



Memorandum

May 19, 2023

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

From: Matt Aamot, Senior Planner

Through: Steve Roberge, Assistant Director

RE: Density, Lot Size, and Setback Zoning Amendments (PLN2023-00002)

Whatcom County and the cities issued a revised *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* on February 27, 2023. This Report shows that reasonable measures are needed for the Birch Bay Urban Growth Area (UGA). Pursuant to RCW 36.70A.215, the “Review and Evaluation Program” requirements of the Growth Management Act (GMA):

. . . Reasonable measures are those actions necessary to reduce the differences between growth and development assumptions and targets contained in the countywide planning policies and the county and city comprehensive plans with actual development patterns. . .

Specifically, the *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* states:

. . . Residential development in the Birch Bay UGA between 2016 and 2021 has occurred at an overall net density less than anticipated in the *Whatcom County Comprehensive Plan*. Additionally, there is not enough capacity in the Birch Bay UGA, with current density assumptions, to accommodate the projected residential growth in the remaining portion of the planning period (between 2021 and 2036). The single family unit capacity in the Birch Bay UGA is insufficient to accommodate the estimated dwelling units needed between 2021 and 2036. Therefore, reasonable measures are appropriate. . . (p. 52).

The *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* also indicates:

. . . potential reasonable measures the County may consider for the Birch Bay UGA include:

- Increasing the minimum net residential density and/or adopting maximum lot size in the UR4 zone (WCC 20.20);

- Adopting minimum net residential density requirements and/or maximum lot size in the URM6 zone (WCC 20.22);
- Adopting minimum net residential density requirements and/or maximum lot size in the GC zone (WCC 20.62); and/or
- Adopting minimum net residential density requirements and/or maximum lot size in the RC zone (WCC 20.64). . . (pp. 53 and 54).

The proposed zoning text amendments include allowing smaller minimum lot sizes, requiring minimum net densities, reducing setbacks, and defining minimum net density. The zoning amendments constitute “reasonable measures” for the Birch Bay UGA, but also apply to other areas of the County (as described in the Exhibits).

The Whatcom County Planning Commission recommended approval of the proposed Zoning Code amendments on May 11, 2023. The only change made by the Planning Commission was to place the maximum density requirements before the minimum density requirements in the Urban Residential Medium Density zone (table in WCC 20.22.252), for consistency with the order in the other zoning districts.

Planning & Development Services is requesting discussion at Council’s Planning & Development Committee and introduction of an ordinance relating to these amendments on June 6. A public hearing and final Council action is anticipated on June 20.

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