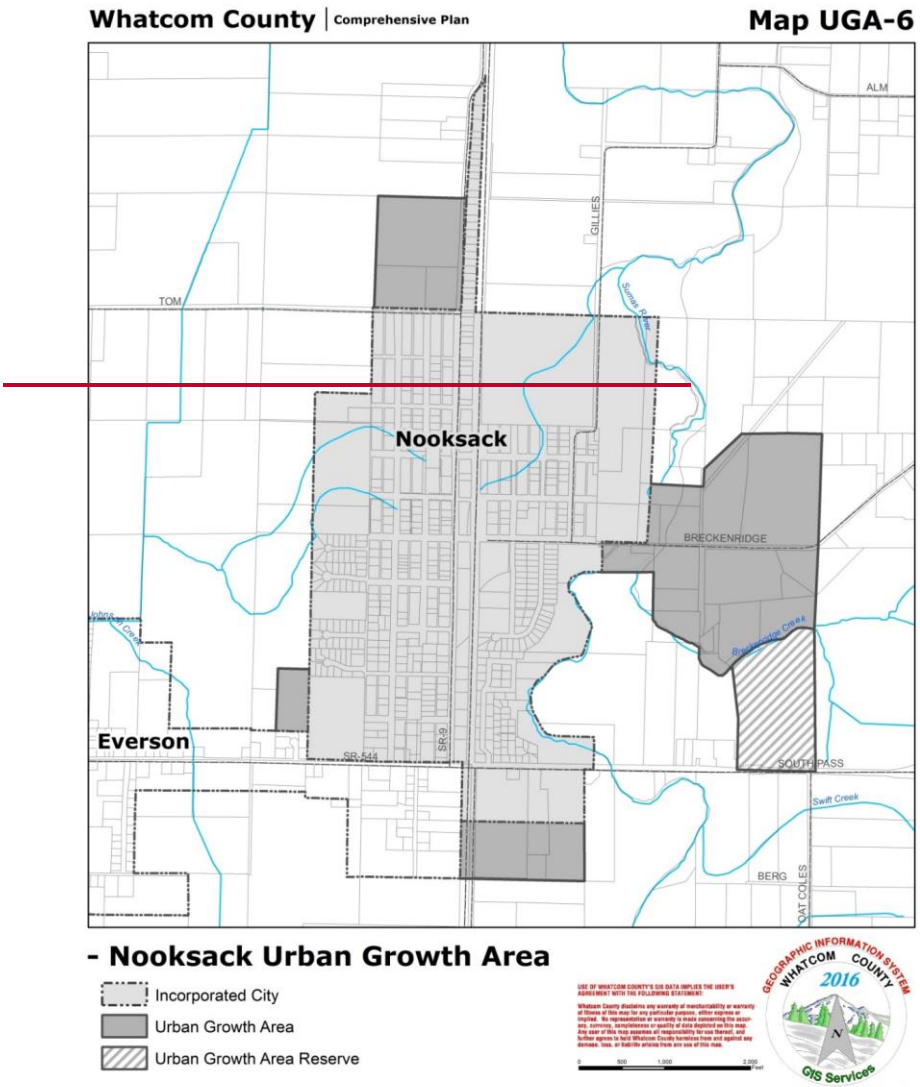


Sumas

The Sumas urban growth area is located in north central Whatcom County along the USA-Canada international border, with the communities of Everson and Nooksack to the southwest. The UGA is served by two state highways (SR 9 and SR 547) connecting the City to the Canadian border and extending to points further south and east. The Community's vision for the UGA is to take advantage of its location and function as an international border crossing to capitalize on commercial and retail economic opportunities presented by border traffic. The City has also ~~expressed an interest in becoming~~ become a regional industrial center. The UGA is served by Burlington Northern railway, State Route 9, and the Sumas Land Port of Entry on the Canadian Border.

Commented [MA74]: Text changes in this paragraph suggested by the City Planner for the City of Sumas in an email dated 10/15/2025.

Flood prone areas, preservation of agricultural resource land, and provision of adequate urban services, are among many factors considered in designating the City of Sumas Urban Growth Area boundary. The UGA and surrounding area consists of gently sloping terrain, tributary streams and creeks draining into the meandering northward flowing Sumas River. The UGA is also surrounded by designated agricultural land on all sides. County goals include working cooperatively with the City of Sumas to enhance or maintain the county's agricultural land base.

Urban level service capacities must be considered when establishing geographic boundaries to accommodate future urban growth. The City of Sumas has a Water System that serves the City. The City of Sumas owns and operates seven wells in two major well fields that provide a significant quantity of water within recognized water rights. City of Sumas supplies wholesale water to the Sumas Rural Water Association, the Nooksack Valley Water Association and the City of Nooksack.

City of Sumas collects and transports wastewater across the USA-Canada border for treatment in the City of Abbotsford, British Columbia, Canada, on a contractual basis. This agreement extends through the year 2028.

Public schools for the area are operated and maintained by the Nooksack Valley School District. Fire protection services are provided by Fire District # 14.

The urban growth area for Sumas is intended to provide sufficient land area to accommodate future urban growth with adequate public services, while minimizing impacts to resource lands and critical areas. The 2021 and 2025 Nooksack River flood events devastated Sumas, causing approximately 80% of structures to be damaged. Sumas emphasizes the new urban growth area as a means to relocate current residents and (#44) direct new population out of the path of the flood. County goals encourage Sumas to develop residentially zoned areas at average net densities of four to six units per net developable acre. Net developable acreage is calculated by subtracting areas with development limitations such as steep slopes, flood areas, and other critical areas, and land needed for rights-of-way, utilities, infrastructure and open space.

Commented [MA75]: Text changes in this paragraph suggested by the City Planner for the City of Sumas in an email dated 10/15/2025.

Areas included in the UGA – (Map UGA-7)

An area south of Sumas and east of SR9 and an area west of Sumas have~~has~~ been designated urban growth area to accommodate future growth needs.

Goal 2AA: **Provide an Urban Growth Area for Sumas which accommodates future growth needs and recognizes the unique constraints imposed by flooding of the Sumas River and the Nooksack River and designated Agriculture lands.**

Policy 2AA-1: Ensure Sumas can provide adequate urban services within the urban growth area.

Policy 2AA-2: Coordinate ~~Work~~ with Sumas to adopt regulations ~~measures~~ to limit development in ~~floodplains~~the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates. Coordinate with Sumas through the Floodplain Integrated Planning process to address increased risk of riverine flooding due to climate change, consistent with Countywide Planning Policy T4. (#45)(#105)(#158)

Policy 2AA-3: Continue to utilize best available science and updated flood mapping in floodplain development regulations, and consider cumulative impacts on downstream communities. (#123) (#160)

Policy 2AA-4: Coordinate regionally to ensure flood mitigation efforts align with watershed-scale planning and long-term climate resilience goals. (#123)

Policy 2AA-~~3~~5: Encourage Sumas to increase densities for areas located outside the floodplain.

Policy 2AA-~~4~~6: Avoid new land uses that are an identified threat to groundwater quality within the delineated wellhead protection area of the Sumas City wellfield and May Road wellfield.

Policy 2AA-~~5~~7: Review and update the interlocal agreement with Sumas, prior to expiration of the current interlocal agreement, to provide for:

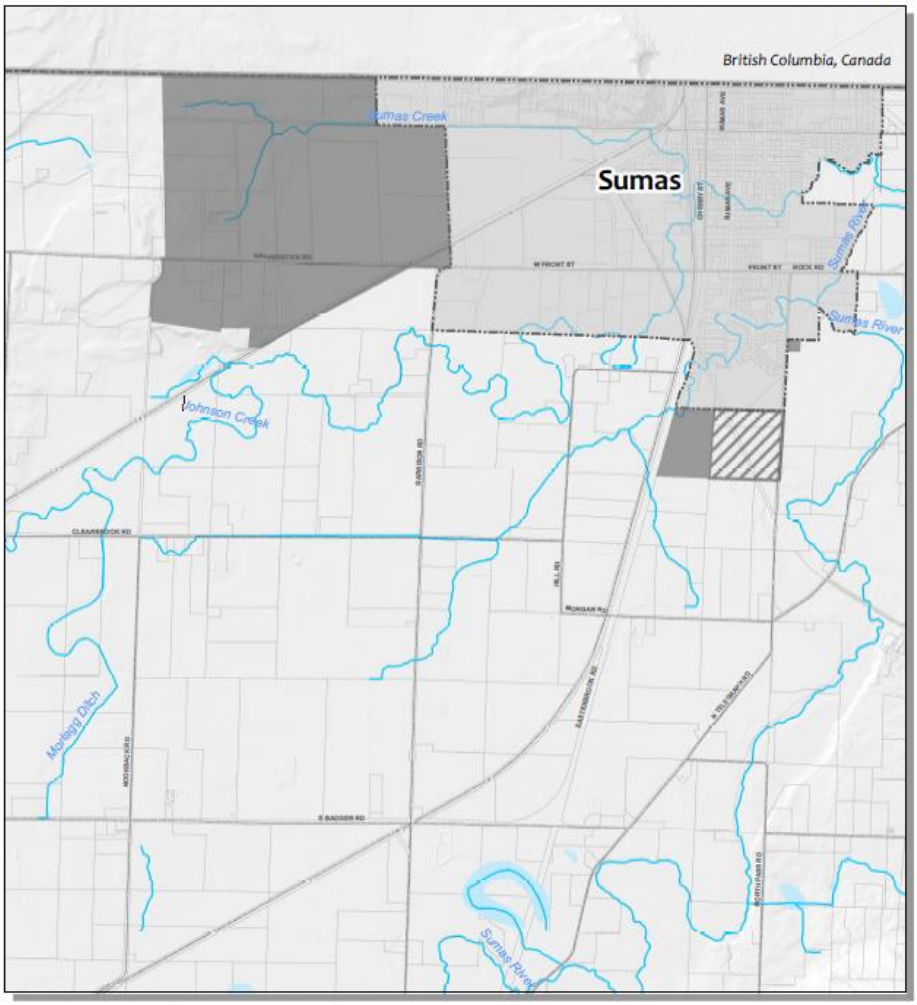
- Coordinated growth management and capital facility planning;
- restriction of extension of urban levels of service outside the urban growth area;
- identification of needed capital facility improvements and funding mechanisms;
- timing and procedures to be used for review of adequate land supply;
- consistency with the Coordinated Water System Plan;
- protection of groundwater quality within the wellhead protection areas of the Sumas wellfields;
- reexamination of the densities outside the floodplain to see if they can be increased; and

- long term measures to assure compatibility with resource lands.

Commented [KS76]: Council approved a motion on 2/10/26 to request that area 2 remain as UGAR (#85)

Whatcom County | *Comprehensive Plan*

Map UGA-7



- Sumas Urban Growth Area

- City of Sumas
- Urban Growth Area
- Urban Growth Area Reserve

0 0.125 0.25 0.5 Miles

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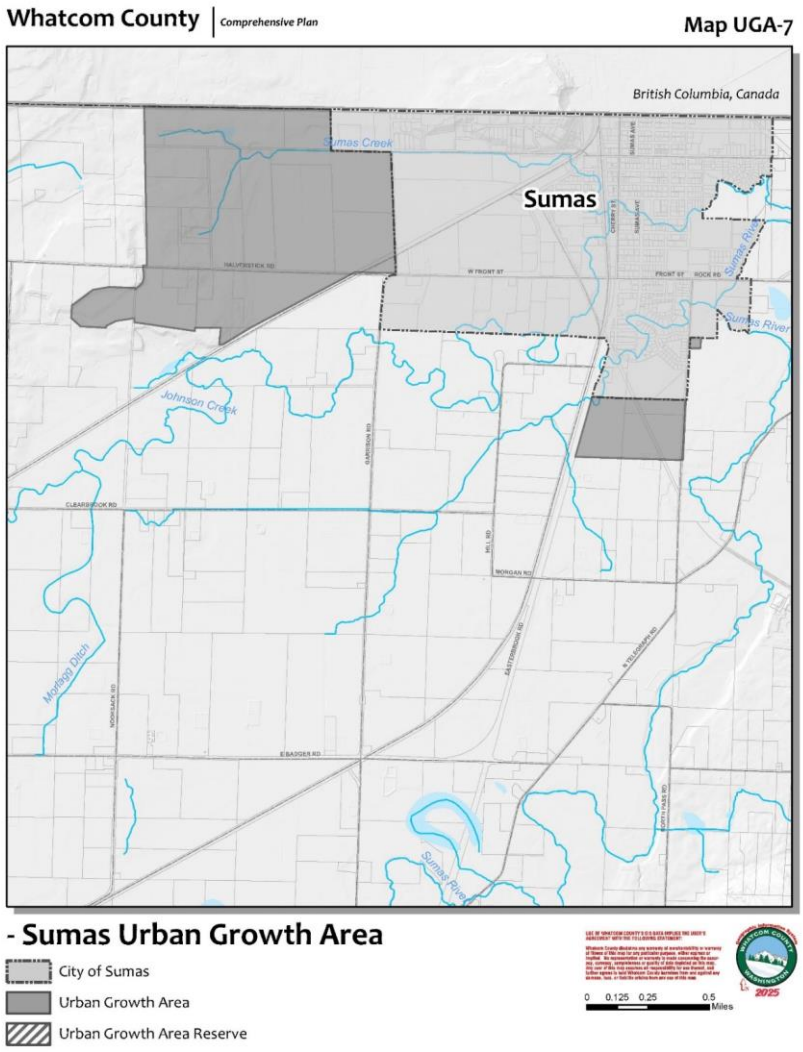

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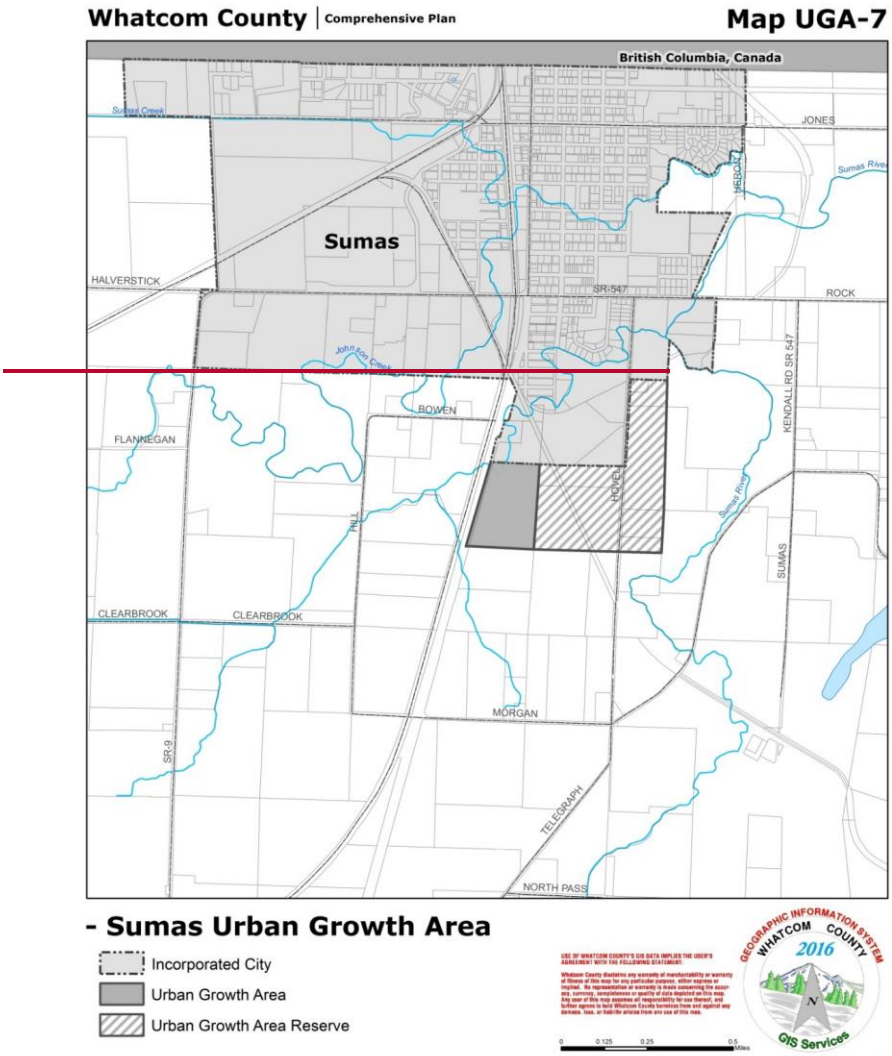


Birch Bay and Columbia Valley Urban Growth Areas

The Birch Bay UGA and Columbia Valley UGA are unincorporated areas with sizable populations and substantial amounts of existing, residential/recreational development. These areas are characterized by a mix of permanent residents, recreational units and/or second home use, which reflects both the population growth that has occurred in the unincorporated areas of Whatcom County and the resort/recreational nature of these areas.

Birch Bay UGA

Birch Bay is a resort community which has historically been a second-home resort area with a trend toward permanent, often retirement homes. A high proportion are still second homes. However, the trend is shifting to more permanent residents because of the attractiveness of the Birch Bay area and the cost of housing in other areas of the county. Affordable housing sites should be encouraged in the Birch Bay UGA.(#130)

Water and sewer are provided by Birch Bay Water and Sewer District which has a network of water lines throughout most of the district. Birch Bay Water and Sewer District has the capability of providing sewer service to the entire urban growth area, but the present urban growth area~~sewer system~~ covers a much smaller geographic area than the water distribution system. The sewer service area also includes land which was removed from the Birch Bay Urban Growth Area. Designated affordable housing sites should be included in the water/sewer service area, as amended if needed.(#131)

Commented [MA77]: Change suggested by Birch Bay Water and Sewer District General Manager in an email dated 10/15/2025.

The district purchases water under a contractual agreement from the City of Blaine. In April 2002, the District entered into a 30 year contract with the City of Blaine to purchase water adequate to serve the District's projected need for water through 2032. The District continues to work closely with Blaine as the need for water changes with updates to the population projections.

Between 2001 and 2003, a citizen group developed a Community Plan for the Birch Bay Urban Growth Area and surrounding rural area. The Birch Bay Community Plan, as revised, was adopted as a Subarea of the Whatcom County Comprehensive Plan in 2004 and provides more detailed background information and policy direction regarding growth and development within Birch Bay. Where there are conflicts between the Birch Bay Community Plan and the Whatcom County Comprehensive Plan, the County Comprehensive Plan shall prevail.

In 1992, an attempt was made to incorporate Birch Bay; however, it was defeated by the voters. In 2008, the county completed an incorporation feasibility study for the Birch Bay UGA which identified the issues with and benefits of incorporating. It concluded that Birch Bay incorporation was financially feasible given the community's tax base and service needs. In 2025, another Birch Bay incorporation feasibility study was completed. The community has not made another attempt to incorporate as of ~~2015~~2025.

Commented [MA78]: In progress. Will be completed in December 2025.

Columbia Valley UGA

Located in the northeast region of the developed portion of the county, the Columbia Valley UGA is the most populous area in the eastern part of Whatcom County.

The Columbia Valley area, like many other areas in Whatcom County, was originally developed to cater to a seasonal population, primarily Canadians who are allowed to spend up to six months per year in the United States. However, this area has become attractive for permanent residents and has transitioned to a higher percentage of year-round residents. The lots are affordable and the current and projected development will provide an available work force for economic development.

Columbia Valley includes ~~two~~ large subdivisions that~~, Paradise Lakes and Peaceful Valley, which~~ are located along both sides of Kendall Road (SR547). The UGA also includes several lakes, a wetland complex along Kendall Creek, and some undeveloped land. The Columbia Valley was originally designated as an urban growth area in 1999. Between 2013~~2000~~ and 2023~~2013~~, the population of the UGA has increased by approximately 17%~~30%~~. Additionally, the population increases in the summer because of the recreational units in the UGA.

Commented [MA79]: Derived from OFM Small Area Estimates Program population estimates for Columbia Valley UGA.

Paradise Lakes has public roads and continues to utilize septic systems for sewage disposal. The Columbia Valley Water District ~~(formerly Evergreen Water Sewer District)~~ provides public water service to residential and camper lots within the Paradise Lakes divisions. Peaceful Valley has private roads and a water and sewer system managed by Water District 13.

Public transit service is provided to the Columbia Valley/Kendall area by the Whatcom Transportation Authority (WTA). Local east-county law enforcement is provided by Sheriff's deputies that use space in the Kendall Fire Hall~~a Sheriff's Deputy that is based out of the East Whatcom Regional Resource Center~~. The small town of Kendall, located outside of the UGA, has a commercial district, fire station, and an elementary school.

Commented [MA80]: Per email dated October 8, 2025 from Undersheriff Steve Harris.

Goal 2BB:	**Recognize Birch Bay and the Columbia Valley area as county urban growth areas, not associated with existing cities.**
Policy 2BB-1:	Work with the Birch Bay Water and Sewer District to foster water and sewer plans that are coordinated and consistent with the Whatcom County Comprehensive Plan and Coordinated Water System Plan. Work with Birch Bay Water and Sewer District and the City of Blaine to resolve any issues of jurisdiction.
Policy 2BB-2:	Work with North Whatcom Fire and Rescue, the Blaine School District, the Washington Department of Transportation and other interested parties to foster capital facility plans for the Birch Bay UGA that are coordinated and consistent with the Whatcom County Comprehensive Plan.
Policy 2BB-3:	Work with the Birch Bay Community Advisory Committee and local partners to adopt measures to limit development in current

and future floodplains and areas at risk of sea level rise and coastal erosion due to climate change. Development that does occur should take mitigative measures outlined in the Future Shorelines: Whatcom Climate Vulnerability Assessment and Shoreline Management Solutions Report, found in Appendix B, using the report's relocate, avoid, accommodate, protect model to build resilience to coastal and riverine flooding and erosion hazards. Continue the pilot adaptation plan for Birch Bay.(#110)

- Recognize opportunities for affordable housing sites for property included in the Birch Bay UGA.
- Approve land use entitlements and permit decisions that implement Housing Policy 3C-9 to produce affordable housing.(#132)

Policy 2BB-~~43~~ Recognize the resort nature of Birch Bay, including the significant second home factor when analyzing land supply for urban growth area boundaries. Recognize the recreational nature of a portion of the Columbia Valley UGA when analyzing land supply for urban growth area boundaries.

Policy 2BB-~~54~~: Birch Bay is unique with its traditional cottages on small lots that enhance the character of the area. In order to facilitate continuation of this traditional character, encourage small lot single family development in the Birch Bay UGA. Propose amendments to the Resort Commercial zoning district, applicable only to single family dwellings, that increase density to between 10 and 20 dwelling units/acre, reduce setbacks, and require pervious surfaces for driveways or other methods of stormwater infiltration.

Policy 2BB-~~65~~ Encourage incorporation of Birch Bay when financial viability can be achieved without including the Cherry Point Industrial Area within proposed city boundaries.

Policy 2BB-~~76~~: Recognize the impacts of tourist development on local residents in the Birch Bay and Columbia Valley UGAs and provide for mitigation of those impacts.

Policy 2BB-~~87~~: Work with Water District 13 and the Columbia Valley Water District to foster water and sewer plans that are coordinated and consistent with the Whatcom County Comprehensive Plan and Coordinated Water System Plan.

Policy 2BB-~~98~~ Work with Fire District 14, the Mount Baker School District, the Washington Department of Transportation and other interested parties to foster capital facility plans for the Columbia Valley UGA that are coordinated and consistent with the Whatcom County Comprehensive Plan. Capital facility plans should provide the information required by RCW 36.70A.070(3).

Policy 2BB-10~~9~~: Study the Columbia Valley UGA to identify the factors necessary to create an economically viable city, the implications of such development within the County overall, and make recommendations as to how and when incorporation should be initiated.

Policy 2BB-~~10~~11: Require unplatted areas in the Columbia Valley UGA to obtain "ability to serve" letters from schools, fire districts, and water and sewer service providers and demonstrate adequate road capacity in order to receive county approval for new subdivisions.

Policy 2BB-~~11~~12: For new subdivisions, encourage the use of clustering with adequate setbacks along Kendall Creek, Kendall and Sprague lakes, and wetlands to avoid environmental degradation of surface waters, to enhance/restore fish habitat relative to complying with listings under the Endangered Species Act, where they might apply, and to protect the aquifer underlying the Columbia Valley.

Policy 2BB-~~12~~13: For existing lots in the Columbia Valley UGA, encourage the use of appropriate stormwater best management practices and connection to public sewer to protect surface waters and the aquifer. Any new building permits on existing lots must be able to demonstrate that the water service is available to provide adequate water as a precondition to the issuance of a permit.

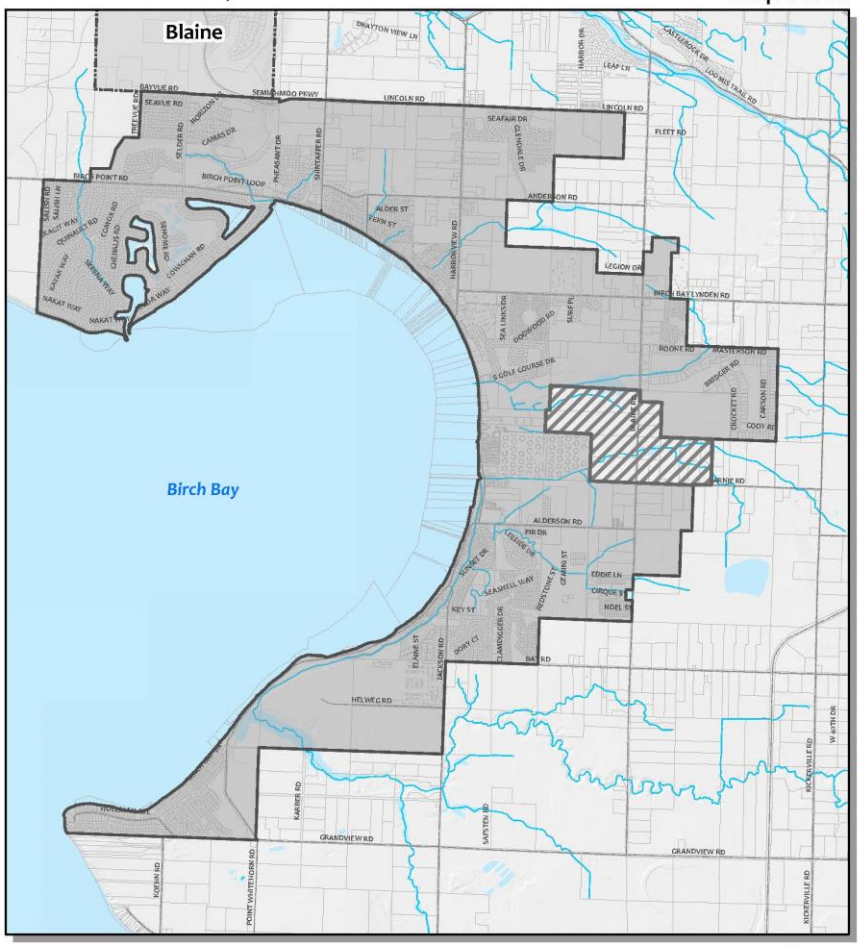
Policy 2BB-~~13~~14: Encourage use of low impact development (LID) standards in the Columbia Valley UGA.

Policy 2BB-~~14~~15: Recognize the need for light impact industrial land uses within the Columbia Valley Urban Growth Area~~. Consider establishing a light impact industrial zone located~~ on the north side of Limestone Road in the Light Impact Industrial zone~~accordance with the policies of the Foothills Subarea Plan~~.

Policy 2BB-~~15~~16: Recognize the Columbia Valley UGA as a developing urban community with potential to establish a viable town center, which includes commercial uses, a variety of residential housing types, and institutional uses.

Whatcom County | *Comprehensive Plan*

Map UGA-8



- Birch Bay Urban Growth Area

- Incorporated City
- Urban Growth Area
- Urban Growth Area Reserve

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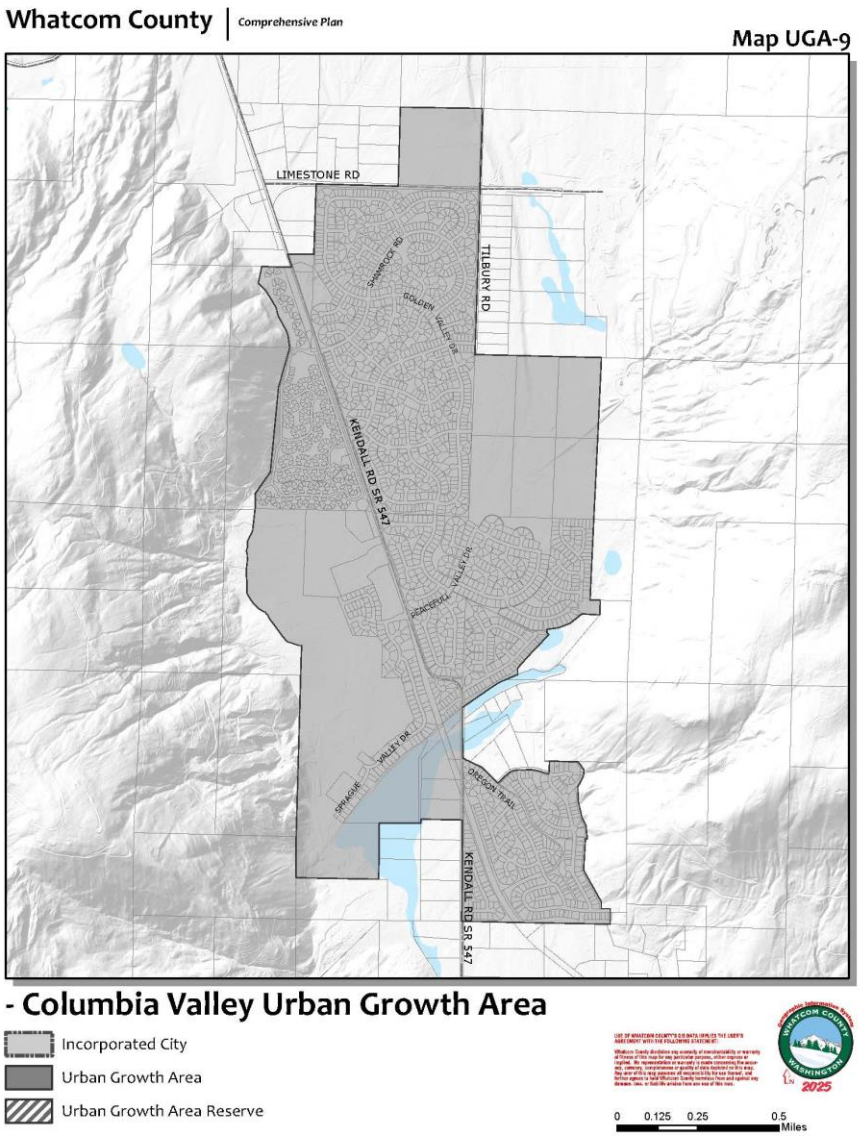

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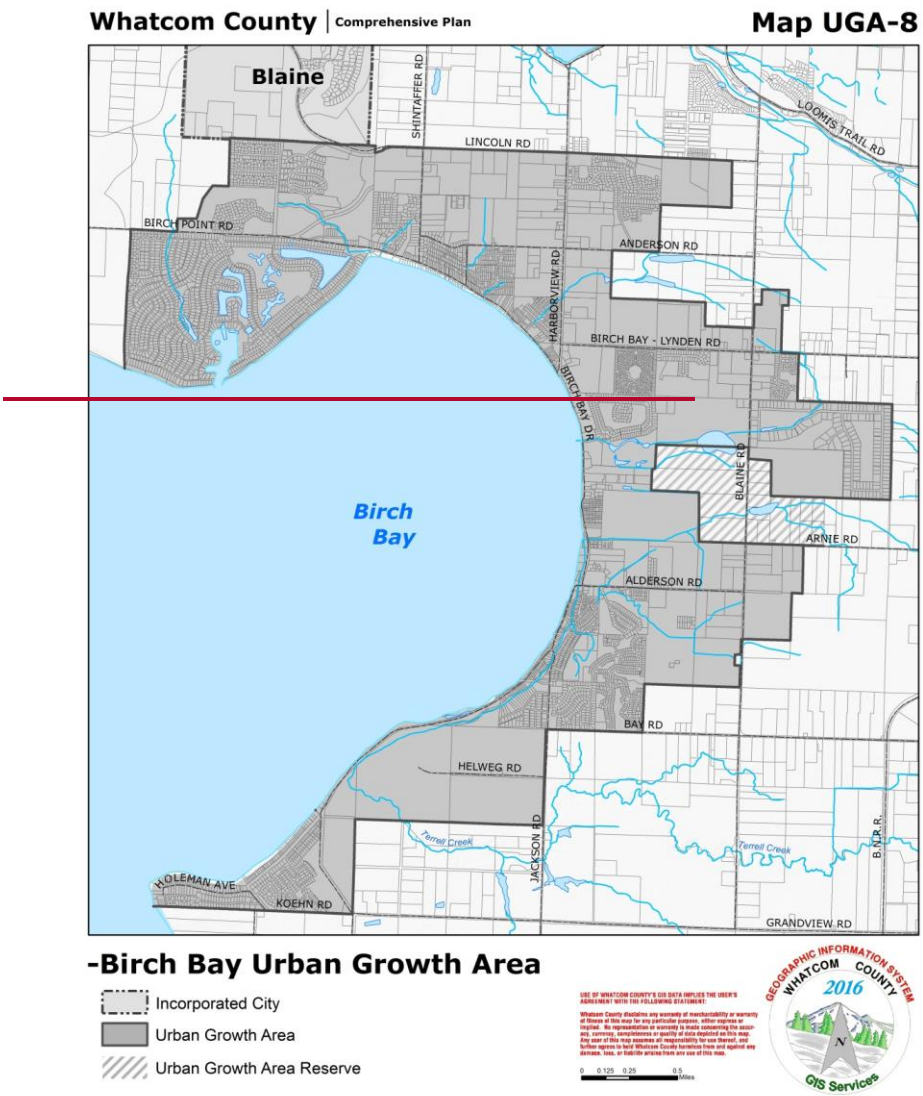
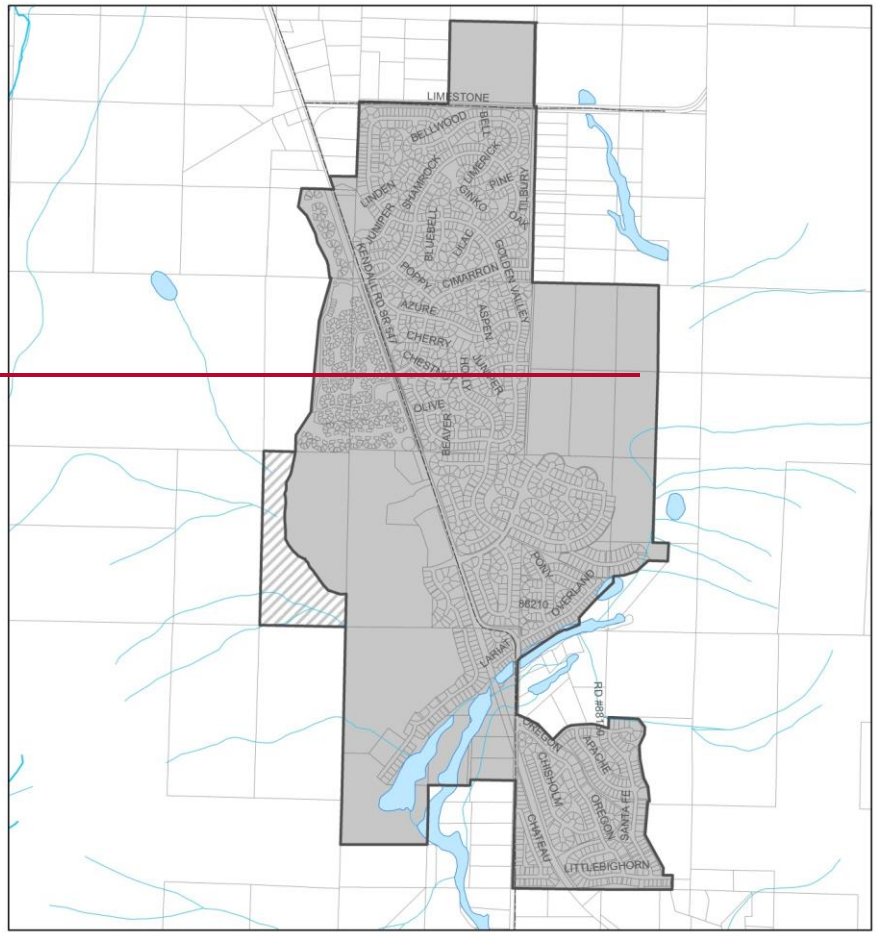

Whatcom County | Comprehensive Plan
Map UGA-8
Blaine
SHINTAFFER RD
LINCOLN RD
LOOMIS TRAIL RD
BIRCH POINT RD
ANDERSON RD
HARBORVIEW RD
BIRCH BAY - LYNDEN RD
BIRCH BAY DR
BLAINE RD
Birch Bay
ARNIE RD
ALDERSON RD
BAY RD
HELWEG RD
JACKSON RD
Terrell Creek
B.N.R.R.
KOLEMAN AVE
KOEHN RD
GRANDVIEW RD
-Birch Bay Urban Growth Area
Incorporated City
Urban Growth Area
Urban Growth Area Reserve
GEOGRAPHIC INFORMATION SYSTEM
WHATCOM COUNTY
2016
GIS Services

Whatcom County | Comprehensive Plan **Map UGA-9**



- Columbia Valley Urban Growth Area

- Urban Growth Area
- Urban Growth Area Reserve

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Major Industrial Urban Growth Area / Port Industrial

Cherry Point

The Cherry Point Urban Growth Area (UGA) contains approximately 6,650~~7,000~~ acres of industrial land. The land has long been planned and designated by Whatcom County for industrial development and is currently the site of three major industrial facilities including two oil refineries and a liquid petroleum gas export facility~~an aluminum smelter~~. Together, these three existing industries own about 4,213~~4,400~~ acres of the total Cherry Point industrial lands. ~~A fourth large tract of undeveloped land constituting approximately 1,500 acres is designated for industrial development.~~

Because of the special characteristics of Cherry Point, including deep water port access, rail access, and proximity to Canada, this area has regional significance for the siting of large industrial or related facilities. General Petroleum constructed the Ferndale Refinery in 1954, Alumax/Pechiney/Howmet constructed the Aluminum Smelter in 1966 (shut down in 2020), and the Atlantic Richfield Company constructed the Cherry Point Refinery in 1971. The existing industries in the Cherry Point UGA, which provide significant employment, have produced and shipped refined fossil fuels and other products for decades.

Cherry Point is also important historically and culturally to the Coast Salish people, and part of the usual and accustomed fishing area for five treaty tribes, reserved under the Treaty of Point Elliot of 1855. The Lummi Nation and Western Washington University have identified an ancestral village dating back over 3,000 years ago in this area. The Cherry Point UGA contains sites of primary archeological and cultural significance.

Since the designation of this area for industrial development years ago, newer scientific study of the shoreline ecology has identified Cherry Point's unique function as part of the Fraser River/Georgia Strait and greater Salish Sea ecosystem and the associated Cherry Point Aquatic Reserve has been designated by the state Department of Natural Resources to recognize the ecological importance of the aquatic lands in this area.

Since adoption of earlier versions of this Comprehensive Plan, governments have increased their recognition of the observed and projected effects that fossil fuel extraction, transportation and use have on human health and the environment.

Environmental

The Cherry Point shoreline has great importance to the fisheries and ecology of Northern Puget Sound because it provides essential spawning habitat for what once was the largest herring stock in Washington State. This herring stock has supported important commercial fisheries in the past and provides forage for salmonids and other important marine species. In 2000, 2010, and 2017 the State Lands Commissioner ordered the Cherry Point tidelands and bedlands withdrawn from the state's general leasing program and designated them as the "Cherry Point Aquatic Reserve." The following DNR Use Authorizations are exempted from withdrawal: Lease application numbers 20-A09122 (British Petroleum), 20-~~A~~B11714 and 51-076895 (Phillips 66), 20-A08488 (Petrogas Pacific), 51-073039 (Intalco Aluminum

Commented [MA81]: According to GIS, the existing UGA is about 7,035 acres. The re-designation of parcels north of Grandview Road that have a conservation easement or protective covenant would remove approximately 385 acres from the UGA. Therefore, the proposed UGA is approximately 6,650 acres.

Commented [MA82]: Per October 7, 2025 email from County GIS staff.

Commented [MA83]: Updated lease numbers are from the Cherry Point Aquatic Reserve Management Plan (April 2024, p. 48).

Corporation), and ~~20-010521~~51-082214 (Birch Bay Water and Sewer District). In 2000~~December 2010~~, the DNR recognized the need to "protect the significant environmental resource of aquatic lands at Cherry Point and designated those state-owned lands not already under a lease agreement as the Cherry Point Aquatic Reserve in order to ensure long-term environmental protection." (~~CPAR~~ Cherry Point Aquatic Reserve Management Plan or CPAR MP, April 2024, p. iii~~1~~~~, and completed the Cherry Point Environmental Aquatic Reserve Management Plan to ensure long-term environmental protection of the Aquatic Reserve~~. The Reserve extends from the southern boundary of Birch Bay State Park to the northern border of the Lummi Indian Nation Reservation.

The primary focus of the CPAR MP is to "protect, enhance and restore habitats used by Cherry Point herring, salmon, migratory and resident birds, and Dungeness crab, groundfish rearing areas and marine mammals, as well as the protection of submerged aquatic vegetation and water quality" (p. 5).~~The overall purpose of the Cherry Point Aquatic Reserve (CPAR) is to ensure long-term environmental protection for local habitats and species (CPAR MP p. 1).~~ Specific goals of the CPAR MP include:

- Natural functions and processes: Protect, enhance and restore the natural functions and processes of nearshore ecosystems.
- Water quality: Improve and protect water quality to protect public health, fish and wildlife, and functional habitats.
- Species protection and marine habitats: Protect and recover priority fish and wildlife species and habitats, with primary focus on Cherry Point Pacific herring.
- Stewardship, partnerships, environmental education and access: Promote stewardship of the reserve through environmental education and community science, strengthening partnerships with aquatics lessees, tribes, recreational users and resource agencies, and promoting appropriate public use and access.
- Cultural and archeological resource protection: Respect and protect recognized archaeological, cultural, and historical resources on state-owned aquatic lands. DNR recognizes Northwest Tribes as sovereign nations and will engage in government to government discussions when requested or warranted.
- Authorized uses: Ensure that any authorized uses of state-owned aquatic lands in the reserve are consistent with the aquatic reserve's long-term vision and management goals (p. 69).

~~protection and recovery (as applicable) of Cherry Point herring, Nooksack Chinook salmon, ground fish, marine mammals, seabird/duck and shorebird communities, Dungeness crab, and submerged native aquatic vegetation (CPAR MP p. 2). Another goal is to cooperate with other stakeholders "to minimize and reduce identified impacts of human activities on the species and habitats within the Reserve" (CPAR MP p. 2).~~

Much of the Aquatic Reserve shoreline is in substantially natural riparian vegetation and bluff processes proceed without interference. Existing shoreline and upland stream and wetland functions and values are of continuing importance to the recovery and protection of species identified in the Aquatic Reserve Management Plan. The area includes undeveloped intertidal wetlands with importance to juvenile salmon and other species. The existing industrial uses at Cherry Point do not conflict with aquatic reserve status. If the facilities are managed in alignment with this plan and the lessees actively work to further goals for the reserve, the uses can serve the objectives of the reserve (CPAR MP, p. iv).~~Existing industries can serve the Aquatic Reserve's objectives so long as they are managed according to the Plan and so long as the lessees actively work to further goals for the Reserve (CPAR MP p. 2).~~

The County and industrial users have long recognized that the Cherry Point area exhibits a unique set of characteristics that makes land there not only locally but regionally important for the siting of major industrial developments. Deep water access for shipping is a critical locational factor. These characteristics were articulated in the Overall Economic Development Plan (OEDP) for Whatcom County adopted by the Whatcom County Council of Governments in May, 1993, in the 1997 Property Counselors Report on supply and demand for industrial land in Whatcom County and at Cherry Point, the 2002 Greater Whatcom Comprehensive Economic Development Strategy, the 2003 Whatcom County Industrial Land Study, ~~and~~ the 2022~~2015~~ Whatcom County Comprehensive Economic Development Strategy, and the 2025 Whatcom County Industrial Lands Study.

The United States Congress approved the "Magnuson Amendment" in 1977 in order to restrict tankers carrying crude oil in the Puget Sound area. Congress found that Puget Sound and the adjacent shorelines were threatened by the increased possibility of vessel collisions and oil spills. Therefore, Congress restricted federal agencies from issuing federal permits as follows:

> . . . no officer, employee, or other official of the Federal Government shall, or shall have authority to, issue, renew, grant, or otherwise approve any permit, license, or other authority for constructing, renovating, modifying, or otherwise altering a terminal, dock, or other facility in, on, or immediately adjacent to, or affecting the navigable waters of Puget Sound, or any other navigable waters in the State of Washington east of Port Angeles, which will or may result in any increase in the volume of crude oil capable of being handled at any such facility (measured as of October 18, 1977), other than oil to be refined for consumption in the State of Washington.

Whatcom County does not enforce the Magnuson Amendment through the local permitting process. However, the County does encourage federal agencies to enforce the Magnuson Amendment. Therefore, the County will strive to make appropriate federal agencies aware of applications for development permits submitted to the County that may be subject to federal agency review under the Magnuson Amendment before issuing local permits when possible (see Policy 2CC-15).

Cherry Point UGA Features

The characteristics that make Cherry Point unique as a site for major industrial developments include the following:

Port Access

The marine waters off Cherry Point provide deepwater access for shipping. Deepwater access for shipping was a major siting consideration for the three major industries currently located at Cherry Point.

Rail Access

Cherry Point is served by a branch line of the BNSF Railway mainline serving western Washington. Rail service is considered to be vital to statewide as well as local interests for the competitive movement of freight. Rail service is particularly important in relation to waterborne commerce. The Cherry Point area has the rail access to support marine terminals and industrial users in the area. Cherry Point industries use rail to ship and receive multiple feedstocks and products. Both the Cherry Point Refinery and the Ferndale Refinery receive crude oil shipments by rail.

Proximity to Canada, Alaska and Foreign Ports

Cherry Point occupies a unique location for the siting of industry because of its close proximity to Canada and because of its shorter travel distance than other regional port facilities for shipping to and from Alaska and to other Pacific Rim locations. The large acreage, good rail access and proximity to Washington State and Canadian ports makes the remaining upland area at Cherry Point suitable for commercial or industrial production with emphasis on major sustainable clean energy manufacturing or production (see Policy 2CC-3). The Cherry Point industrial area benefits from proximity to Canada, as trade between the U.S. and Canada grows in response to the lifting of trade barriers under the Free Trade Agreement. Canadian exports to the U.S. are expected to increase and Canadian firms exporting to the U.S. are expected to seek locations in the U.S. as a way of improving access to U.S. markets. Compared to other port facilities in Washington and Canada, Cherry Point is not constrained by extensive upland development or vessel draft limitations.

Presence of Necessary Utilities and Infrastructure

Cherry Point is a major industrial area in Whatcom County. The Ferndale Refinery was constructed in 1954, the Aluminum Smelter in 1966 (shut down in 2020), and the Cherry Point Refinery in 1971. The infrastructure to support these industries and future industrial users at Cherry Point is in place and includes the following:

Electric Power

Electric Power is available from three providers in the Cherry Point area: Puget Sound Energy, Public Utility District #1 (PUD #1), and Bonneville Power Administration.

Puget Sound Energy owns two electrical generating facilities at Cherry Point. The electricity generated by these two facilities can be transmitted outside the region into the grid for supply to Puget's customers or some of it can be consumed by Cherry Point customers through interties with the PUD #1. Puget Sound Energy also acquires power from outside the region and transmits it via their transmission grid into Cherry Point. The Cherry Point Refinery purchases electrical supply on the market and pays Puget Sound Energy to transmit the power and operate distribution systems to provide that power to the refinery.

PUD #1 purchases electricity from the Bonneville Power Administration and takes ownership of that power at the Bonneville substation in Bellingham and then transmits it over its transmission line to Cherry Point to serve the Ferndale Refinery.

PUD #1 and Puget Sound Energy have interties at Cherry Point allowing the transmission of power in and out of Cherry Point depending on the amount of power generated and consumed at Cherry Point.

The Bonneville Power Administration supplies power directly to the aluminum production facility.

Water

Whatcom County Public Utility District #1 currently provides industrial process water to all major industrial facilities at Cherry Point and has additional water available to provide process water to properties that are currently undeveloped. PUD # 1 also operates a small system to provide potable water to one industry (Praxair). Birch Bay Water and Sewer District provides potable water to the Cherry Point Refinery. The other industries operate their own water treatment facilities to provide potable water for their facilities. Existing industries consume large quantities of water, in many cases drawn from the Nooksack River. It is the County's policy to support renewed efforts to reduce both water consumption levels and the quantity of discharges, in favor of recycled water use (see Policy 2CC-3 and Policy 2CC-10).

Sewer

Sewer service is not typically required for large industrial developments. Most of the existing industrial users provide their own onsite sewage treatment and wastewater treatment. Sewer service for domestic wastewater is provided to the Cherry Point Refinery by the Birch Bay Water and Sewer District. If and when sewer service should become necessary for other industries, service could be provided on a contractual

basis with the Birch Bay Water and Sewer District, which borders the Cherry Point industrial area on the north.

Natural Gas

Natural gas is currently available at Cherry Point.

All-weather Roads

Grandview and Slater roads, the major east-west connectors between Cherry Point and Interstate-5, provide all-weather road access to Cherry Point.

Use Compatibility and Land Use Designation

The industries currently located at Cherry Point are a substantial part of the economic base of Whatcom County and the region and the economic welfare of the county is strongly tied to the health of these industries and their ability to flourish and expand as opportunities present themselves. These industries need to be protected from the inappropriate encroachment of incompatible uses; particularly residential uses that could affect their ability to expand, at the same time, the expansion of these industries needs to be done in ways that do not significantly impact the ecology of the Salish Sea or encourage expanded transshipment of unrefined fossil fuels. The best means for protecting these industries from incompatible adjoining uses and to assure their continued regulatory conformity is to maintain the industrial land use designation of these lands and adjoining properties currently designated for industrial development. The Cherry Point industrial lands have been designated for industrial development and as a direct result of the industrial designation, incompatible and inappropriate residential development has been curtailed.

Goal 2CC: **Maintain Cherry Point as an unincorporated urban growth area based on its unique location, characteristics and its significant contribution to the overall industrial land supply and Whatcom County's tax base.**

Policy 2CC-1: Designate Cherry Point as a major industrial Urban Growth Area to accommodate major users that need to be located away from concentrated urban residential areas and that can manage their activities in such a way that they do not conflict with the goals of the Aquatic Reserve Management Plan.

Policy 2CC-2: Encourage developments in the Cherry Point UGA to maintain and operate under management plans consistent with the Aquatic Reserve Management Plan.

Policy 2CC-3: Encourage that future developments or expansions within the Cherry Point UGA are consistent with the following:

- Clean and reduced carbon emitting technology;
- Avoidance of estuaries and near shore wetlands;
- Archeological review;
- Water recycling technology to minimize water use; and

- Enhance existing and future industries.

Policy: 2CC-4: Assure that Cherry Point's unique features of large parcelization, port access, and pipeline, vehicular and rail transportation availability are maintained and protected from incompatible development.

Policy: 2CC-5: Require the master planning of each large parcel in advance of any development or subdivision at Cherry Point.

Policy: 2CC-6: Require the designation and site plan for a major user (generally 40 acres or more) before the development of accessory or supporting uses to assure that accessory or supporting uses are compatible with and will not interfere with the major industrial user.

Policy: 2CC-7: Specify 160 acres as a minimum area for planning, prior to the commitment of a parcel for a major user (40 acres or more, singularly or as a cluster or group).

Policy 2CC-8: Permit support activities, warehousing, shipping, machine repair and service, educational services, food service and conveniences, to locate on a parcel only after the completion of a master plan, and the identification and site plan approval for the major user.

Policy 2CC-9: Exclude Cherry Point as part of any future incorporation of Birch Bay.

- to protect interests of the property owner in terms of taxation and urban regulations;
- to preclude urbanism near "smokestack" industries;
- to preserve county government tax base.

Policy 2CC-10: Continue to work with service providers that serve Cherry Point to ensure the delivery of services and to allow it to develop to its fullest potential.

Policy 2CC-11: It is the policy of Whatcom County to limit the number of industrial piers at Cherry Point to the existing three piers, taking into account the need to:

- Act conservatively in land use matters at Cherry Point to prevent further harm to habitat important to the Cherry Point Herring stock and Southern Resident Killer Whales;
- Optimally implement the Whatcom County Shoreline Master Program to fulfill the Shoreline Management Act's shorelines of statewide significance policy to preserve natural character, result in long-term over short-term benefit, and protect the resources and ecology of the shoreline;
- Encourage the continued agency use of best available science;

- Support and remain consistent with the state Department of Natural Resources' withdrawal of Cherry Point tidelands and bedlands from the general leasing program and the species recovery goals of the Cherry Point Aquatic Reserve designation and Management Plan;
- Recognize federal actions upholding treaty rights;
- Protect traditional commercial and tribal fishing; and
- Prevent conflicts with vessel shipment operations of existing refineries that could lead to catastrophic oil or fuel spills.

Policy 2CC-12: RCW 36.70A.365 requires the implementation of Traffic Demand Management (TDM) programs for the designating of a Major Industrial Urban Growth Area. Any employer in the Cherry Point Urban Growth Area that employs one hundred or more fulltime employees at a single worksite who begin their regular work day between 6:00 am and 9:00 am on weekdays for at least twelve continuous months during the year are required to meet the TDM requirements of WCC 16.24.

Policy 2CC-13: Work with the Cherry Point industries to maximize public access to the Cherry Point beaches without compromising industrial security.

Policy 2CC-14: Cooperate with the DNR and existing industries to monitor the effects of industrial activities on water quality and habitat functions in and adjacent to the Cherry Point Aquatic Reserve.

Policy 2CC-15: Whatcom County will encourage federal agencies, including the U.S. Army Corps of Engineers, to enforce the provisions of the Magnuson Amendment (33 USC Sec. 476). To accomplish this the County will make appropriate federal agencies aware of applications for development permits submitted to the County that staff thinks may be subject to federal agency review under the Magnuson Amendment.

Policy 2CC-16: The County will, through its adopted SEPA policies and applicable permitting processes, ~~seek to limit the negative~~ identify and mitigate significant adverse (#146) impacts on public safety, transportation, the economy, and environment from new fossil fuel facilities, including new or expanded crude oil, coal, liquefied petroleum gases, and natural gas facilities within the Cherry Point UGA.

The County Administration should provide the County Council, Lummi Nation, and Nooksack Indian Tribe (#46) written notice of all known ~~preapplication correspondence or~~ (#147) permit application submittals and notices, federal, state, or local that involve activity with the potential to expand "Fossil Fuel Refinery, Renewable Fuel Refinery, Fossil Fuel Transshipment Facility, or

Renewable Fuel Transshipment Facility," as defined in the Whatcom County Code (Chapter 20.97).

Policy 2CC-17: Allow existing operations or maintenance of existing fossil-fuel related facilities operating as of August 8, 2021, with limited expansions subject to environmental review, greenhouse gas emission analysis, and conformance with Policies 2CC-3 and -11.

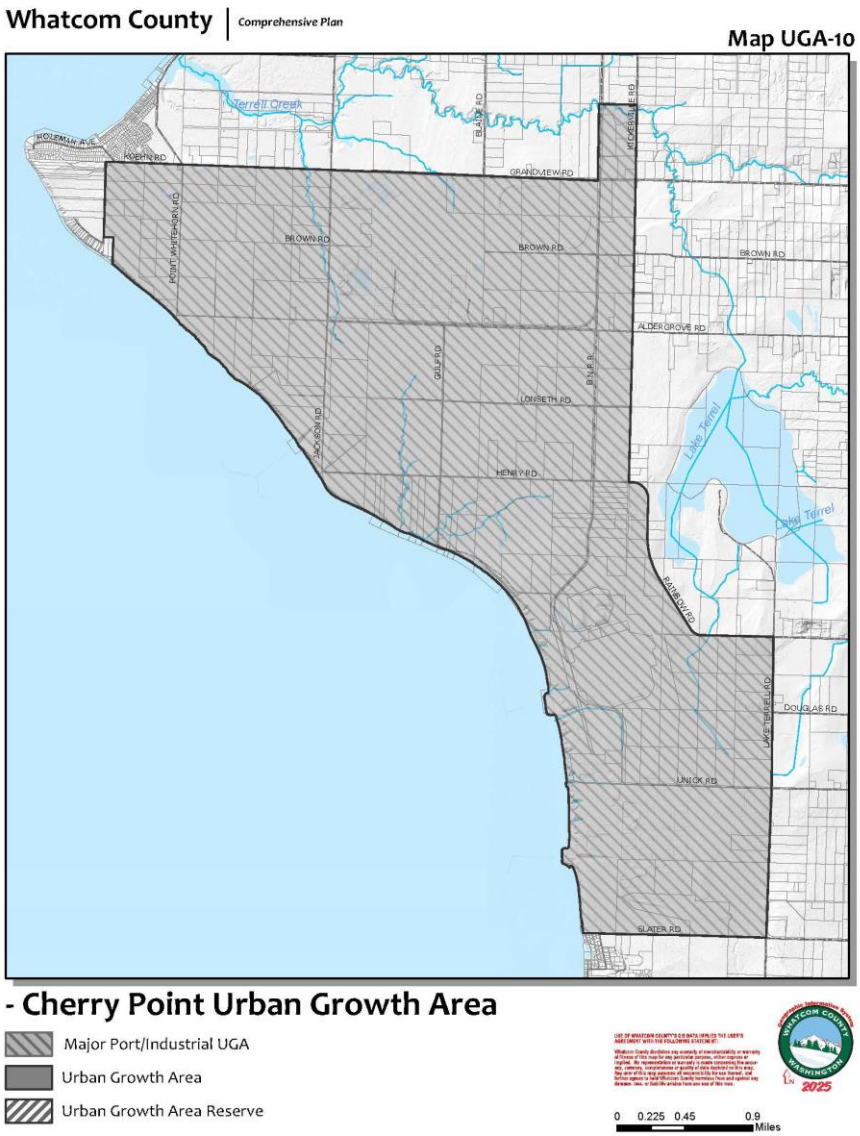
Policy 2CC-18: This chapter is intended to allow the on-going operation, maintenance, and repair of existing facilities, modifications designed to comply with adoption and implementation of new product standards and fuel standards, operational and site safety improvements, environmental improvements, and regulatory compliance projects.

Policy 2CC-19: Whatcom County recognizes the importance of regulatory certainty for lawful existing industrial facilities in the Cherry Point Urban Growth Area. The County intends to allow ongoing capital investment in existing facilities for: maintenance and replacement, operational reliability and safety improvements, emissions reduction and environmental performance improvements, energy efficiency improvements, regulatory compliance, product and market flexibility and fuel specification changes. Modernization and reinvestment projects that do not exceed expansion thresholds established in county code shall be treated as permitted activities consistent with the continued operation of lawful existing facilities. Expansions of fossil-fuel infrastructure remain subject to conditional use permits.(#168)

Policy 2CC-20: Storage tanks and related logistics infrastructure are necessary for safe operations, product blending, regulatory compliance, renewable fuel handling, and market supply flexibility. Such infrastructure should not necessarily be considered an expansion of ~~refinery~~ facility capacity solely because they increase storage volume. Adequate storage capacity is essential to maintaining safe, efficient, and economically viable operations within modern fuel supply systems. Whatcom County recognizes that modifications designed to comply with new fuel standards or evolving market demands may require additional infrastructure ~~to meet market demands~~(#177)and should be allowed to facilitate job creation and meet climate goals as outlined in Chapter 12 – Climate. (#169)

Policy 2CC-21: Whatcom County recognizes that the regional energy system is undergoing a long-term transition toward lower-carbon fuels and technologies. The County intends to support this transition in a manner that is orderly, predictable, and protective of public safety, environmental quality, and economic stability. Existing lawful industrial facilities within the Cherry Point Urban Growth

Area may continue to operate and invest in modernization, safety improvements, emissions reductions, fuel flexibility, and renewable fuel infrastructure necessary to adapt to evolving energy markets. The County should regulate new fossil-fuel infrastructure and capacity expansion consistent with County code to provide clear and predictable guidance that allows existing facilities to safely adapt to changing fuel demand, environmental standards, and emerging energy technologies. It is the intent of this policy to support responsible environmental progress without creating unintended incentives for premature facility closure, disinvestment, or supply disruptions during the energy transition. Whatcom County recognizes that modernization of existing ~~refinery~~ energy infrastructure may improve safety, environmental performance, and operational efficiency. Modifications to refinery processing or fuel handling systems that increase processing or fuel handling capacity may be considered where such projects demonstrate a net environmental benefit compared to existing operations. A net environmental benefit may include reductions in emissions intensity, improvements in energy efficiency, reductions in environmental risk, improved fuel specifications, or other measurable environmental performance improvements. Projects proposing increased processing or fuel handling capacity should demonstrate that the overall environmental outcome represents an improvement relative to existing facility operations. The intent is not to encourage refinery or facility expansion, but to allow modernization projects that leave the environment better off than it is today. If a project can demonstrate a net environmental benefit through lower emissions intensity, improved efficiency, or safer operations it should be considered.(#170)(#178)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Map UGA-10
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POINT WHITEHORN RD
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ALDER GROVE RD
GULF RD
BENSON RD
LONGSETH RD
JACKSON RD
HENRY RD
Lake Terrell
Lake Terrel
RAINBOW RD
LAKE TERRELL RD
DOUGLAS RD
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- Cherry Point Urban Growth Area
Major Port/Industrial UGA
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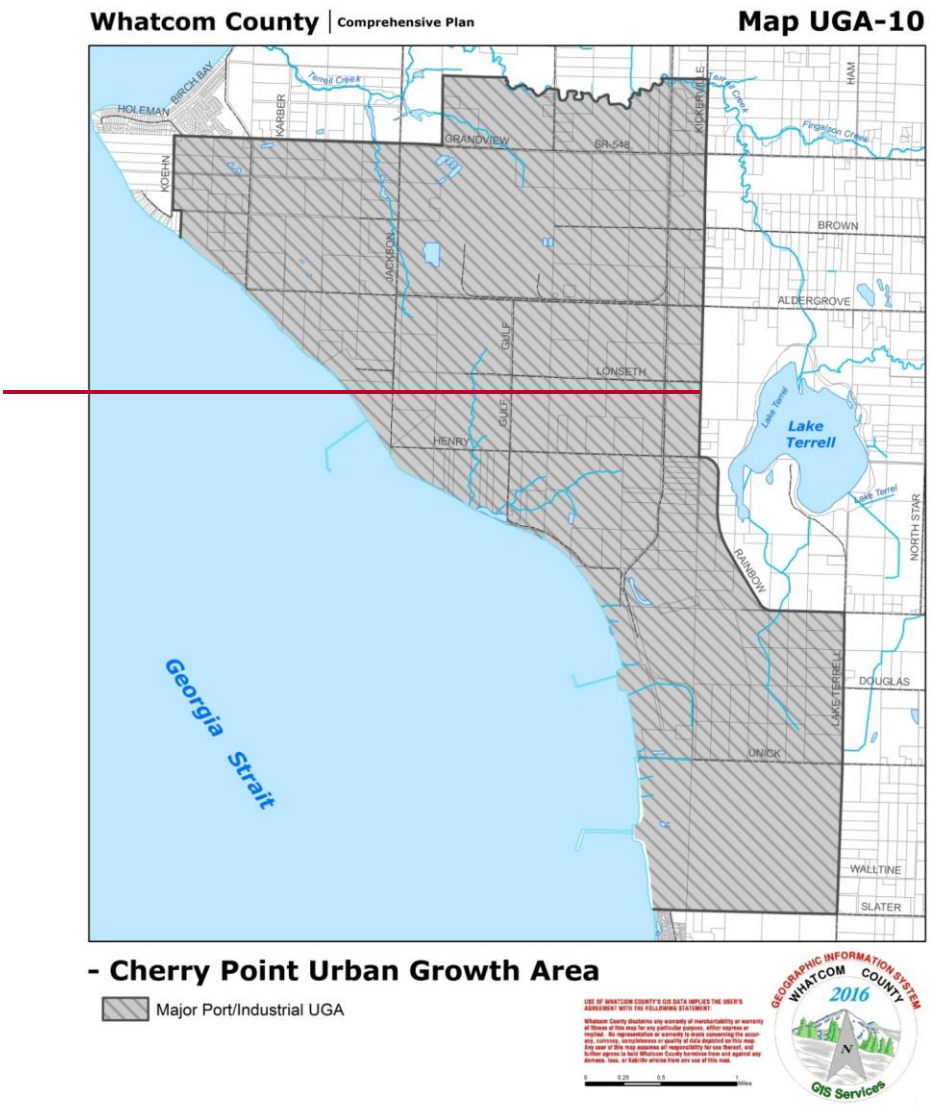

Rural Lands

Introduction

Purpose

The purpose of the Rural Lands section is to provide direction for land use decisions in the rural areas of Whatcom County.

GMA Requirements

The state Growth Management Act (GMA) requires counties to include a Rural element in their comprehensive plan in accordance with RCW 36.70A.070. GMA defines rural lands as those that are located outside urban growth areas and which do not include designated agriculture, forestry, or mineral resource lands of long-term commercial significance. Agriculture, forestry and mineral resource lands are addressed separately in *Chapter 8: Natural Resource Lands*.

Commented [KO84]: Council approved changing the title of Chapter 8 to Natural Resource Lands on 3.31.26 (Amendment #2)

GMA requires counties to provide for a variety of rural densities and uses in its rural areas, and to adopt measures to protect rural character. The GMA (RCW 36.70A.030(38~~15~~)) defines "rural character" as "patterns of land use and development established by a county in the rural element of its comprehensive plan:

- In which open space, the natural landscape, and vegetation predominate over the built environment;
- That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
- That provide visual landscapes that are traditionally found in rural areas and communities;
- That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- That generally do not require the extension of urban government services; and
- That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas."

GMA allows counties to designate "limited areas of more intensive rural development" (LAMIRDs) where more intensive uses have been established within their rural areas. Counties making such designations must adopt measures to minimize and contain the existing areas ~~or uses~~ of more intensive rural development. In its findings preceding the GMA, the legislature states that rural counties must have flexibility to create opportunities for business development and must have the flexibility to retain existing businesses and allow them to expand.

Commented [MA85]: The proposed amendment reflects a change to GMA provisions in RCW 36.70A.070(5)(d)(iv). These GMA changes were approved in Second Engrossed Substitute Senate Bill 5275 in 2022.

Rural Character and Lifestyle

Rural Whatcom County is the portion of the County not planned for either urban or resource use and its character differs from that of the County's urban and resource areas. While agriculture and forestry are practiced in the rural areas, it is generally on a smaller scale than in the resource areas that are set aside specifically for those purposes. The rural areas provide an important buffer between urban areas and resource lands, and the character of the rural areas is differentiated from the urban areas by less intensive uses and densities, and greater predominance of vegetation, wildlife habitat, and open space.

Small unincorporated communities have existed in the rural areas for many decades but have not become urban centers. Land uses in these communities are more intensive than those in the surrounding rural areas, and provide rural residents places to shop, eat, play, etc., and access public services such as schools, libraries, and post offices without having to travel to cities. The businesses in these communities are important contributors to the economy of Whatcom County. Even outside these settlements, residents of the rural areas have established home-based businesses, ~~home occupations, cottage industries,~~ and small-scale businesses that are an important part of the County's traditional rural economy.

Historically, rural Whatcom County has been a place of great variety. Residential densities vary greatly from homes on 10 or 20 acre lots to lots smaller than one acre in the rural communities and neighborhoods that have been established over the years. The scale and intensity of rural businesses varies from the home-based businesses, ~~home occupations, cottage industries,~~ and resource-based industries to the more intensive commercial and manufacturing uses, though the County's largest commercial and industrial uses have been established in the urban areas.

Whatcom County's rural lifestyle is one where residents enjoy views of a green landscape dotted by homes and barns, and have an appreciation for clean water and air. Residents can work and shop in small rural communities, or earn a living on their own rural lands, but these enterprises do not detract from the overall sense of openness and predominance of the landscape in the rural area. Rural Whatcom County has long been a place to raise children with the values of hard work and responsible stewardship of the land, and where residents can grow food and livestock for themselves or for market. While rural property owners do not expect to be provided with urban-level services, they enjoy a quality of life and sense of self-sufficiency not ordinarily found in the urban areas.

In the rural element of this chapter, Whatcom County establishes policy consistent with the findings of the legislature and with the above vision of rural character and lifestyle that will:

- Help preserve rural-based economies and tradition lifestyles,
- Encourage the economic prosperity of rural residents
- Foster opportunities for small-scale, rural-based employment and self-employment,

- Permit the operation of rural-based agriculture, commercial, recreational, and tourist businesses that are consistent with existing and planned land use patterns,
- Be compatible with the use of the land by wildlife and for fish and wildlife habitat,
- Foster the private stewardship of the land and preservation of open space, and
- Enhance the rural sense of community and quality of life.

Goal 2DD: **Retain the character and lifestyle of rural Whatcom County.**

Policy 2DD-1: Concentrate growth in urban areas per the housing~~population~~ projections in Chapter 3~~1~~ of this plan, and recognize rural lands as an important transition area between urban areas and resource areas. ~~As part of the population growth monitoring report required in Policy 2S-5, compare~~Compare nonurban housing~~population~~ growth trends with the adopted nonurban housing~~population~~ growth projection~~.~~ at the time the County prepares the "implementation progress report" under RCW 36.70A.130(9)(a). If the trend over five years indicates that nonurban growth is significantly higher than adopted projections, the County shall take action to address the discrepancy. Actions may include changing the allocation of the projected housing~~population~~ growth during the comprehensive plan update required per RCW 36.70A.130(1), or changing development regulations to limit growth outside the urban growth areas. In addition, as the County and cities review the capacity for growth in the urban growth areas, the county should coordinate with the cities to ensure that policies are in place that are consistent with encouraging growth in the urban areas and reducing demand for development in rural areas.

Commented [MA86]: The Growth Management Act, at RCW 36.70A.130(9)(a), now requires an implementation progress report relating to housing availability and affordability 5 years after the Comp Plan update. For Whatcom County, this report is due in 2030. The rural housing analysis can be aligned with the implementation progress report to create administrative efficiencies.

Policy 2DD-2: Protect the character of the rural area through the County's development regulations. In addition to the policies of this plan that provide measures governing rural development, the following County's key development regulations are incorporated into this plan by reference to assure that the plan contains measures to protect rural character:

A. Measures to contain or otherwise control rural development and reduce the inappropriate conversion of undeveloped land into sprawling, low-density development:

1. Limit the expansion of areas of more intensive development and higher rural densities through Policies 2A-8, 2A-9, 2DD-1, 2DD-8, 2GG-2, 2GG-3, 2JJ-1 through 11~~8~~, 2KK 1 and 2, 2LL-1 through 4, and 2MM-1 through 4 of this plan.

2. Provide options to reserve areas of land suitable for agriculture, forestry, or open space through lots clustering in the following Zoning Code provisions, adopted herein by reference:
    a. WCC 20.32.305, .310, and .320, Lot clustering, Residential Rural District;
    b. WCC 20.34.305, .310, and .320, Lot clustering, Rural Residential Island District;
    c. WCC 20.36.305, .310, and .320, Lot clustering, Rural District;
    d. WCC 20.71.350, .351, and .352, Lot clustering, Water Resource Protection Overlay District.
3. Prohibit short subdivisions outside of urban growth areas and limited areas of more intensive rural development that would require extension of public sewer except for health or safety reasons through the following Whatcom County Land Division regulations adopted herein by reference:
    a. WCC 21.04.100, Sewage Disposal, Short Subdivisions.
    b. WCC 21.05.090 Sewage Disposal, Preliminary Long Subdivisions.
4. Consider pathways for code-compliant, sustainable, low-impact, off-grid housing in an effort to accommodate housing consistent with rural character and development. (#48)

B. Measures to assure visual compatibility of rural development with the surrounding rural area:
1. Ensure that the visual landscapes traditionally found in rural areas and communities are preserved through limitations on structural coverage of lots in the following Zoning Code provisions, adopted herein by reference:
    a. WCC 20.32.450 Lot coverage, Residential Rural District;
    b. WCC 20.36.450 Lot coverage, Rural District.
2. Require that lots developed under the lot clustering option be designed and located to be compatible with valuable or unique natural features as well as physical constraints of the site through standards provided in the following Zoning Code provisions, adopted herein by reference:
    a. WCC 20.32.310 Lot clustering design standards, Residential Rural District;

b. WCC 20.34.310 Lot clustering design standards, Rural Residential-Island District;

c. WCC 20.36.310 Lot clustering design standards, Rural District;

d. WCC 20.71.351 Lot clustering design standards, Water Resource Protection Overlay District.

3. Protect the aesthetic assets of the rural areas and soften the impact of structures through landscape buffers and setback requirements provided in the following Zoning Code provisions, adopted herein by reference:

a. WCC 20.80.200 Setback requirements;

b. WCC 20.80.300 Landscaping.

4. In the Point Roberts Rural Community, regulated visual aspects of development through the standards in the following Zoning Code provisions, adopted herein by reference:

a. WCC 20.72.350 Building setbacks/buffer areas, Point Roberts Special District;

b. WCC 20.72.651 Facility design, Point Roberts Special District;

c. WCC 20.72.653 Tree canopy retention, Point Roberts Special District;

d. WCC 20.72.654 Site design/view corridors, Point Roberts Special District.

C. Measures to protect critical areas and surface and groundwater resources:

1. Protect the functions and values of critical areas (geologically hazardous areas, frequently flooded areas, critical aquifer recharge areas, wetlands, and habitat conservation areas) and the ecological processes that sustain them, through WCC 16.16 Critical Areas provisions, adopted herein by reference.

2. Ensure compliance with Growth Management Act provisions to better protect of senior water rights, agricultural water rights, and fish and wildlife habitats.(#101)

~~1.~~3. RCW 36.70A.070(1) Adopt policies and regulations to ensure development complies with RCW 90.44.050, the applicable instream flow rules, the watershed plan updated

under RCW 90.94.020, and the watershed restoration and enhancement plans required by RCW 90.94.030.(#101)

~~2.~~4. Minimize the adverse effects of discharges from onsite sewage systems on ground and surface waters through WCC 24.05, adopted herein by reference.

~~3.~~5. Preserve and protect unique and important water resources through development standard in WCC 20.71 Water Resource Protection Overlay District and WCC 20.51 Lake Whatcom Watershed Overlay District, adopted herein by reference.

~~4.~~6. Protect surface and groundwater resources through stormwater management standards established in the County's Development Standards per WCC 20.80.630 through .635~~.636~~, WCC 20.51 and 12.08.035 referenced in the following Zoning Code provision, adopted herein by reference:

a. 20.32.656 Drainage, Residential Rural District;

b. 20.34.659 Drainage, Rural Residential-Island District;

c. 20.36.656 Drainage, Rural District;

d. 20.37.655 Drainage, Point Roberts Transitional District;

e. 20.44.652 Drainage, Recreation and Open Space District;

f. 20.59.704 Drainage, Rural General Commercial District;

g. 20.60.655 Drainage, Neighborhood Commercial District;

h. 20.61.704 Drainage, Small Town Commercial District;

i. 20.63.654 Drainage, Tourist Commercial District;

j. 20.64.655 Drainage, Resort Commercial District;

k. 20.67.653 Drainage, General Manufacturing District;

l. 20.69.655 Drainage, Rural Industrial and Manufacturing District.

~~5.~~7. Assure that subdivisions meet requirements for critical areas, shoreline management, and stormwater management through the standards in the following Whatcom County Land Division regulations, adopted herein by reference:

a. WCC 21.04.034 Preliminary approval decision criteria~~Application Procedures, Short subdivisions~~.

Commented [MA87]: WCC 20.80.636 was repealed.

Commented [MA88]: County Ordinance 2018-032 modified the title and content of this County Code. However, this revised County Code still addresses the issues mentioned above.

b. WCC 21.05.037 Hearing Examiner Notice Hearing and Decision, Preliminary Long Subdivisions.

~~6.~~8. Limit water withdrawals resulting from land division through the standards in the following Whatcom County Land Division regulations, adopted herein by reference:

a. WCC 21.04.090 Water supply, Short Subdivisions.

b. WCC 21.05.080 Water supply, Preliminary Long Subdivisions.

~~7.~~9. Regulate groundwater withdrawals by requiring purveyors of public water systems and private water system applicants to comply with Washington State Department of Ecology water right requirements per WCC 24.11.050, adopted herein by reference.

~~8.~~10. Require evidence of an adequate ~~and legal~~ (#49) water supply prior to issuance of any building permit, per WCC 24.11.060, adopted herein by reference.

~~9.~~11. Determine adequacy of water supply for building permit applications proposing to use a well, spring, or surface water, per WCC 24.11.090, .100, .110, .120, .130, .160, and .170, adopted herein by reference.

~~10.~~12. Limit phosphorus entering Lake Whatcom through WCC 20.51 Lake Whatcom Watershed Overlay District and Lake Whatcom and Lake Samish due to the application of commercial fertilizers to residential laws and public properties through WCC 16.32, adopted herein by reference. Implement the goals and objectives of the Lake Whatcom Management Program Work Plan. (#50)

~~11.~~13. Protect vital drinking water, sensitive habitats, and recreational resources within the Department of Ecology's designated Western Washington Phase II Municipal Stormwater Permit area and the Lake Whatcom watershed by prohibiting illicit discharges to the county's stormwater collection system through WCC 16.36 Illicit Discharge Detection and Elimination Program, adopted herein by reference.

~~12.~~14. Maintain standards for clearing activity in highly valued water resource areas, environmentally sensitive areas, or areas where natural conditions are so unstable that clearing activity in the area can result in hazardous conditions per WCC 20.80.735 Water Resource Special Management Area, adopted herein by reference.

D. Measures to protect against conflicts with the use of agricultural, forest, and mineral resource lands:

1. Ensure separation of new residences from agricultural and forestry uses through setback requirements in the following Zoning Code provisions, adopted herein by reference:
   a. WCC 20.80.255 Agricultural District, Supplementary Requirements;
   b. WCC 20.80.256 Forestry districts, Supplementary Requirements;
   c. WCC 20.80.258 All districts, Supplementary Requirements.
2. Ensure separation of businesses from agricultural uses through setback requirements in the following Zoning Code provisions, adopted herein by reference:
   a. WCC 20.59.600 Buffer area, Rural General Commercial District;
   b. WCC 20.60.550 Buffer area, Neighborhood Commercial District;
   c. WCC 20.61.600 Buffer area, Small Town Commercial District;
   d. WCC 20.63.550~~600~~ Buffer area, Tourist Commercial District;
   e. WCC 20.64.550 Buffer area, Resort Commercial District;
   f. WCC 20.67.550 Buffer area, General Manufacturing District;
   g. WCC 20.69.550 Buffer area, Rural Industrial and Manufacturing District.
3. Require that all discretionary project permits within one half mile of areas designated in this plan as Rural, Agriculture, Commercial Forestry, or Rural Forestry, or within 300 feet of areas designated as Mineral Resource Lands, be subject to disclosure practices in the in the following Whatcom County Code provisions, adopted herein by reference:
   a. WCC 20.40.662 Use of Natural Resources, Agriculture District;
   b. WCC 20.42.652 Use of Natural Resources, Rural Forestry District;

Commented [MA89]: Correcting code citation.

c. WCC 20.43.662 Use of Natural Resources, Commercial Forestry District;

d. WCC 14.02 Right to Farm;

e. WCC 14.04 Right to Practice Forestry;

f. WCC 14.16 Mineral Resource Land Disclosure.

E. Measures to protect against climate impacted natural hazards:

1. Work with partners to adopt updated regulations to limit development in areas at highest risk of riverine flooding and sea level rise. Prioritize climate adaption recommendations in the Future Shorelines: Whatcom Climate Vulnerability Assessment and Shoreline Management Solutions Report for interjurisdictional implementation. (#51)(#111) (#161)

Policy 2DD-3: Encourage property owners to conserve forested areas, agricultural land, and open space by utilizing current-use taxation provisions (*RCW 84.34*).

Policy 2DD-4: Conserve open space, park land, and trails for recreational use, as well as to protect essential habitat such as riparian areas and wetlands.

Policy 2DD-5: Use an "Agriculture Protection Overlay Zone" designation in certain Rural zoned areas as a way to help achieve the goal of conserving and enhancing Whatcom County's agricultural land base.

Policy 2DD-6: In the "Agriculture Protection Overlay Zone" on parcels 20 acres and larger with Rural 5 acre and Rural 10 acre zoning, require non-agriculturally related development to be clustered where it would not create more conflicts with accepted agricultural practices, on a maximum of 25 percent of the available land with the remainder available for open space and agricultural uses. Development standards shall provide flexibility to achieve development potential in cases of natural limitations.

Policy 2DD-7: Maintain the historic character and cultural roles of each rural area and community.

Policy 2DD-8: Allow more intensive uses in limited areas of more intensive rural development designated consistent with RCW 36.70A.070(5)(d), which provide public and commercial services and employment opportunities. Reduce the inappropriate conversion of undeveloped land into sprawling, low density development in the rural area by establishing clearly defined boundaries for these

areas as well as criteria for creating or changing those boundaries consistent with RCW 36.70A.070(5)(d).

Policy 2DD-9: Promote economic prosperity for rural areas and allow rural property owners reasonable use of their land by continuing to allow legal nonconforming uses.

Policy 2DD-10: Adopt and maintain incentive programs, such as the Conservation Easement Program, the density credit program, and tax deferrals, to achieve desired land use policies in rural areas and in areas where there are compelling reasons to do so.

Rural Services

Development in rural areas should not receive urban levels of service except where necessary to protect public health, safety, and the environment. Services should be coordinated to ensure that rural areas receive appropriate services including law enforcement protection, fire protection, and emergency services. The Whatcom County Public Works Department maintains county roads. Most of the residential development in rural areas uses individual onsite septic systems. Some drinking water is provided by onsite wells and in other cases it is provided by water districts or water associations.

Goal 2EE: **Ensure that rural areas are provided with services consistent with the rural character and that development patterns do not encourage an increased service level or degrade water quality.**

Policy 2EE-1: Recognize domestic water systems, volunteer fire protection, emergency services, law enforcement protection, transportation, public transit services, and public utilities typically associated with rural development as appropriate services in designated rural areas. Rural services do not include storm or sanitary sewers.

Policy 2EE-2: Coordinate and plan public facilities, services, roads, and utilities to ensure that rural areas have appropriate and adequate rural levels of service necessary to maintain a rural lifestyle. Coordinate with rural service providers to ensure efficient and effective service to rural areas.

Policy 2EE-3: Pursue measures through which new development would help pay for increased demands on critical rural services such as fire and emergency service.

Policy 2EE-4: Prohibit extension or expansion of municipal public sewer systems outside urban growth areas or LAMIRDs except where it is necessary to protect public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development.

Policy 2EE-5: Ensure that adequate onsite wells and onsite sewage and septic systems are properly installed, monitored, and maintained. Provide technical assistance to property owners, and require necessary improvements when needed to protect health, safety and environmental quality.

Policy 2EE-6: Promote better land use practices and protect water quality by encouraging landowners and developers to investigate and implement innovative subdivision, septic system designs, and stormwater management.

Policy 2EE-7: Ensure county coordination with service providers to determine if new or infill development will have necessary services. Require concurrent review of new development to ensure adequate level of service at rural standards are available at the time of development.

Policy 2EE-8: Public services and public facilities necessary for rural commercial and industrial uses shall be provided in a manner that does not permit low-density sprawl. Uses may utilize urban services that previously have been made available to the site.

Rural Employment Opportunities

Many residents in rural Whatcom County depend on home-based businesses,~~cottage industries, home occupations,~~ small businesses, and natural resource-based jobs for their livelihood. These types of businesses support the local economy and are compatible with the rural lifestyle desired by county residents.

Commercial and industrial uses located within Rural Communities, Rural Tourism, and Rural Business areas are also important contributors to the local economy, providing jobs and services to rural residents.

Goal 2FF: Provide employment opportunities in the rural parts of Whatcom County.

Policy 2FF-1: Support small businesses, home-based businesses~~cottage industries, home occupations~~, resource-based, tourist, recreational, and other appropriate industries in the rural areas of Whatcom County. New rural commercial and industrial uses that are more intensive than those permitted within rural zones as home-based businesses,~~home occupations or cottage industries~~ should be located within designated Rural Communities and Rural Business areas.

Policy 2FF-2: Support resource-based industries that require only rural services, conserve the natural resource land base, and help maintain the rural character and lifestyle of the community. Assure adequate facilities, mitigation and buffers through development regulations.

Policy 2FF-3: Ensure that business operations do not adversely impact adjacent residential, agricultural or forest land, or compromise water quality and quantity.

Policy 2FF-4: Allow home-based businesses,~~occupations, cottage industries~~ and small-scale tourist and recreational uses throughout the rural area provided they do not adversely affect the surrounding residential uses, agricultural uses, forestry uses, or rural character.

Land Use

Rural Designation

Lands outside the County's urban and resource areas include a variety of uses and densities. Traditionally, Whatcom County's rural areas have been characterized by a spectrum of uses ranging from farms and large-lot residential areas to recreational communities and small towns. The more intensive uses in that spectrum (commercial/industrial areas and residential areas with densities greater than one unit per five acres) are contained within the boundaries of Rural Community, Rural Tourism, or Rural Business designations (LAMIRDs) and Neighborhood designations.

The remainder of the rural areas are designated Rural and contain traditional rural residential and farm uses as well as small home-based and conditionally permitted businesses. The rural character of the lands designated as Rural should not be compromised by the encroachment of more intensive development. Commercial and industrial uses in the rural areas not contained within a Rural Community designation must meet GMA criteria for small-scale tourism or isolated business uses (RCW 36.70A.070(5)(d)(ii) and (iii).

Portions of the rural area that historically contain larger lots have been zoned for densities of one dwelling per ten acres. These areas provide for a variety of densities important to the rural character and shall be retained. Rezones from R10A to allow higher densities are limited to those R10A areas that are adjacent to established higher densities.

Goal 2GG: Designate Rural areas to contain a variety of uses and densities while retaining their traditional rural character.

Policy 2GG-1: Provide a variety of residential choices at rural densities which are compatible with the character of each of the rural areas.

Policy 2GG-2: The Rural designation includes areas of traditional rural uses and gross residential densities at or below one unit per five acres. To reduce the inappropriate conversion of undeveloped land into sprawling, low density development in the rural area, more intensive development shall be contained within Rural Community, Rural Tourism, or Rural Business designations, which are limited areas of more intensive rural development (LAMIRDs), and predominantly residential areas with established densities

greater than one unit per five acres shall be contained in Rural Neighborhood designations.

Policy 2GG-3 Proposed uses and densities within the Rural designation should reflect established rural character. Rezones within the Rural designation should be consistent with the established rural character and densities. Land in the R10A district may be rezoned to a rural zone that allows a higher density only if:

A. Residential density (the average size of parcels that contained a residence as of January 1, 2013) within 500 feet of the area to be rezoned is less than 7.5 acres.

B. The proposed rezoning area is not in a designated urban growth area reserve, and

C. The proposed rezoning area is not within an area designated as a rural study area in the ~~2007~~ Whatcom County Rural Land Study 2019 Update that was endorsed~~accepted~~ by the County Council in Resolution 2019-042~~2009-040~~.

Policy 2GG-4: Minimize potential conflicts of rural residential development near designated natural resource lands to prevent adverse impacts on resource land uses.

Policy 2GG-5: Provide landowners with incentives and options to develop their property at densities that may be less than the underlying zone, when necessary to protect critical areas and high value resource lands.

Policy 2GG-6: Ensure that flexible development patterns such as cluster subdivisions effectively preserve open space and agricultural land and do not create the need for more intensive rural services.

Policy 2GG-7: Development within Rural designations shall be consistent with rural character as described in this chapter.

Limited Areas of More Intensive Rural Development (LAMIRDs)

RCW 36.70A.070(5)(d)(i) through (iii) allows counties to designate limited areas of more intensive development (LAMIRDs) for three types of development patterns in the rural areas:

Type I: "Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas…" Existing development is defined as that which existed on July 1, 1990.

Type II: "The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those…uses, that rely on a rural location and setting…"

Type III: "The intensification of development on lots containing isolated nonresidential uses or new development of isolated ~~cottage industries~~home-based businesses (#52) and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents…"

Areas designated in this plan as Rural Communities are Type I LAMIRDs. Rural Tourism designations are Type II LAMIRDs and Rural Business designations are Type III LAMIRDs.

The purpose of LAMIRDs is to place limits on more intensive development and prevent it from adversely affecting the character of the surrounding rural areas. Rural Communities (Type I LAMIRDs) are areas characterized by more intensive uses at the time Whatcom County began planning under GMA. Rural Tourism designations (Type II LAMIRDS) apply to lots that contain small-scale tourist uses. Rural Business designations apply to lots that contain isolated small-scale business. The criteria listed under Goal 2HH were used to designate Rural Communities and Rural Business areas (the Type I and Type III LAMIRDS) in 2010 and should be used to establish future Rural Tourism and Rural Business designations (Type II and III LAMIRDs) and to evaluate future proposed modifications to Rural Community, Rural Tourism, and Rural Business designations (Type I, II, and III LAMIRDs).

Goal 2HH: Establish LAMIRD Designation Criteria

Policy 2HH-1: Rural Community (Type I LAMIRD) designation criteria

A. Location Criteria. Rural Communities may be designated in an area that:

1. Was characterized by existing development more intensive than surrounding rural areas (residential or non-residential) as of July 1, 1990, and
2. Is not currently designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, and

B. Additional Location Criteria. The following may serve as additional criteria for Rural Community designation (relative to the specific circumstances of the area, and in combination with each other):

1. The existing (1990) residential built environment was more intensively developed than surrounding areas;
2. Public services are available to serve potential infill, such as adequate potable water and fire protection, transportation facilities, sewage disposal and stormwater control; or
3. The area is planned for more intensive development in a post-GMA local subarea plan.

4. Existing zoning prior to designation as a Rural Community, except existing zoning may not be a sole criterion for designation.

C. Outer Boundary Criteria. For land meeting the criteria described in A and B above, Rural Community boundaries must minimize and contain areas of intensive development and be delineated predominately by the built environment, and shall include:

1. Areas that were intensively developed and characterized by the built environment (including water lines or other utility lines with capacity to serve areas of more intensive uses) on July 1, 1990.

2. Areas that on July 1, 1990 were not intensively developed may be included within Rural Community boundaries if they meet any of the following conditions:

a. Including the area helps preserve the character of an existing (built) natural neighborhood;

b. Including the area allows the logical outer boundary to follow a physical boundary such as bodies of water, streets and highways, and land forms and contours;

c. Including the area (or in limited cases, a portion of the parcel) prevents the logical outer boundary from being abnormally irregular;

d. Including the area is consistent with efficient provision of public facilities and services in a manner that does not permit low-density sprawl;

e. Including the area does not create a new pattern of low-density sprawl.

Policy 2HH-2: Rural Tourism (Type II LAMIRD) designation criteria

A. Location Criteria. Rural Tourism may be designated on land that:

1. Consists of one lot, or more than one lot, and

2. Is not currently designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, and

3. Is characterized by the intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those uses, that rely on a rural location and setting, but that do not include new residential

development, other than a dwelling unit accessory to the business for use by the owner-manager or caretaker.

4. Does not exceed 20 acres.

B. Additional Criteria. The following serve as additional criteria for Rural Tourism designation:

1. The area may include preexisting residential development, but not new (except for dwelling units accessory to the business for use by the owner-manager or caretaker), and
2. The area may serve more than the local existing & projected rural population, and utility lines with capacity to serve areas of more intensive uses on July 1, 1990.
3. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl.

Policy 2HH-3: Rural Business (Type III LAMIRD) designation criteria

A. Location Criteria. Rural Business may be designated on land that:

1. Is not currently designated by the Comprehensive Plan as Urban Growth Areas (UGAs) or Resource Lands, and
2. Consists of a lot or small group of lots that either:
   a. Contain nonresidential uses and is located within a commercial, manufacturing, or industrial zoning district at the time of original county initiated designation, or
   b. Allow for new development of isolated home-based businesses~~cottage industries~~ and isolated small scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents.

B. Additional Criteria.

1. A Rural Business designation on a lot or small group of lots containing nonresidential uses shall be separated from other LAMIRD designations, regardless of type, by no less than one-half mile by public road, except where the other LAMIRD is separated by a major physical feature such as a waterbody, freeway, major road, or other physical feature.
2. In the event that the listed criteria result in the need to choose one proposed designation over another, preference is given to a proposed use that:

a. Provides the greatest number of job opportunities for rural residents.

b. Is located at a controlled public road intersection.

Rural Communities

Rural Communities are areas that have historically served as centers of activity and services for surrounding rural areas, or have been established as more intensive rural residential development. In many cases, they are served by public services and facilities, including schools, libraries, post offices, and/or public transportation.

These areas are Type I LAMIRDs and include small unincorporated towns and other areas where a concentration of commercial and public uses have been in existence since before the adoption of the GMA in 1990. Typically, these are mixed use areas containing both residential and nonresidential uses developed at a greater intensity than is generally found in outlying rural areas. This more intensive development is contained within the boundaries of the Rural Community designations, preventing the expansion of more intensive uses and densities into the surrounding rural areas. Because undeveloped lots may be included within Rural Community boundaries, infill development is possible, but at an intensity consistent with the development that existed in 1990.

Areas designated as Rural Communities are: Acme, Axton & Guide Meridian, Birch Bay-Lynden & Valley View, Cain Lake, Custer, Deming, Diablo, Emerald Lake, Glacier, Hinotes Corner, Kendall, Lake Samish, Laurel, Lummi Peninsula, Maple Falls, Newhalem, Nugent's Corner, Point Roberts, Pole & Guide Meridian, Sandy Point/Sandy Point Heights, Smith & Guide Meridian, Sudden Valley, Van Wyck, and Wiser Lake. Three of these LAMIRDs—Point Roberts, Diablo, and Newhalem—are located at least 10 miles from an existing urban growth area.

Commented [MA90]: Recent GMA changes regulate LAMRDs that are at least 10 miles from an existing UGA differently than other LAMIRDs, as described below.

Goal 2JJ:	**Designate areas of more intensive rural development that existed on July 1, 1990 as Rural Communities.**
Policy 2JJ-1:	Areas designated as Rural Communities shall meet the criteria stated in this chapter and the requirements of RCW 36.70A.070(5)(d)(i), which describes limited areas of more intensive rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed use areas, including necessary public facilities and public services to serve the limited area.
Policy 2JJ-2:	Boundaries of Rural Communities shall meet the criteria stated in this chapter, and the requirements of RCW 36.70A.070(5)(d)(iv), which requires limited areas of more intensive rural development to be clearly identifiable and contained within a logical outer boundary delineated predominately by the built environment as it existed on July 1, 1990.

Policy 2JJ-3: Additional Rural Communities shall not be designated, nor shall boundaries of Rural Communities be changed unless the area of the proposed addition meets the criteria stated in this chapter, and requirements of RCW 36.70A.070(5)(d). Designated Resource Lands should not be redesignated as Rural Communities.

Policy 2JJ-4: Within the Rural Communities, encourage adequate economic development to provide current and future residents' employment needs, and provide rural residents places to shop, eat, and access to public services.

Policy 2JJ-5: Within Rural Communities development or redevelopment in terms of building size, scale, use, or intensity ~~shall be consistent with the character of the area on July 1, 1990~~ may be permitted subject to confirmation from all existing providers of public facilities and public services of sufficient capacity of existing public facilities and public services to serve any new or additional demand from the new development or redevelopment.

Commented [MA91]: The proposed amendments to Policy 2JJ-5 reflect changes to GMA provisions in RCW 36.70A.070(5)(d)(i)(C). These GMA changes were approved in Second Engrossed Substitute Senate Bill 5275 in 2022.

Policy 2JJ-6: Lands inside Rural Community designation boundaries that are within low-density residential zones (one residence per five acres or less density) or resource zones, or are federally owned, should not be rezoned to allow more intensive uses and densities.

Policy 2JJ-7: Land uses within Rural Communities, except for industrial uses, should be principally designed to serve the existing and projected rural population.

Policy 2JJ-8: Encourage future public participation activities to develop additional planning goals and policies specific to residents' needs and preferences in individual Rural Communities.

Policy 2JJ-9: Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use is consistent with the local character. Any commercial development or redevelopment within a mixed-use area must be principally designed to serve the existing and projected rural population.

Commented [MA92]: Proposed new Policy 2JJ-9 reflects changes to GMA provisions in RCW 36.70A.070(5)(d)(i)(C). These GMA changes were approved in Second Engrossed Substitute Senate Bill 5275 in 2022.

Policy 2JJ-10: Any commercial development or redevelopment in Rural Communities *within 10 miles* of an Urban Growth Area may only be permitted subject to the following:

A. For retail or food service uses in a Rural Community that had the same or similar uses on July 1, 1990 (as identified in WCC 20.80.100(1)), the footprint may not exceed the footprint occupied by the same or similar use on July 1, 1990, or 5,000 square feet, whichever is greater.

Commented [MA93]: Proposed new Policy 2JJ-10 reflects changes to GMA provisions in RCW 36.70A.070(5)(d)(i)(C). These GMA provisions were approved in Second Engrossed Substitute Senate Bill 5275 in 2022 and Substitute Senate Bill 6140 in 2024.

B. For retail or food service uses in a Rural Community that did *not* have the same or similar use on July 1, 1990, the footprint of the new use may not exceed 2,500 square feet.

Policy 2JJ-11: Any commercial development or redevelopment in Rural Communities *farther than 10 miles from* an Urban Growth Area (i.e., Point Roberts, Diablo, and Newhalem) may only be permitted subject to the following:

(A) For retail or food service uses in a Rural Community that had the same or similar uses on July 1, 1990 (as identified in WCC 20.80.100(1)), the footprint may not exceed the footprint occupied by the same or similar use on July 1, 1990, or 5,000 square feet, whichever is greater, unless the retail space is for an essential rural retail service, then the retail space must not exceed the footprint of the previously occupied space or 10,000 square feet, whichever is greater.

(B) For retail or food service uses in a Rural Community that did *not* have the same or similar use on July 1, 1990, the footprint of the new use may not exceed 2,500 square feet, unless the retail space is for an essential rural retail service, then the retail space must not exceed the footprint of the previously occupied space or 10,000 square feet, whichever is greater.

(C) For the purposes of this policy:

- "Essential rural retail services" means services including grocery, pharmacy, hardware, automotive parts, and similar uses that sell or provide products necessary for health and safety, such as food, medication, sanitation supplies, and products to maintain habitability and mobility.
- "Previously occupied space" means the largest pre-1990 building in that LAMIRD occupied by that specific use type.

Commented [MA94]: Proposed new Policy 2JJ-11 reflect changes to GMA provisions in RCW 36.70A.070(5)(d)(i)(C). These GMA changes were approved in Substitute Senate Bill 6140 in 2024.

Rural Tourism

Whatcom County's scenic rural areas are enjoyed by residents and tourists alike. Small scale recreation or tourist uses that rely on a rural setting provide income opportunities for rural residents and contribute to the local economy. GMA allows counties to designate new Type II LAMIRDs for new small-scale recreation and tourist uses. The Rural Tourism designation limits and contains such uses, which can be more intensive than surrounding rural uses.

Goal 2KK: **Provide opportunities for small-scale recreational or tourist uses in rural areas.**

Policy 2KK-1: Lands designated for Rural Tourism shall meet the criteria stated in this chapter, and the requirements of RCW

36.70A.070(5)(d)(ii), which describes limited areas of more intensive rural development consisting of the intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those uses, that rely on a rural location and setting, but that do not include new residential development (other than a dwelling unit accessory to the business for use by the owner-manager or caretaker).

Policy 2KK-2: Designated Resource Lands shall not be redesignated as Rural Tourism.

Rural Business

Many businesses have been established in commercial and industrial zones outside of Rural Community areas. These uses, which are more intensive than those found in surrounding rural areas, provide commercial services and job opportunities for rural residents. The Rural Business designation permits uses to continue while preventing the spread of businesses in sprawl development patterns.

GMA allows counties to designate new Type III LAMIRDs for new isolated small-scale businesses. To ensure that these uses remain isolated and do not lead to strip development, criteria for Rural Business designation include spacing requirements from other Rural Business designations as well as Rural Communities.

The areas designated Rural Business under Type III guidelines are: Birch Bay-Lynden & I-5, Blue Canyon, Guide Meridian Border Crossing, North Lake Samish & I-5, Slater & Elder, Van Zandt, and Welcome.

Goal 2LL: Designate Rural Business areas to limit and contain nonresidential uses.

Policy 2LL-1: All lands designated Rural Business shall meet the Rural Business designation criteria stated in this chapter, and the requirements of RCW 36.70A.070(5)(d)(iii), which describes limited areas of more intensive rural development consisting of the intensification of development on lots containing isolated nonresidential uses or new development of isolated ~~cottage industries~~home-based businesses (#53) and isolated small-scale businesses.

Policy 2LL-2: On lots in a Rural Business area where businesses did not exist on July 1, 2012, the new businesses shall be "small-scale" as described in the development regulations. On lots where businesses existed on July 1, 2012, development regulations should not hold the business to a "small-scale" standard.

Policy 2LL-3: Uses in the Rural Business designation need not be principally designed to serve the existing and projected rural population and nonresidential uses, but provide job opportunities for rural residents.

Policy 2LL-4: Designated Resource Lands shall not be redesignated as Rural Business.

Rural Neighborhoods

The GMA does not set a maximum allowed residential density for rural areas. A large majority of the lands designated as Rural are zoned for one residence per five or ten acres, however, a small proportion has been developed under a zoning that allows densities greater than one dwelling per five acres where public water service is available. These areas have their own unique rural character (as compared with the higher densities contained within LAMIRDs) and they serve to provide a needed variety of rural densities. However, it is important to maintain the character of the more traditional rural areas and prevent expansion of these areas of higher rural densities beyond their traditional limits.

This plan recognizes the unique qualities of these established Rural Neighborhoods and contains them within boundaries that reflect the extent of these areas in 2011. Unlike the Rural Communities, these areas are not LAMIRDs.

GOAL 2MM: **Designate Rural Neighborhoods to recognize and contain rural areas that have been established with predominantly residential uses with higher densities than surrounding rural areas.**

Policy 2MM-1: Areas zoned for densities greater than one dwelling per five acres shall be contained within Rural Neighborhood boundaries. Rural Neighborhood boundaries shall not be expanded beyond those established in 2012, which were drawn to include areas that were developed at higher rural densities in 2011.

Policy 2MM-2: In the Whatcom County Code, the Rural and Rural Residential zoning districts may include Rural Residential Density Overlays that may be applied to areas within the Rural Neighborhood designation where higher density rural residential development has already occurred. The overlay should allow for infill development with lot sizes consistent with those of surrounding lots, where public water service is available. The overlay shall limit eligibility of lots based on the percentage of surrounding lots that were developed in 2011, and shall establish a maximum density that may be achieved using the overlay. The Rural Residential Density Overlays shall not be created or expanded outside of Rural Neighborhoods or into areas where higher density rural development has not occurred; such expansion is not consistent with maintaining the traditional character of the surrounding rural areas.

Policy 2MM-3: Rural Neighborhoods are designated adjacent to Urban Growth Areas only in areas where developed densities exceeded one dwelling per 2.5 acres in 2011, and there is little potential for efficient urban development in the future.

Policy 2MM-4: Urban governmental services shall not be extended into a Rural Neighborhood unless such extensions are shown to be necessary to protect basic public health and safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development.

Urban Growth Area Reserves

The Whatcom County Comprehensive Plan Land Use Map includes the designation of Urban Growth Area Reserves. Urban Growth Area Reserves means a land use designation that may be applied to those areas which are adjacent and contiguous to either incorporated or unincorporated Urban Growth Areas which appear to be suitable for future inclusion in the respective Urban Growth Area. The purpose of the Urban Growth Area Reserve varies by urban area. Expansion of urban growth into the Reserve area may occur if criteria are met.

Upon establishing an Urban Growth Area Reserve, Whatcom County will establish land use controls intended to reserve the area for future urban densities and development by limiting the potential of the properties to be developed with incompatible uses, densities, or public facilities which would interfere with the likely expansion of urban development in the future. Properties in these areas should generally have land use designations of no more than one unit per ten acres, and uses such as agriculture, forestry, conservation, and low density residential development, may be encouraged provided that the continuation of such uses may not be a basis for preventing future expansion of the Urban Growth Area to the Urban Growth Area Reserve.

It is the policy of Whatcom County to review City UGA Reserve proposals as docketed Comprehensive Plan amendments in 2026-27.

Commented [MA95]: The County and Cities agreed to withdraw proposals that would expand UGA Reserves into areas designated on the Whatcom County Comprehensive Plan map as Rural and/or Agriculture, if the County and Cities review UGA Reserve proposals in 2026-2027. UGA Reserves are not required by the GMA. This approach would allow the County and Cities to focus on GMA mandates during the Periodic Review and revisit UGA Reserves later.

General criteria for transferring properties from the Urban Growth Area Reserve to the Urban Growth Area are set forth below:

1. Need for Land Capacity. The need for additional land is necessary to accommodate projected urban growth, as documented in a land capacity analysis. A transfer from Urban Growth Area Reserve to Urban Growth Area will not be allowed which would provide capacity to accommodate substantially more than 20 years of urban growth. Additional consideration can be made regarding the mix of housing and employment opportunities that are required to serve the Urban Growth Area which could be accommodated in the Urban Growth Area Reserve and which cannot be accommodated within the Urban Growth Area.
2. Adequate Public Facilities and Services. There are plans and capacity to serve the areas with urban governmental services as set forth in the Growth Management Act. There is no requirement to extend these services prior to transferring the area from Urban Growth Area Reserve to Urban Growth Area, but the Capital Facility Plans must document the capacity and plans to serve at urban levels of service within the 20-year planning period.

3. Land Use Plans. The respective city, or county for unincorporated Urban Growth Areas, has a comprehensive plan and land use regulations in place to allow for the transition from Urban Growth Area Reserve to Urban Growth Area. The respective jurisdiction will also have in place development regulations that ensure urban densities are achieved within the existing Urban Growth Area. Urban Growth Area Reserves should be jointly planned between Whatcom County and the respective city.
4. Natural Resource Lands. Expansion into the Urban Growth Area Reserve will not allow uses that are incompatible with adjoining natural resource lands unless mitigated through buffers, increased setbacks or other measures as necessary to maintain the productivity of the adjacent resource lands. If the expansion is into lands zoned Agricultural, the city and county shall have an interlocal agreement or regulations in place that implement a program that outlines the respective roles in protecting at least 100,000 acres of agricultural land in Whatcom County.
5. Environment. Land use regulations are in place to ensure protection of the environment and sensitive watersheds.
6. Open Space Corridors. Continued provisions are made for open space corridors within and between Urban Growth Areas where not otherwise precluded by previous development patterns.

Below are issues, established by urban area that must be addressed in order to authorize areas to be redesignated from Urban Growth Area Reserve to Urban Growth Area.

Bellingham Urban Area

Commented [MA96]: Language developed by the County and City of Bellingham.

The south Yew St. is ~~and the south Caitac areas have been~~ designated as Urban Growth Area Reserve~~s~~. Prior to re-designating the south Yew St. area to UGA, need for additional land capacity must be demonstrated, planning for adequate public facilities and services must be completed, and potential impacts on Lake Padden water quality must be addressed. Areas west and north of the Bellingham International Airport have also been designated as Urban Growth Area Reserves. These areas were formerly in the UGA, but are highly impacted by wetlands and streams, are largely in state, tribal, or port ownership and are located at least a mile from the existing city limits. These factors make the areas west and north of the Airport unlikely to be annexed to Bellingham within the 2025-2045 planning period. These UGA Reserve areas may be considered for UGA expansion in future planning cycles. ~~Prior to re-designating the south Caitac area to UGA, need for additional land capacity must be demonstrated and planning for adequate public facilities and services must be completed.~~ UGA Reserve areas should retain rural zoning until such time the unincorporated area is placed in the UGA.

Birch Bay Urban Area

An area bisected by Blaine Rd., generally north of Arnie Rd., has been designated as Urban Growth Area Reserve. Prior to redesignating this area to UGA, need for

additional land capacity and planning for adequate public facilities and services must be demonstrated. The area currently zoned R10A west of Blaine Rd. should maintain a density of one dwelling/10 acres in recognition of the wetlands and floodplain in this area.

Blaine Urban Area

There are no ~~areas proposed for~~ Urban Growth Area Reserves adjacent to the Blaine Urban Growth Area.

Cherry Point Urban Area

There are no ~~areas proposed for~~ Urban Growth Area Reserves adjacent to the Cherry Point Industrial Urban Growth Area.

Columbia Valley Urban Area

There are no Urban Growth Area Reserves adjacent to the Columbia Valley Urban Growth Area. ~~An area on the west side of the UGA has been placed into an Urban Growth Area Reserve. This area is within lands designated as geologically hazardous, and suitability for urban development has not yet been demonstrated.~~

Commented [MA97]: The existing UGA Reserve is proposed to be re-designated to Rural Forestry on the Comprehensive Plan map due to steep slopes, landslide hazard areas, and alluvial fans.

Everson Urban Area

There are no Urban Growth Area Reserves adjacent to the Everson Urban Growth Area. ~~Land to the north of Everson along Trap Line Road is designated as Urban Growth Area Reserve. This area was previously designated as agricultural lands of long-term commercial significance. The Everson UGA has been reduced in other areas and those lands were put into agricultural lands of long-term commercial significance, thus not causing a reduction in the resource land designations in the Everson area. The Urban Growth Area Reserve should be jointly planned with the city and county in conjunction with Urban Growth Area plans.~~

Commented [MA98]: The City of Everson proposes to re-designate the existing UGA Reserves to UGA and Agriculture on the Comprehensive Plan map.

Ferndale Urban Area

The City of Ferndale has six (6) Urban Growth Area Reserves (UGARs) located adjacent to the City of Ferndale Urban Growth Area. These UGARs are logical areas for the City to grow by expanding the existing UGA into these areas when additional land is needed to support the growth of the community.

Enterprise Road: Properties in the vicinity of Enterprise Road have been designated by the City of Ferndale for future employment growth. Prior to annexation or conversion to UGA, the City may utilize this area as a corridor to extend utilities to the Grandview Area. A portion of this UGAR is located within the Drayton Harbor Watershed area.

Aldergrove/Brown Road: Properties within this area have been designated for future residential growth. It is likely that portions of this area will provide for future employment growth as well. Much of this UGAR is located within the Drayton Harbor Watershed area.

Commented [MA99]: Text changes in this section suggested by the City of Ferndale Community Development Director in an email dated 11/24/2025.

Thornton Street: Properties within this area have been designated for residential growth. The area is surrounded on 3 sides by the City of Ferndale and utilities exist to serve the area.

Mountain View: Properties within this area have been designated for residential growth.

Douglas Road: There are two distinct UGARs along Church Road between Main Street and Douglas Road. Properties within this area have been designated for residential growth. Church Road is planned to connect between Douglas Road and Main Street. It is likely that the area south of Main Street will provide for future employment growth as well.

~~Lands in the vicinity of Enterprise Rd. have been designated as Urban Growth Area Reserve for future employment growth at the request of the City of Ferndale. A portion of the Enterprise UGA Reserve on the northeast side of the Ferndale Urban Growth Areas is within the Drayton Harbor Watershed. The City may utilize this area as a corridor to provide utilities to the Grandview area. The Enterprise Urban Growth Area Reserve includes existing rural and residential uses that must be considered when developing land use plans. Lands in the Vista/Brown, Thornton, Mtn. View and Douglas Rd. areas have been designated as Urban Growth Area Reserves for future residential growth. These Reserves are logical areas for the city to grow and should be jointly planned with the city and county in conjunction with Urban Growth Area plans.~~

Lynden Urban Area

There are no ~~areas proposed for~~ Urban Growth Area Reserves adjacent to the Lynden Urban Growth Area.

Nooksack Urban Area

There are no Urban Growth Area Reserves adjacent to the Nooksack Urban Growth Area. ~~An area east of the Sumas River and south of Breckenridge Creek has been designated as an Urban Growth Area Reserve. This area is currently used primarily for agricultural uses, and includes lands that may be flooded and exposed to Naturally Occurring Asbestos (NOA) from a natural landslide adjacent to Swift Creek. This area will be kept in reserve status until the County has determined that development will not expose future residents and employees to unacceptable risk from naturally occurring asbestos. The Urban Growth Area Reserve should be jointly planned with the city and county in conjunction with Urban Growth Area plans.~~

Commented [MA100]: The City of Nooksack proposes to re-designate the existing UGA Reserve to UGA on the Comprehensive Plan map.

Sumas Urban Area

There are no Urban Growth Area Reserves adjacent to the Sumas Urban Growth Area. ~~Growth of Sumas is constrained by agricultural lands. Lands in agricultural use on the south end of Sumas along Hovel Road have been designated as an Urban Growth Area Reserve. While there is sufficient land within the city to accommodate projected growth, there is little surplus, and growth outward may become necessary. This area will be kept in reserve status until the County has determined that development will~~

Commented [MA101]: The City of Sumas proposes to re-designate the existing UGA Reserve to UGA and Agriculture on the Comprehensive Plan map.

~~not expose future residents and employees to unacceptable risk from naturally occurring asbestos. The Urban Growth Area Reserve should be jointly planned with the city and county in conjunction with Urban Growth Area plans.~~

Special Study Areas

Sudden Valley

Commented [MA102]: Emailed Sudden Valley Community Association on 10/10/25. Requested comments by 10/30/25. No response received as of 11/20/25.

Sudden Valley was established in the early 1970s as a recreation/resort area located on the shore of Lake Whatcom, entirely within the Lake Whatcom Watershed. Over the last thirty years it has developed into a semi-urban residential area. Sudden Valley is organized as a homeowners association which maintains and operates common facilities and land. Despite its recreational beginnings, this unincorporated area is now composed primarily of permanent residents—numbering approximately 7000—with some recreational units and second homes as well.

Water and sewer are provided by the Lake Whatcom Water and Sewer District. Public transit service is provided by the Whatcom Transportation Authority (WTA). Natural gas is available only to limited portions of Sudden Valley. Security is provided by a very small, private, contracted force and the Sheriff's Department. There is a small commercial area surrounded by Sudden Valley, and an immediately neighboring station of the South Whatcom Fire Authority. The area includes Lake Whatcom shoreline with lake access, as well as wetlands, natural preserves, and land that will remain forever undeveloped. Of its 1,545 acres, 835 acres – over half – are permanent open space with established parks, trails, and recreational areas, with an additional 140 acres of golf course.

Sudden Valley lies within the Lake Whatcom Watershed where limiting development has been identified as desirable. As a result, Sudden Valley is not a candidate for incorporation or UGA status. However, because Sudden Valley represents a sizable population, the Sudden Valley Community Association (SVCA) is a recognized participant in County and Lake Whatcom planning.

Goal 2NN:	**Recognize Sudden Valley as a Rural Community (Type 1 LAMIRD) with unique challenges that require active participation in the planning process.**
Policy 2NN-1:	Liaison with SVCA on issues of mutual concern in Sudden Valley.
Policy 2NN-2:	Facilitate meeting the unique needs of Sudden Valley due to its location within the Lake Whatcom Watershed.
Policy 2NN-3:	Recognize the existing parcelization and the remaining development potential of multifamily parcels in Sudden Valley.
Policy 2NN-4:	Work with the Community Association towards voluntary density reduction of additional lots within Sudden Valley.
Policy 2NN-5:	Work with the City of Bellingham to acquire and preserve lands in the Lake Whatcom Watershed pursuant to the goals and

objectives of the Lake Whatcom Management Program Work Plan. (#54)

Policy 2NN-~~56~~: If vacant lots in the Lake Whatcom watershed come available due to a tax foreclosure the County ~~may~~should (#55) acquire them, remove the developments rights and then place them back on the market through the public auction process to recover any residual value.

Policy 2NN-~~57~~: Support Lake Whatcom Water and Sewer District's effort to maintain adequate sewer capacity and control stormwater runoff in keeping with appropriate environmental controls and the Sudden Valley Community Association's density reduction goal.

Policy 2NN-8 Whatcom County should work with Sudden Valley landowners to help them inspect and maintain their private stormwater systems. (#56)

Policy 2NN-~~79~~: Work with all parties to maintain, and appropriately plan for infrastructure, public services, and stormwater retention so that Sudden Valley can develop and mitigate(#57) appropriately.

Private Parcels Surrounded by National Park or National Forest

There are a number of private parcels in Whatcom County which are completely surrounded by National Forest and National Park land. Some of these have houses built on them, primarily for seasonal use, but most represent mining patents and are used, or have been used, only for mining. The majority of these parcels are located in the Mt. Baker area or the Slate Creek area near the eastern border of the county with their access primarily by Forest Service roads.

Goal: 2PP: **Continue to recognize private parcels surrounded by National Park or National Forest as part of Whatcom County's jurisdiction.**

Policy 2PP-1: Increase the potential for land exchanges, and other voluntary mechanisms, in order to reduce the checkerboard ownership and jurisdictional patterns within eastern Whatcom County.

Policy 2PP-2: Recognize and mitigate against the risk of wildfire for residences adjacent to or surrounded by federal forested lands. (#58)

Subdivisions on the Lummi Reservation

There are over 3,000~~2,000~~ parcels on the Lummi Reservation, many of which are owned by non-Indians and by Native Americans under fee simple status. As Federal policy has been changed or circumvented and tribal lands have been allowed to be removed from trust to fee status, state and county regulations have become applicable. The County has made efforts to work closely with local tribes on land use directions. The requirements of the Growth Management Act cannot be applicable to reservation trust lands, even when a checkerboard pattern has developed. It is the

Commented [MA103]: Emailed Lummi Nation on 10/10/25. Requested comments by 10/30/25. No response received as of 11/20/25.

Commented [MA104]: Per emailed from County GIS Specialist dated 10/10/25.

Commented [MA105]: Modification passed by the Planning Commission on 12/16/2025.

full intent of this County, when possible, to continue working cooperatively with area tribes on land use, watershed planning, utility planning and the coordinated water system plan. Most platted areas have sewer, which is provided by the Lummi Sewer District.

Goal 2QQ:	**Seek solutions that satisfy the requirements of Growth Management, the needs of the non-tribal residents and the goals of the Lummi Nation.**
Policy 2QQ-1:	Work with the residents and the Lummi Nation to establish adequate water and sewer for the existing platted lots.
Policy 2QQ-2:	Whatcom County will administer land use policy on fee lands and prohibit discriminatory land use practices.
Policy 2QQ-3	Consider opportunities to coordinate and engage with the Tribes on relevant county planning and land use matters.(#59) (#165)

Comprehensive Plan Designations Map

The Comprehensive Plan designations map (**Map 2-1**) provides direction for future land use decisions in Whatcom County. It is officially adopted as part of this document. Because of the scale of the map, specific boundaries are identified on maps in the County Planning and Development Services office.

These descriptors are intended to be general in nature. More specific criteria and explanation may be incorporated into comprehensive plan chapters or subarea plans.

Title:	**Urban Growth Areas**
Purpose:	To denote where future urban growth may occur.
Definition:	Areas characterized by urban growth that have adequate existing public facility and service capacities; areas characterized by urban growth that can be served adequately by a combination of both existing public facilities and any additional public facilities and services that are provided by either public or private sources; and lands adjacent to areas characterized by urban growth.
Locational Criteria:	First urban growth may be located on lands characterized by urban growth that have adequate existing public facility and service capacities; next urban growth may be located on lands characterized by urban growth that can be served adequately by a combination of both existing public facilities and services and any additional public facilities and services that are provided by either public or private sources; and finally urban growth may be located on lands adjacent to areas characterized by urban growth.
Title:	**Urban Growth Area Reserve**
Purpose:	To denote lands which appear to be suitable for future inclusion in an adjacent and contiguous Urban Growth Area when the need arises and adequate public facilities and services can be provided, and other issues identified in the comprehensive plan are addressed.
Definition:	Areas that are not yet suited for urban growth but are logical areas in which the urban area would likely grow beyond current growth allocations after being properly designated as an Urban Growth Area.
Locational Criteria:	Areas adjacent and contiguous to Urban Growth Areas in which urban development would likely occur beyond current growth allocations.
Title:	**Major Industrial Area/Port Industrial – Urban Growth Areas**
Purpose:	To reserve appropriate areas to attract heavy industrial manufacturing uses and provide employment opportunities while minimizing land use conflicts and offsite impacts.

Definition:	Land area for large-scale heavy industry that has a high impact on the surrounding neighborhood and environment.
Locational Criteria:	Industry should be located in areas adequate for its use away from residential centers, but within reasonable commuting distance; near transportation facilities and services.
Title:	**Master Planned Resort**
Purpose:	To recognize and contain resort areas that existed on July 1, 1990, or permit new master planned resort areas that depend on a setting of significant natural amenities.
Definition:	Historic or new resort development that is self-contained and fully integrated, in a setting of significant natural amenities, with primary focus on destination resort facilities consisting of short-term visitor accommodations associated with a range of developed onsite indoor or outdoor recreational facilities.
Locational Criteria:	Resorts may be located in urban or rural areas within a setting of significant natural amenities.
Title:	**Rural Community (Type I LAMIRD)**
Purpose:	To recognize rural development consisting of the infill, development, or redevelopment of commercial, industrial, residential, or mixed uses areas that existed on July 1, 1990 and limit and contain more intensive rural land uses within logical outer boundaries. Policies on the definition and locational criteria for Rural Communities are found under Goals 2HH and 2JJ in this chapter.
Title:	**Rural Tourism (Type II LAMIRD)**
Purpose:	To recognize small-scale recreational or tourist uses in rural areas, and to limit and contain more intensive rural development on those lots. Policies on the definition and locational criteria for Rural Tourism designations are found under Goals 2HH and 2KK in this chapter.
Title:	**Rural Business (Type III LAMIRD)**
Purpose:	To recognize development on lots containing isolated nonresidential uses or new development of isolated home-based businesses~~cottage industries~~ and isolated small-scale businesses, to limit and contain more intensive development on those lots. Policies on the definition and locational criteria for Rural Business designations are found under Goals 2HH and 2LL in this chapter.

Title:	**Rural Neighborhood**
Purpose:	To recognize and contain rural areas that have been established with predominantly residential uses with higher densities than surrounding rural areas. Policies on the definition and locational criteria for Rural Neighborhood designations are found under Goal 2MM in this chapter.
Title:	**Rural**
Purpose:	To provide opportunity for a variety of low-density residential development including cluster development with the flexibility to practice farming or forestry, or operate a home-based business,~~home occupation or cottage industry~~; to retain a sense of community. Also to encourage agriculture and forestry activities through the use of incentives. Policies on the definition and locational criteria for Rural designations are found under Goal 2GG in this chapter.
Title:	**Agriculture – Resource Lands**
Purpose:	To recognize and promote agriculture in Whatcom County and protect prime agricultural soils and productive agricultural lands from conversion to other uses. To prevent conflicts between residential and agricultural uses.
Definition:	Commercial agriculture lands generally located on parcels 40 acres or larger, with one dwelling unit per 40 acres or legal lot of record allowed.
Locational Criteria:	Agriculture designation criteria are set forth in Chapter 8, Natural Resource Lands.
Title:	**Rural Forestry – Resource Lands**
Purpose:	To provide flexibility in use, enabling the landowner to live on the land and practice forestry and forestry-related industry.
Definition:	Lands used primarily for growing trees with some low-density residential development.
Locational Criteria:	Rural Forestry designation criteria are set forth in Chapter 8, Natural Resource Lands.
Title:	**Commercial Forestry – Resource Lands**
Purpose:	To provide land base for commercial forestry activities and provide predictability of future land use to forest land owners.
Definition:	Land primarily devoted to commercial timber production.
Locational Criteria:	Commercial Forestry designation criteria are set forth in Chapter 8, Natural Resource Lands.

Title:	**Mineral Resource Lands – Resource Lands**
Purpose:	To ensure a long-term supply of mineral resources and provide predictability in land use.
Definition:	Lands of long-term commercial significance for the extraction of minerals.
Locational Criteria:	MRL designation criteria are set forth in Chapter 8, Natural Resource Lands.
Title:	**Public Recreation**
Purpose:	To provide the public with open space and recreational opportunities; to protect conservation areas.
Definition:	Areas with unique scenic or recreational amenities.
Locational Criteria:	Parcels owned or managed by public or private agencies for recreational or conservation use.

Open Space

Introduction

Cascade peaks, forested mountains, the Nooksack drainage, farmlands, riparian corridors, lakes, shorelines and islands contain the natural beauty and character of Whatcom County's landscape. This setting contributes greatly to the quality of life enjoyed by county residents who value its elements of environmental quality, scenic beauty and recreational opportunities. Whether thought of as broadly as a mountain range and the marine waters of the Strait of Georgia, or as narrowly as a small corridor between two buildings in a small town, open spaces are essential components to the health and well-being of individuals and communities.

Purpose

This section, in keeping with the Growth Management Act, serves to identify and designate open spaces and open space corridors, and encourage their retention.

GMA Requirements

The GMA requires Whatcom County to designate the general location of open spaces ~~lands~~, green spaces, and urban and community forests within UGAs (RCW 36.70A.070(1). The GMA's open space and recreation goal is to "Retain open space and green space, enhance recreational opportunities, enhance fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities"~~and to "encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks"~~ (~~GMA Planning Goal,~~ RCW 36.70A.020 (9)). **Map 2-2** shows the distribution of lands currently enrolled under Whatcom County's open space taxation program (see below).

Commented [MA106]: The changes to this paragraph incorporate GMA amendments approved in House Bill (HB) 1181 in 2023.

The GMA~~act~~ also has a requirement to identify open space *corridors* within and between urban growth areas to include "...lands useful for recreation, wildlife habitat, trails, and connection of critical areas..." (RCW 36.70A.160). This law authorizes the public purchase of such corridors.

Map 2-3 shows proposed Open Space Corridors for Whatcom County.

Background Summary

Whatcom County contains many public open space lands such as county and state parks and state and national forest lands. Whatcom County stewards over 16,000~~15,000~~ acres of parkland. The Washington State Parks Department stewards more than 2,400 acres of state parks. The State stewards over 88,000 acres of land in Whatcom County, including two Natural Resource Conservation Areas. The forest lands are generally open to the public for recreational uses, except for seasonal and some special use restrictions. The US Forest Service and the North Cascades National Park manage over 800,000 acres of land in the eastern portion of the county for timber, recreation, wildlife habitat, fisheries production, and wilderness.

Commented [MA107]: The Seven-Year Capital Improvement Program indicates there are more than 16,000 acres (p. F-5).

Whatcom County currently administers two Open Space programs under the provisions of the ~~Under the provisions of the~~ Open Space Taxation Act (RCW 84.34) and one program under RCW 84.33 (Timber and Forestlands).~~,~~ Designated Forestland (DFL) and Open Space Farm and Agriculture (OSAG) are administered through the Whatcom County Tax Assessor's Office. Open Space Land (OSL) utilizes a Public Benefit Rating System (PBRS) criteria and is administered through Whatcom County Planning and Development Services. Whatcom County may classify as "Open Space" farms, forests, and beneficial open lands upon request by individual land owners when such lands meet adopted criteria and policies. These adopted policies are contained in the policies established in this section. A Public Benefit Rating System that implements the policies rates each application under consideration.

Properties which qualify under the county's Open Space program are granted partial relief from property taxes in exchange for maintaining their land in open space use as defined by state law and county policies. ~~Some open space categories~~ The Open Space Land and Open Space Farm and Agricultural Land categories are rated using the PBRS and require that a landowner provide public access provisions to the property while ~~other categories~~ OSAG and DFL do not have this requirement. According to latest Assessor's information, 107,287~~119,907~~ acres were classified under the County's open space program in 2025~~2014~~, 96%~~94%~~ of which were classified as Open Space Farm and Agricultur~~a~~le Land. Most of the forested areas in Whatcom County, however, are classified as forest lands under RCW 84.33. This law phased out the ad valorem system for taxing timber land. This act was meant to encourage forestry and reforesting of forests for the continued enjoyment of present and future generations. See **Map 2-2** for the location of these areas.

Commented [MA108]: Per email string with County GIS dated 11/7/2025.

For privately held open space lands, there can be strong pressures to convert resource lands and rural areas to more urban environments. Additionally, while Whatcom County has more than 130 miles of saltwater shoreline, only about 6% is currently in public ownership and freely accessible to the public. With the county

projecting a growing population and expanding development, the opportunity for additional public access is reduced almost every day.

Issues, Goals, and Policies

Open Space Areas

Whatcom County residents consider open space and the conservation of farm and ~~timber~~forest land to be essential to the quality of life in Whatcom County. As urban growth pressures increase, open space, farms, forests, and shorelines are becoming more valuable to the residents of the county. Loss of open space is perceived by the people of Whatcom County as an adverse impact to the quality of life and local economy (#60).

Goal 2QQ: **Conserve or enhance important natural, cultural, and scenic resources.**

Policy 2RR-1: Protect and encourage voluntary restoration of streams, stream corridors, wetlands, natural shorelines, fish habitat and aquifers through education and incentive programs. For willing landowners, purchase property or acquire easements for riparian and channel migration zone areas to protect habitat of threatened and endangered species.

Policy 2RR-2: Protect soil resources.

Policy 2RR-3: Protect unique or critical wildlife and native plant habitat.

Policy 2RR-4: Promote the preservation of areas with tree canopy outside of riparian areas.

Commented [MA109]: Modification passed by the Planning Commission on 12/16/2025.

Policy 2RR-~~5~~4: Promote conservation principles by example or by offering educational opportunities to residents and visitors (#61).

Policy 2RR-~~6~~5: Enhance the values of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space lands.

Policy 2RR-~~7~~6: Enhance responsible recreation opportunities that keep people safe and don't damage the environment (#62).

Policy 2RR-~~8~~7: Preserve scenic vistas, historic, cultural, (#63) and archaeological sites.

Open Space Corridors

Retaining open spaces between and within cities and small population centers contributes to the high quality of life in Whatcom County. The need for jurisdictions to coordinate in designating Open Space Corridors in order to preserve the quality of life desired by residents, provide connector trails and public access, protect wildlife habitat, and ensure areas for recreation becomes greater as the population of the county continues to grow and urban areas continue to expand.

Goal 2SS: **Identify and protect open space corridors within and between urban growth areas. These corridors should include trails and other lands useful for recreation, while emphasizing wildlife habitat, and connection of critical areas, where feasible.**

Policy 2SS-1(#64): Identify marine, riverine, and other riparian corridors as essential elements of open space corridors and fish and wildlife habitat (#65).

Policy 2SS-2: Identify contiguous agriculture and forested landscapes as essential elements of open space corridors. Utilize the Conservation Easement Program to protect working agriculture and forestlands to achieve numerous benefits, including the preservation of the working ~~forest~~lands (#66) base, recreation opportunities, watershed health, and wildlife habitat.

Policy 2SS-3: Identify tidelands and floodplains as essential elements of open space corridors.

Policy 2SS-4: Identify estuaries, lakes, and rivers as naturally occurring open space corridors.

Policy 2SS-5: Plan greenway corridors within urban growth areas. Ensure development is consistent with these corridors through the permit process and incentive programs.

Policy 2SS-6: Include common open space in which pedestrian and bicycle pathways may be integrated in new developments.

Policy 2SS-7: Identify open space corridors in areas highly susceptible to climate change impacts. Recognize the benefits of restored and enhanced riparian habitats for flood risk reduction.(#67)

Goal 2TT: **Promote coordination among the county, cities, Port of Bellingham, Tribes, (#68) and other appropriate jurisdictions in order to protect linked greenbelts, parks, and open spaces.**

Policy 2TT-1: Encourage all jurisdictions to provide adequate neighborhood parks and play areas within safe walking and bicycling distances of residential neighborhoods.

Policy 2TT-2: Link county open space corridors with those of adjacent jurisdictions where viable.

Policy 2TT-3: Encourage separation of urban growth areas through planning, development regulations, open space purchase, conservation easements, and other appropriate mechanisms.

Policy 2TT-4: Enhance coordination and integration across various departments within Whatcom County, including the Parks Department,

Planning & Development Services, and Public Works, to acquire land and easements that achieve maximum co-benefits.

Encouraging Open Space Conservation

A variety of methods act to encourage the retention of open space. These range from regulatory restrictions to incentives and to public purchase. It has been the policy of Whatcom County to create an equitable tax climate for the landowner willing to maintain land as open space, through the use of the Open Space Taxation Act. While the Growth Management Act authorizes the purchase of open space corridors, in many cases incentive-based measures may be more flexible, productive, and desirable.

Public and private conservation organizations such as the Nature Conservancy, the Trust for Public Land, and the Whatcom Land Trust serve important functions such as assisting in negotiating with property owners, providing funding sources, and accepting conservation easements and land donations. Often such organizations can act quickly to provide interim preservation during the time period necessary for government action to occur.

Finally, protection of private property rights is an important issue for Whatcom County residents that needs to be expressed in public policy concerning open space.

Goal 2UU: **Ensure equity between the public benefit and the private burden while encouraging open space retention.**

Policy 2UU-1: Retain valuable agriculture and forestry lands by enrollment in Whatcom County's open space taxation program.

Policy 2UU-2: Recognize that some parcels in the open space taxation program, while key components of the open space system, may not be open to the public.

Policy 2UU-3: Support the conservation of fish and wildlife habitat through enrollment in Whatcom County's open space taxation program.

Policy 2UU-4: Support the retention of open space and open space corridors through the use of education and incentives, such as Conservation Easement Program, density bonuses within UGAs in association with the density credit program, cluster development, and acquisition of easements.

Policy 2UU-5: Augment land use regulations by engaging in a proactive program of public investment, landowner incentives, and other actions aimed at preserving open space.

Policy 2UU-6: Improve public access to shorelines and other lands using such mechanisms as the Conservation Easement Program, density bonuses within UGAs in association with the density credit program, and open space tax status.

Policy 2UU-7: Evaluate conservation opportunities, comparing conservation alternatives, and developing a list of priority sites.

Policy 2UU-8: Make expenditures for public purposes, such as open space, parks or greenbelts, with existing public funds and other sources as appropriate. New local taxes for these purposes should be imposed only upon the vote of the people.

Policy 2UU-9: Support the conservation of unique environmental features through the creative use of cluster subdivisions.

Policy 2UU-10: Support the incorporation of stream greenbelts into subdivision design as common open space and provide incentives for stream buffers greater than those legally required.

Policy 2UU-11: Support the important role of public and private conservation organizations.

Policy 2UU-12: Support public and private land trusts in acquiring conservation easements that provide open space attributes, consistent with the intents of property owners.

Policy 2UU-13 Support opportunities to do on- and off-site mitigation and mitigation banking as a way to support open and green space and habitat restoration and enhancement. (#69)

Policy 2UU-1~~3~~4: Review the goals of *Preserving a Way of Life: A Natural Heritage Plan for Whatcom County,* endorsed by the Whatcom County Council in 1991 and continue to implement those goals which are appropriate, beneficial, consistent with this plan, and within the County's fiscal capabilities.

Policy 2UU-1~~4~~5: Consider an update to *Whatcom County Open Space Policies and Criteria and Public Benefit Rating System* (as amended in 1995 under Ord. No. 1995-040) to further incentivize voluntary public access, fish and wildlife habitat enhancement and protection on privately owned lands, forests, and shorelines. Consider benefits to climate resilience and ecosystem services. Updating policies, criteria, and rating system may require advocating for State legislation.(#70)

Open Space Corridors Map

The Open Space Corridors **(Map 2-3**) indicates both areas of interest for acquisition or easements to implement the open space objectives and other areas which will remain private but because of their nature serve as visual or wildlife corridors. This does not imply that all sites will be acquired, nor have their development potential reduced. Property owners may or may not have been contacted regarding potential public access.

Green Space

Commented [MA110]: GMA was amended by House Bill 1181 to require comprehensive plans to designate "green space."

The GMA requires the County to designate "green spaces" (RCW 36.70A.070(1)). Green space is defined in the GMA (RCW 36.70A.030) as an area of land, vegetated by natural features such as grass, trees, or shrubs, within an urban context and less than one acre in size that creates public value through one or more of the following attributes:

(a) Is accessible to the public;

(b) Promotes physical and mental health of residents;

(c) Provides relief from the urban heat island effects;

(d) Promotes recreational and aesthetic values;

(e) Protects streams or water supply; or

(f) Preserves visual quality along highway, road, or street corridors.

Mapped green spaces focus on publicly owned areas with the above attributes within UGAs.

Goal 2VV:	**Promote a coordinated effort to identify and prioritize accessible green space in urban growth areas.**
Policy 2VV-1:	Support retaining small green spaces under one acre in urban growth areas.
Policy 2VV-2:	Promote green spaces that are publicly accessible.
Policy 2VV-3:	Promote recreational use of urban green spaces.

The Bellingham, Birch Bay, Columbia Valley, and Ferndale UGAs contain green spaces (see Maps 2-4a to 2-4d). The other UGAs do not contain green spaces under the criteria above.

Urban and Community Forests in UGAs

Commented [MA111]: GMA was amended by House Bill 1181 to require comprehensive plans to address "urban and community forests." The GMA does not define "urban and community forests."

The GMA requires the County to designate "urban and community forests" (RCW 36.70A.070(1)). Urban and community forests include vegetated areas on lands in

urban growth areas. Specifically, this includes any land with trees and associated vegetation, whether it's planted or naturally occurring, used or unused, and includes areas along roads, utilities, and forested watersheds within populated zones.

Goal 2WW: Support the designation of urban and community forests in UGAs.

Policy 2WW-1: Designate urban and community forests on public land greater than 5 acres with over 75% tree canopy.

The Bellingham, Birch Bay, Blaine, and Cherry Point UGAs contain Urban and Community Forests (see Maps 2-5a to 2-5d). The other UGAs do not contain Urban and Community Forests under the criteria above.

Commented [MA112]: The County's consultant recommended using the 5-acre and 75% tree canopy criteria for identifying urban and community forests. This borrows concepts from the U.S. Forest Service's Community Forest and Open Space Conservation Program, or Community Forest Program (CFP) provides opportunities for community entities to apply for grants to acquire forest lands. Lands acquired through the program are mandated to be managed according to a community forest plan. Private forest land is eligible that is at least five acres in size, suitable to sustain natural vegetation, and at least 75% forested.

Essential Public Facilities

Commented [MA113]: Updated to address recent changes to the GMA relating to Essential Public Facilities (RCW 36.70A.200).

Introduction

Essential public facilities are those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, improvements to high capacity transportation systems as defined in RCW 81.104.015, bus rapid transit routes and stops or improvements to such routes and stops, state and local correctional facilities, solid waste handling facilities, opioid treatment programs including both mobile and fixed-site medication units, recovery residences, harm reduction programs excluding safe injection sites, and inpatient facilities including substance use disorder treatment~~abuse~~ facilities, mental health facilities, group homes, community facilities as defined in RCW 72.05.020, and secure community transition facilities as defined in RCW 71.09.020 (RCW 36.70A.200, Siting of essential public facilities). The county has also designated telecommunication towers, water treatment plants, sewer treatment plants, and water storage facilities as essential public facilities.

Purpose

This section of the Land Use chapter outlines a process for identifying essential public facilities, defining locational criteria for such facilities, selecting sites for them, and establishing an appeal mechanism as required by the RCW. The process emphasizes avoidance of process duplication, considers the long- and short-term impacts of such siting, provides for effective public review and participation, and stresses compatibility with neighboring land uses.

Process

This section was prepared with consideration of information and procedures adopted by other jurisdictions. An Essential Public Facilities Advisory Committee composed of ~~citizen~~community members(#71), business, health care and government representatives met in 2001-2002 and recommended modifications to this chapter to refine the process for siting essential public facilities. The original essential public facilities ordinance was adopted in 2004 and has since been amended.

GMA Goals and Countywide Planning Policies

The GMA goal of encouraging ~~citizen~~ community(#71) participation and coordination is served by this section. This section has been prepared to satisfy that goal while also meeting the intent of the Countywide Planning Policies (CWPPs). The CWPPs require identification of appropriate land for public facilities, a cooperative and structured process to consider siting of essential public facilities of a regional or statewide nature. Adoption of this section and implementation of its goals and policies satisfies Growth Management goals and Countywide Planning Policies.

GMA Requirements

RCW 36.70A.200 requires that each county include a process for identifying and siting essential public facilities. The RCW ~~defines essential public facilities as those facilities that are typically difficult to site and~~ provides a list of such facilities~~, such as airports, state education facilities, and state or regional transportation facilities, state and local correction facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities for sex offenders. Additionally, the county has designated telecommunication towers, water treatment plants, sewer treatment plants, and water storage facilities as essential public facilities. This section meets the requirements of the Growth Management Act~~.

Commented [MA114]: The list of essential public facilities is above in the Introduction section. Not necessary to repeat here.

Background Summary

~~Essential public facilities include those facilities considered difficult to site because of potential adverse effects related to size, bulk, hazardous characteristics, noise, or public health and safety.~~ The Growth Management Act (RCW 36.70A.200) and the Washington Administrative Code (WAC 365-196~~195~~-550) indicate that essential public facilities:

- Are typically difficult to site because of potential adverse effects related to size, bulk, hazardous characteristics, noise, or public health and safety (#71);
- Provides a public service, including a local service; and
- Are provided, substantially funded or contracted for by government or subject to public service obligations.

Countywide Planning Policies (CWPP) stipulate that the county and cities must identify appropriate land for public facilities meeting the needs of the community.

Adopted CWPPs require the county and cities to develop a cooperative and structured process, including public involvement at an early stage, to consider siting of public facilities of a regional or statewide nature. Any new facilities or major expansions of existing facilities must conform to these local siting procedures.

The CWPPs also address the desirability of shared rights-of-way when not in conflict with wildlife, technical, or public health and safety concerns.

Issues, Goals, and Policies

Siting Essential Public Facilities

Essential public facility siting may not be prohibited by any local plan or regulation; the Growth Management Act, however, empowers local government to determine those plans, policies, and regulations that are most appropriate to county communities.

An equitable distribution of public facilities is important to avoid an unfair concentration of any such facilities within the county. A well-defined appeal process must be part of any siting process. Some essential public facilities, federal facilities for example, must meet multiple levels of siting and permitting approval; coordination is important to avoid unnecessary and costly delays brought about by redundant processes.

Goal 2~~VV~~XX: Utilize the established process for siting essential public facilities.

Policy 2~~VV~~XX-1: Adhere to the process for essential public facility site selection as outlined in the comprehensive plan and zoning ordinance. This process is summarized as follows:

- An applicant for an essential public facility should consult with the Whatcom County Planning & Development Services Department very early in the process of developing a proposal to determine the siting criteria and County permit requirements for the proposed facility.
- Essential public facilities that are allowed as a permitted use are processed administratively by the Planning & Development Services Department.
- Essential public facilities that require a conditional use permit require a public hearing before the hearing examiner.
- Siting criteria in the comprehensive plan and zoning ordinance will be applied when deciding where to site essential public facilities.

Policy 2~~VV~~XX-2: Where possible, use essential public facilities sites jointly for public benefit; trails or open space, for example, could share a corridor or site used primarily for transportation.

Policy 2~~VV~~XX-3: The Growth Management Act identifies certain essential public facilities and the County ~~Council~~ has taken ~~legislative~~ action~~, with the assistance of an essential public facilities advisory committee,~~ (#72) to identify additional essential public facilities. A proponent or government agency shall apply for a comprehensive plan amendment to add a particular land use to the adopted list of essential public facilities. In order to be added to the list of

essential public facilities, the applicant must demonstrate that the facility:

- Is typically difficult to site;
- Provides a public service, which may be a local service; and
- Is provided, substantially funded or contracted for by government or subject to public service obligations.

Policy 2~~VV~~XX-4: If significant amendments to the essential public facility siting process are proposed in the future, an essential public facilities committee consisting of ~~citizen~~ community members (#73), business, health care, and government representatives, as appropriate, may~~will~~ (#166) be appointed by the County Executive, and confirmed by the County Council,(#73) to make recommendations relating to the proposed amendments.

Goal 2~~WW~~YY: Utilize the established siting criteria for essential public facilities.

Policy 2~~WW~~YY-1: Locate essential public facilities that generate traffic equal to or greater than similar sized residential or commercial development near major transportation corridors.

Policy 2~~WW~~YY-2: Do not site essential public facilities where they would have a probable significant adverse impact on critical areas or designated resource lands. Assess climate risk and take steps to reduce the climate impacts on essential public facilities.

Commented [MA115]: Language concept from the Climate Impact Advisory Committee letter of March 15, 2024. Language is consistent with Policy 2C-6 relating to County capital facilities.

Policy 2~~WW~~YY-3 Site essential public facilities on property where needed expansion of the facility, based upon population forecasts, level of service standards or projected facility needs, can be accommodated within a 20-year planning period.

Policy 2~~WW~~YY-4 State and regional transportation facilities include highways in unincorporated Whatcom County that have been designated as essential state or regional transportation facilities are I-5, State Route 539 (the Guide Meridian), State Route 546/9 (Badger from the Guide to Sumas), and State Route 20 to eastern Washington. Other transportation facilities in unincorporated Whatcom County that have been designated as essential public facilities are Amtrak Cascades passenger rail service, the Burlington Northern Santa Fe railroad tracks, ~~and~~ the Cherry Point marine port facilities and the Lummi Island Ferry. Such facilities in the City of Bellingham include Fairhaven Station (intercity passenger rail terminal), Bellingham Cruise Terminal (Alaska Ferry), and the Port of Bellingham (marine port). Additionally, State Route 543 (the truck route at the Blaine border) is an essential public facility located within the city limits of Blaine.

Commented [MA116]: Modification passed by the Planning Commission on 12/16/2025.

Widening of existing state highways or railroad tracks (including construction of sidings) and siting new state highways or railroad tracks should be planned in the Washington Highway System Plan, Amtrak Cascades Plan and the Freight Rail Plan. The state will invite the Regional Transportation Planning Organization and the County to participate in planning studies, review design plans, and provide comments when siting new or expanded state highways or railroad tracks.

Highways and railroad tracks that qualify as essential public facilities should be sited in accordance with all of the following principles. These facilities should be located:

- In a manner that minimizes or mitigates noise and other (#74) impacts to surrounding residential areas.
- Outside of the Lake Whatcom Watershed, unless there are no viable alternatives.
- In a manner that allows continued fish passage beyond the road or railroad tracks or restores blocked passage.
- In a manner that avoids or mitigates wetland impacts.
- In a manner that minimizes impacts of additional impervious surfaces by treating stormwater runoff.
- In a manner that encourages a vibrant economy by facilitating the efficient movement of people and freight.
- In a manner that accommodates pedestrians, bicycles, and transit.

Major passenger intermodal terminals should be located in General Commercial, Airport Operations, Urban Residential-Medium Density or industrial zones.

Freight railroad switching yards and terminals should be located in industrial zones.

Marine port facilities should be located within the Heavy Impact Industrial zone of the Cherry Point Major/Port Industrial Urban Growth Area. Allow existing facilities and limited expansions consistent with the State of Washington Department of Natural Resource Cherry Point Aquatic Reserve Management Plan.

Policy 2~~WW~~YY-5: Airports in Whatcom County are the Bellingham International Airport and the Lynden Municipal Airport. Bellingham International Airport, which is in unincorporated Whatcom County, serves both general aviation traffic and commercial airline traffic. Lynden airport, which is within the city limits, serves general aviation traffic. There is also a sea plane base called Floathaven on Lake Whatcom.

Within unincorporated Whatcom County, general aviation and commercial airports will be sited in the Airport Operations District. Compatibility of surrounding land use, including evaluation of height hazards, safety based upon aircraft accident data, and noise impacts, will be evaluated when a new Airport Operations District or an expansion of an existing Airport Operation District is proposed, as follows:

- Height hazards – Towers and other objects that penetrate the imaginary surfaces established in *14 CFR Part 77 Safe, Efficient Use, and Preservation of the Navigable Airspace*, shall be identified and mapped by the applicant. The applicant shall demonstrate to the County that existing objects that penetrate the imaginary surfaces as defined in *14 CFR Part 77* will not create a hazard to operation of the proposed airport. The applicant shall also demonstrate to the County that objects that could be allowed by zoning to penetrate the imaginary surfaces as defined in *14 CFR Part 77* will not create a hazard to operation of the proposed airport.
- Safety – Aircraft accident data shall be evaluated in the context of the densities and types of existing land uses and land uses allowed by zoning that are in proximity to the proposed airport. Specifically, for general aviation airports or commercial airports that also serve general aviation traffic, existing land uses and zoning around the proposed Airport Operations District shall be compared to the Safety Compatibility Zone Examples, Basic Safety Compatibility Qualities, and Safety Compatibility Criteria Guidelines in the *California Airport Land Use Planning Handbook* (Shutt Moen Associates, January 2002, pp. 9-38 to 9-40, 9-44, 9-45, and 9-47). Special attention shall be given to whether or not the proponent has purchased the land in safety compatibility zone 1 as identified in the *California Airport Land Use Planning Handbook* (Shutt Moen Associates, January 2002, pp. 9-38 to 9-40).
- Noise – The applicant shall map the projected 55, 60 and 65 DNL noise contours. The County shall evaluate noise impacts to existing land uses and land uses allowed by zoning within the mapped 55, 60 and 65 DNL noise contours.
- The County shall consult with and consider the comments of the Federal Aviation Administration and the Washington Department of Transportation – Aviation Division.
- Mitigation, such as removing objects that create height hazards, will be encouraged to achieve compatibility with surrounding land uses.

Policy 2~~WW~~YY-6: State education facilities in Whatcom County are Western Washington University, Whatcom Community College and Bellingham Technical College and related facilities. The main campuses of these state education facilities are located within the city limits of Bellingham. It is anticipated that they will remain within Bellingham over the planning period. However, research, recreational, satellite educational and other facilities associated with these institutions may be located outside of Bellingham within unincorporated Whatcom County.

State education facilities should generally be located in commercial, rural, residential, light impact industrial, or general manufacturing areas. They should only be allowed in the Airport Operations zone if related to airport operations training. They should not be located on resource lands, except that educational facilities related to forestry should be allowed in the forestry designations and educational facilities relating to agricultural operation training should be allowed in the agriculture designation.

Policy 2~~WW~~YY-7 Correctional facilities in Whatcom County are the Public Safety Building (County Jail), the minimum security correction facility, and the juvenile detention facility in the County Courthouse. These three facilities are in Bellingham.

Within unincorporated Whatcom County, new correction facilities, including community facilities, should be sited in accordance with all of the following principles. New facilities should be located:

- With convenient access to major transportation corridors;
- With convenient access to frequent transit service;
- In areas that will not create excessive traffic, noise, or glare impacts on surrounding residential properties;
- In areas that have access to adequate utilities and infrastructure;
- In areas where there is convenient access to the courts, the sheriff's office, law offices, medical services, fire protection services, and community & social services.
- Outside the 100-year floodplain;
- Outside seismic hazard areas. If no suitable sites are available outside of seismic hazard areas, correction facilities may be located within such areas if adequate mitigation measures are undertaken;
- Outside of landslide hazard areas;
- Outside of mine hazard areas;
- Outside of alluvial fans;

- Outside the 65 DNL noise contour of airports;
- At least 500' from gas pipelines with a maximum operating pressure 500 or greater pounds/square inch gage (psig);
- At least 100' from gas pipelines with a maximum operating pressure between 251 – 499 psig;
- At least one quarter mile from public and private schools.

Policy 2~~WW~~YY-8: Solid waste handling facilities in Whatcom County currently include two primary transfer stations, drop box collection stations, moderate risk waste fixed facilities (small business and household hazardous waste collection), ~~a~~three vactor waste transfer station~~s~~, ~~and~~ composting and recycling facilities~~.~~. ~~Additionally, there are~~ anaerobic digesters, biosolids land application facilities, private industrial landfills, and landfills in post-closure status. The two primary transfer stations are located within the City of Ferndale. Municipal solid waste transported to these transfer stations, by either self-haulers or one of two local certificated haulers, is transported to landfills located outside of Whatcom County.

Within unincorporated Whatcom County, solid waste handling facilities will be sited in accordance with all of the following principles:

1. Type III solid waste handling facilities as defined by WCC 20.97~~.429~~, including but are not limited to municipal solid waste landfills, incinerators, and transfer stations (but excluding uses set forth in subsection (2)) will be located:
   a. Within industrial and forestry zones. They may be located within a rural zone only when the site has been identified for such a solid waste facility in the adopted subarea plan;
   b. At least 1,500' from all zoning district boundaries, except commercial forestry and industrial zones;
   c. At least 1,500' from public parks, public recreation areas, or publicly owned wildlife areas;
   d. At least 1,500' from archeological and historical sites that are registered with the State Office of Archeology & Historic Preservation;
   e. At least 1,500' from shorelines that are within the jurisdiction of the Shoreline Management Program;
   f. At least 1,500' from rivers, streams or creeks that contain documented threatened or endangered fish species;
   g. Outside the 10-year time of travel boundary of a public water system's delineated wellhead protection area;

Commented [MA117]: Modifications recommended by the County Health Department in an email dated 10/29/2025.

Commented [MA118]: The numbering system in the Zoning Code's Definition section was eliminated (as definitions are in alphabetical order).

h. Outside the Lake Whatcom watershed;

i. Outside the 100-year floodplain;

j. In accordance with *Hazardous Wildlife Attractants on or Near Airports* (Federal Aviation Administration Advisory Circular 150/5200-33), solid waste facilities and sites that handle putrescible waste will be located:

i. At least 10,000' from airports serving turbine-powered aircraft (Bellingham International Airport);

ii. At least 5,000' from airports serving piston-powered aircraft (Lynden Municipal Airport).

2. Inert material landfills will be located:

a. Within industrial and forestry zones. They may be located within a rural zone only when the site has been identified for such a solid waste facility in the adopted subarea plan;

b. At least 500' from all zoning district boundaries, except commercial forestry and industrial zones;

c. At least 500' from public parks, public recreation areas, or publicly owned wildlife areas;

d. At least 500' from archeological and historical sites that are registered with the State Office of Archeology & Historic Preservation;

e. At least 500' from shorelines that are within the jurisdiction of the Shoreline Management Program;

f. At least 500' from rivers, streams or creeks that contain documented threatened or endangered fish species;

g. Outside the 10-year time of travel boundary of a public water system's delineated wellhead protection area;

h. Outside the Lake Whatcom watershed;

i. Outside the 100-year floodplain.

Commercial composting facilities are solid waste handling facilities, but do not qualify for essential public facility status.

Policy 2~~WW~~YY-9: Personal wireless communication facilities and broadcast towers have been constructed at various locations around Whatcom County.

Personal wireless communication facilities, such as cell phone towers, shall be sited in accordance with Whatcom County Code 20.13.

Broadcast towers, such as TV and radio towers, are allowed with a conditional use permit in all zoning districts.

Proximity to airports and potential hazards to aviation will be considered when siting new towers or increasing height of existing towers.

Policy 2~~WW~~YY-10: Sewage treatment plants in Whatcom County currently serve cities, water & sewer districts, the Lummi Nation, and a state park.

Within unincorporated Whatcom County, sewage treatment plants will be sited in accordance with all of the following principles:

1. New sewage treatment plants will be located outside of the 100-year floodplain, unless the applicant demonstrates that alternative sites are not feasible;
2. New sewage treatment plants will be located outside the 10-year time of travel boundary of a public water system's delineated wellhead protection area;
3. New sewage treatment plants will be located, in accordance with *Hazardous Wildlife Attractants on or Near Airports* (Federal Aviation Administration Advisory Circular 150/5200-33), as follows:
    a. At least 10,000' from airports serving turbine-powered aircraft (Bellingham International Airport);
    b. At least 5,000' from airports serving piston-powered aircraft (Lynden Municipal Airport);
4. New sewage treatment plants will be buffered from existing high-density residential land uses. Expansion of existing sewage treatment plants will provide buffering from existing high-density residential land uses to the extent possible;
5. New sewage treatment plants and expansion of existing sewage treatment plants will be constructed in a manner to shield light and glare from surrounding land uses.

Policy 2~~WW~~YY-11: Water treatment plants in Whatcom County are currently operated by cities, water & sewer districts, water associations and other public water system operators such as industries at Cherry Point.

Within unincorporated Whatcom County, water treatment plants will be sited in accordance with all of the following principles:

1. New water treatment plants will be located outside of the 100-year floodplain, unless the applicant demonstrates that alternative sites are not feasible;
2. New water treatment plants and expansion of existing water treatment plants will be constructed in a manner to shield light and glare from surrounding land uses.
3. New water treatment plants will be located:
   a. At least '500' from natural gas pipelines with a maximum operating pressure of 500 or greater pounds/square inch gage (psig).
   b. At least '100' from natural gas pipelines with a maximum operating pressure between 250 and 499 psig;
   c. At least '500' from pipelines that carry liquid gas, oil or other petroleum products.

Policy 2~~WW~~YY-12: Water storage facilities owned and operated by a public water utility ~~for the sole purpose of providing required fire flow~~ are a permitted use in all zoning districts provided:

- Volume does not exceed 50,000 gallons; and
- Height does not exceed 12 feet above the ground level measured within 20 feet in all directions of the tank.

Other water storage facilities for potable water and/or fire flow owned and operated by a public utility are allowed with a conditional use permit in all zoning districts.

Commented [MA119]: County Ordinance 2023-018 modified the language in the Zoning Code to delete this phrase from WCC 20.82.023. The proposed change would bring consistency between the Comp Plan and Zoning Code language.

Policy 2~~WW~~YY-13: Substance use disorder treatment~~abuse~~ facilities, mental health facilities, and group homes have been constructed at various locations around Whatcom County.

1. In compliance with RCW 36.70A.410, Whatcom County will not treat a residential structure occupied by persons with ~~handicaps~~ disabilities(#102) differently than a similar residential structure occupied by a family or other unrelated individuals. ~~"Handicaps" are as defined in the federal fair housing amendments act of 1988.~~

~~2. Within unincorporated Whatcom County, substance use disorder treatmentabuse crisis facilities, and mental health crisis facilities and opioid treatment programs (including both mobile and fixed site medication units, recovery residences, and harm reduction programs excluding safe injection sites) will not be located within '600' from any of the following:~~

- ~~Public schools;~~
- ~~Private schools;~~

- ~~School bus stops,~~
- ~~Licensed day care~~
- ~~Licensed preschool facilities;~~
- ~~Public parks;~~
- ~~Publicly dedicated trails;~~
- ~~Sports fields;~~
- ~~Playgrounds;~~
- ~~Recreational and community centers;~~
- ~~Public libraries; and~~
- ~~Public and private youth camps~~ (#167)

Policy 2~~WW~~YY-14: There are currently no secure community transition facilities for sex offenders located in Whatcom County.

Within unincorporated Whatcom County, secure community transition facilities for sex offenders will be sited in accordance with all of the following:

1. Secure community transition facilities shall not be located adjacent to, immediately across the street or parking lot from, or within the line of sight of existing risk potential facilities, which are:
    - Public schools;
    - Private schools;
    - School bus stops,
    - Licensed day care
    - Licensed preschool facilities;
    - Public parks;
    - Publicly dedicated trails;
    - Sports fields;
    - Playgrounds;
    - Recreational and community centers;
    - Churches, synagogues, temples or mosques;
    - Public libraries;
    - Public and private youth camps; and
    - Other uses identified by the State Department of Social and Health Services pursuant to RCW 71.09.020(13).

"Within the line of sight" shall mean that it is possible to reasonably visually distinguish and recognize individuals. An unobstructed visual distance of '600' shall be considered to be within the line of sight. Line of sight may be considered to be less than '600' if the applicant can demonstrate that visual barriers

exist or would be created that would visually screen the risk potential facility from the secure community transition facility.

1. No more than one secure community transition facility, with a maximum of three people (other than staff), shall be located within Whatcom County.
2. The average response time of emergency services to a proposed secure community transition facility will be balanced against the proximity of the proposed secure community transition facility to the above risk potential facilities. Great weight will be given to sites that are farthest removed from the risk potential facilities listed above.
3. In identifying potential sites within a county for the location of a secure community transition facility, the State Department of Social and Health Services shall work with local governments to provide for the equitable distribution of such facilities. In coordinating and deciding upon the siting of secure community transition facilities, great weight shall be given by the county and cities within the county to:
   a. The number and location of existing residential facility beds operated by the department of corrections or the mental health division of the department of social and health services in each jurisdiction in the county; and
   b. The number of registered sex offenders classified as level II or level III and the number of sex offenders registered as homeless residing in each jurisdiction in the county.

"Equitable distribution" means siting or locating secure community transition facilities in a manner that will not cause a disproportionate grouping of similar facilities either in any one county, or in any one jurisdiction or community within a county, as relevant.

Whatcom County should seek a financial mitigation agreement from the Department of Social and Health Services for costs associated with law enforcement training, emergency procedure training and other expenses identified under RCW 71.09.344.

Policy 2~~WW~~YY-15: If significant amendments to the essential public facility siting criteria are proposed in the future, an essential public facilities committee consisting of ~~citizen~~community members, business, health care, and government representatives, as appropriate, will be appointed by the County Executive, and confirmed by the County Council, (#75) to make recommendations relating to the proposed amendments.

Goal 2~~XX~~ZZ: **Provide for broad participation in the siting process by affected local, state, federal, and tribal agencies, community members, ~~citizens~~ (#11 & 76) and any other interested parties.**

Policy 2~~XX~~ZZ-1: Assure that any specific procedure for siting facilities considered as regional or essential is consistent with county comprehensive plans and Countywide Planning Policies.

Goal 2~~YY~~AAA: **Utilize the established review or appeal procedure to resolve differences of opinion regarding facility site selection.**

Policy 2~~YY~~AAA-1: Appeals relating to essential public facility siting shall be decided by the Hearing Examiner and/or County Council, in accordance with the zoning ordinance, prior to proceeding with any appeals to Superior Court.

Policy 2~~YY~~AAA-2: County regulations will not preclude the siting of essential public facilities in designated zoning districts.

Adult Businesses

Introduction

Purpose

The purpose of the adult business section is to prevent crime, protect residential areas and sensitive uses from incompatible uses, protect retail trade, maintain property values, preserve the quality of life in Whatcom County, protect gateways, corridors and connections in the community, preserve rural character and protect children from increased hazards created by adult businesses.

Process

Because of adverse secondary effects of adult businesses, the County Council established a year-long moratorium in 1998 on accepting new applications until appropriate policies and regulations could be established governing adult businesses. Whatcom County Planning Division staff originally drafted this section in response to the moratorium. It was reviewed with a representative of the Whatcom County Prosecuting Attorney's office with regard to Constitutional issues. The Planning Commission held a public hearing before final adoption by the County Council.

GMA Requirements

The GMA does not require a Comprehensive Plan to address adult businesses. However, a county is authorized to plan for land use in general (RCW 36.70A.070).

Additionally, the Comprehensive Plan can include any elements relating to the physical development within its jurisdiction (RCW 36.70A.080).

Background Summary

Whatcom County provides an outstanding quality of life that is worthy of preserving for future generations. This quality of life is partially dependent upon controlling crime, protecting residential areas, protecting businesses, preserving rural character and maintaining property values. Adult businesses can adversely impact the quality of life and, therefore, Whatcom County should regulate where such uses are allowed.

Issues, Goals, and Policies

Location of Adult Entertainment Establishments

Adult businesses have been shown to create adverse secondary effects upon the community in the form of crime, harming other forms of retail trade, impacting property values and causing deterioration in the quality of life. Such secondary effects can intensify when adult businesses are located in close proximity to one another. Regulating the location of adult businesses is necessary in unincorporated Whatcom County in order to protect the quality of life and minimize adverse secondary impacts of such businesses.

Goal 2~~ZZ~~BBB: Utilize the established criteria for the location of adult businesses.

Policy 2~~ZZ~~BBB-1: Adult businesses will be allowed with administrative approval use permits in Light Impact Industrial zoning districts that are located within City Urban Growth Areas. Adult businesses will not be allowed in the Light Impact Industrial zone immediately southeast of the Bellingham International Airport because, as the main entrance to the airport, it serves as a gateway to the community.

Policy 2~~ZZ~~BBB-2: Adult businesses will not be allowed in other zoning districts.

Policy 2~~ZZ~~BBB-3: Adult businesses will not be allowed within 1,000 feet of a school, day care, church, park, library, residential zoning district, rural zoning district, Interstate-5, or state highway.

Policy 2~~ZZ~~BBB-4: An adult business will not be allowed within 1,000 feet of any other adult business.

Policy 2~~ZZ~~BBB-5: Nonconforming adult businesses were terminated by operation of the Whatcom County Code in 2000. A maximum of four one-year extensions could have been granted if needed to recoup financial expenditures made in the business.

Historic and Cultural Resources

Cultural resources contribute materially to a sense of place and identity and civic pride. Economic dividends come from cultural tourism and downtown revitalization.

Whatcom County recognizes a number of benefits which result from cultural resource preservation. A strong cultural resources management program enables the County to fulfill its legal obligation to avoid potential harmful impacts on cultural resources. The preservation of historic and archeological resources contributes to Whatcom County's rural and cultural character. Historically significant lands, sites and structures, which are part of and help illustrate the collective culture of the people, are important resources for the County. One of the Planning Goals of the GMA is to "Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance."

Goal 2~~AAA~~CCC: **Recognize Whatcom County's historical and archeological attributes and identify and encourage the preservation of lands, sites, and structures that have historic or archeological significance. Ensure engagement and coordination with Lummi Nation and Nooksack Indian Tribe. (#77)**

Policy 2~~AAA~~CCC-1: Whatcom County shall ~~prepare a~~work with the State's cultural resource inventory to identify and document archeological and historic resources in the County.

Policy 2~~AAA~~CCC-2: The County~~'s cultural resource inventory~~ shall work with Tribal, State and Federal governments to ~~be~~ update~~d~~ the cultural resource inventory on a continuing basis to ensure the inventory's usefulness as a historic preservation and land use tool.

~~Policy 2AAA-3: The County's cultural resource inventory shall be coordinated with similar programs maintained by municipalities and Tribes within the county to ensure the comprehensiveness of the inventory.~~

Policy 2~~AAA~~CCC-3~~4~~: Consistent with its resources and based on the standards of the cultural resources inventory, the County shall provide technical assistance to local groups whose work can be incorporated into the ~~County's~~ State inventory.

Policy 2~~AAA~~CCC-4~~5~~: The County shall seek to identify, preserve and enhance archeological, historic, and cultural resources by enacting a qualifying historic preservation ordinance and carrying out the mandates of that ordinance.

Policy 2CCC-5: Development on or adjacent to sites containing cultural resources should be planned and carried out so as to prevent impacts on the resource.

Policy 2CCC-6: In reviewing development proposals, the County shall take, or cause project applicants to take, all required actions to:

1. Minimize the risk of disturbing cultural resources within Whatcom County.
2. Due to the limited and irreplaceable nature of the resource(s), prevent the destruction of or damage to

Commented [MA120]: The draft policy amendments below were drafted with the assistance of a Senior Scientist-Archaeologist for the County. The County reached out to the Lummi Nation and Nooksack Tribe and met with Lummi Nation staff.

Commented [MA121]: The County does not prepare a cultural resource inventory, but relies on the State inventory.

any site having historic, cultural, scientific, or educational value as identified by the appropriate authorities, including affected Tribes and the DAHP.

3. Consult with professional archaeologists, DAHP, and affected Tribes before permitting or otherwise approving the use or development of areas containing or likely to contain cultural resources. This consultation shall be accomplished through the regulations and procedures provided in the Whatcom County Code.
4. Consult with DAHP and affected Tribes and coordinate with professional archaeologists to establish site- and project-specific procedures for protection and management of cultural resources.
5. Make informed, specific land use decisions based upon information provided by DAHP and Tribes.
6. Ensure the use of the best available information, technology, and techniques in identifying, protecting, preserving, and restoring cultural resources

Policy 2~~AAA~~CCC-~~7~~6: The County shall meet its cultural resource management obligation under federal, state, and local regulations in an efficient and effective manner.

Policy 2~~AAA~~CCC-~~8~~7: Consistent with its resources, the County shall provide technical assistance on cultural resource matters.

Policy 2~~AAA~~CCC-~~9~~8: Engage in and encourage public agencies and private parties to cooperate in the identification, protection and management of cultural resources. ~~The County shall promote preservation of identified archeological, historic, and cultural resources.~~

Policy 2~~AAA~~CCC-~~10~~9: On projects under its authority, the County shall consistently seek to mitigate negative impacts to cultural resources through consultation with the State and Tribes.

Policy 2~~AAA~~CCC-~~11~~10: Provide opportunities for education related to archaeological, historical and cultural features.~~The County shall undertake through a public/private partnership a coordinated long range planning in conjunction with representatives of arts, heritage, and tourism organizations, to develop strategies for preserving and enhancing cultural resources.~~

Policy 2~~AAA~~CCC-~~12~~11: The County shall continue to cooperate with the Tribes and cultural groups and ~~theeir organized~~ representatives of the tourism industry to promote respectful and appropriate cultural

tourism and ensure that cultural tourism projects remain eligible for funding ~~assistance through its hotel/motel~~ from the lodging tax funds and grants(#78) program.

Vehicle Miles Traveled Per Capita

The GMA requires the County to address reductions in per capita vehicle miles traveled in the Land Use Chapter of the Comprehensive Plan. A variety of measures may be used, including encouraging more development in UGAs where adequate public facilities and services exist or can be provided in an efficient manner. Achieving our vehicle miles travelled reduction goals will require strong coordination and collaboration with city, state, federal, and tribal governments, Whatcom Transportation Authority, and local businesses. (#79)

Goal 2DDD: Wherever possible, consider utilizing urban planning approaches that reduce per capita vehicle miles traveled within the County, but without increasing greenhouse gas emissions elsewhere in the state.

Policy 2DDD-1: Support compact mixed-use development near transit in UGAs to improve transit accessibility and reduce vehicle trips.

Policy 2DDD-2: Support development of a safe, well-connected, and attractive bicycle and pedestrian transportation network to connect communities and destinations.

Policy 2DDD-3: Support efforts to reduce per capita vehicle miles traveled and single occupant vehicle trips, including compliance with WCC 16.24 (Commute Trip Reduction) and other initiatives to increase carpooling, ridesharing, telecommuting, bicycling, rail, and transit use.

Policy 2DDD-4: Coordinate with cities and employers to plan for ~~housing~~ development of housing, services, alternative transportation, and infrastructure in proximity~~ate~~ to employment to reduce ~~employment based~~(#80) vehicle miles traveled.

Wildfire

The GMA requires the County to address wildfire in the Land Use Chapter of the Comprehensive Plan, as there is increasing concern about the risk to lives and property posed by wildfires.

Goal 2EEE: Reduce and mitigate the risk to lives and property posed by wildfires by using land use planning and building

Commented [MA122]: The GMA, at RCW 36.70A.070(1), now requires the Land Use Chapter to address vehicle miles per capita.

Commented [MA123]: Language from RCW 36.70A.070(1), which was adopted by the State Legislature in HB 1181 (2023).

Commented [MA124]: From the State Department of Commerce's *Climate Element Planning Guidance* (December 2023 – Intermediate Version, p. 7) with additional language from the County's Climate Action Manager in an email dated 11/18/2025. While this is the land use element and not the climate element, ideas can come from climate element guidance.

Commented [MA125]: Language from the State Department of Commerce's *Climate Element Planning Guidance* (December 2023 – Intermediate Version, p. 68) with additional language from the County's Climate Action Manager in an email dated 11/18/2025.

Commented [MA126]: Similar to draft Policy 12.8.1 in Chapter 12, Climate.

Commented [MA127]: Language suggested by the County's Climate Action Manager in an email dated 11/18/2025.

Commented [MA128]: The GMA, at RCW 36.70A.070(1), now requires the Land Use Chapter to address wildfire.

Commented [MA129]: Language from RCW 36.70A.070(1), which was adopted by the State Legislature in HB 1181 (2023).

code(#81) tools to reduce wildfire risk. Reduce wildfire risks to residential development in high risk areas and the wildland urban interface area through enforcing wildfire building codes and education(#114), separating human development from wildfire prone landscapes, and protecting existing residential development and infrastructure through community wildfire preparedness and fire adaptation measures.

Policy 2EEE-1: Once the State Department of Natural Resources develops Wildland Urban Interface maps and the State Wildland-Urban Interface Code is re-instated, the County will implement this code to reduce and mitigate the risk to lives and property posed by wildfires.

Policy 2EEE-2: Implement the Fire Flow Requirements in the Whatcom County Coordinated Water System Plan (Section 5.3.4) to promote adequate water supplies for firefighting capabilities.

Policy 2EEE-3 Continue to invest County resources into wildfire resilience programs like FireWise and those administered by the Whatcom Conservation District.(#82)

Commented [MA130]: Policy drafted in consultation with the Deputy Fire Marshal and staff in Building Services Division of Planning and Development Services (see email string dated November 12, 2025).

Measures to Protect Against Climate Impacted Natural Hazards

Goal 2FFF: Explore establishing a Climate Overlay District that would consider special development regulations and mitigation measures to protect people, property, and infrastructure from natural hazards including flood, rising sea levels, and wildfires. Use best available science and most current maps and projections. (#51)

Policy 2FFF-1: Evaluate new regulatory approaches to address climate change, such as a Climate Overlay District, to reduce risk in areas at highest risk of flood, sea level rise, and wildfire. (#124) (#149)

Policy 2FFF-2: Coordinate with cities, Tribes, and regional partners to ensure hazard mitigation planning aligns with land use, capital facilities planning, and long-term fiscal sustainability.(#124)