

URBAN GROWTH AREA REVIEW



UGA/UGA Reserve Proposal

August 29, 2025

I. Introduction

The Growth Management Act (GMA) requires each county to designate urban growth areas (UGAs) within which urban growth will be encouraged (RCW 36.70A.110(1)). GMA planning goal 11 requires coordination between jurisdictions in the comprehensive planning process (RCW 36.70A.020(11)). Additionally, the GMA indicates that county and city comprehensive plans must be coordinated and consistent when they share common borders or related regional issues (RCW 36.70A.100). Therefore, Whatcom County and the cities haven undertaken a joint planning process to allocate population, housing and employment growth, review permitted densities, and review UGA boundaries. The joint planning process includes a number of steps, including:

- Approval of interlocal agreements (2022).
- Preliminary County and city UGA population and employment proposals (2024).
- County Planning Commission review of preliminary city and County population and employment growth proposals (2024).
- County and city approval of non-binding multi-jurisdictional resolutions regarding preliminary population, housing and employment allocations (2025). *See Whatcom County Council Resolution 2025-011.*
- Draft Environmental Impact Statement (2025).
- Final Environmental Impact Statement (2025).
- City and County UGA boundary proposals (2025).
- County Planning Commission review (2025).
- County Council and City Council approval of comprehensive plans (2025-26).

UGAs must include areas and densities sufficient to accommodate the projected urban growth for the 20-year planning period (RCW 36.70A.130(3)), which extends through 2045. However, cities and the County are not required to plan for the future based solely upon past trends. Local government goals and policies, public input, new GMA requirements to plan for and accommodate housing for all economic segments of the community, infrastructure availability, capital facility planning, land capacity, and other factors are also taken into consideration.

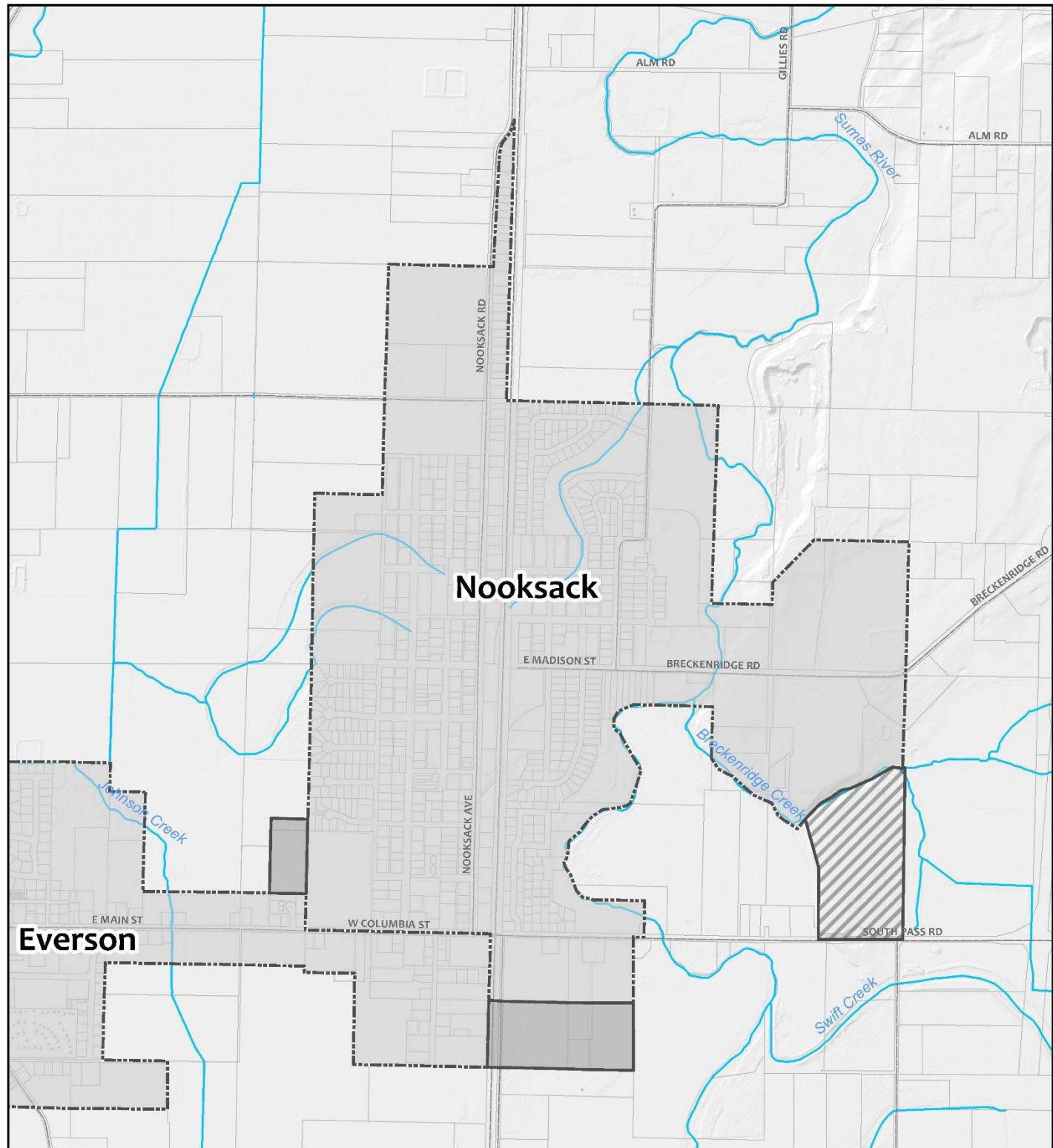
Existing interlocal agreements indicate that the County and cities will work together to develop proposed population and employment allocations to UGAs and review UGA boundaries. The County and cities are recommending UGA boundary proposals for their respective UGAs. Review of these proposals includes opportunities for public comments and County Planning Commission recommendations. Final growth allocations and UGA boundaries will be adopted by the County Council in the Comprehensive Plan update in 2025 or 2026.

II. City Profile

The City of Nooksack is a small town located in the middle of the county, just to the east of the city of Everson. As of April 1, 2025, the population of Nooksack was 1,825 according to the state office of financial management. The current City boundary includes an area of approximately 581 acres. The town was originally platted prior to 1900 and was subsequently incorporated in 1912. The town was initially constructed in anticipation of the coming of the railroad (which did arrive and still runs through town); however, after a few decades, major fires destroyed the great majority of the original structures.

Nooksack is situated at the crossroads of two state highways: SR 9 and SR 544. Highway 9 runs north and south through the center of town and is a major route used by truck traffic traveling to and from the border crossing at Sumas.

Nooksack is in the midst of a major boom in population growth, with the population having increased by 260 people in the past two years. This substantial level of growth is based on a cluster of new developments that are providing affordable housing options in a small-town setting. These developments are still underway, such that the population of the city is likely to increase by another 140 people in the next two years.



- Nooksack Urban Growth Area

- City of Nooksack
- Urban Growth Area
- Urban Growth Area Reserve

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III. Review of Permitted Densities

The GMA, at RCW 36.70A.130(3)(a), requires that:

Each county that designates urban growth areas under *RCW 36.70A.110 shall review . . . its designated urban growth area or areas, patterns of development occurring within the urban growth area or areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area. In conjunction with this review by the county, each city located within an urban growth area shall review the densities permitted within its boundaries, and the extent to which the urban growth occurring within the county has located within each city and the unincorporated portions of the urban growth areas.*

Zoning districts and permitted densities in the city and the portion of the UGA within unincorporated Whatcom County are shown below.

<i>Table 1. Permitted Densities in the City</i>		
Zoning Abbreviation	Zoning	Permitted Densities
R	Residential	Minimum lot size of 9,600 square feet, which equates to a maximum of 4.5 units per acre.
R-8600	Residential-8600	Minimum lot size of 8,600 square feet, which equates to a maximum of 5.1 units per acre.

The City's two residential zones also allow opportunities for multifamily residential development, which then supports 50 percent or greater increases in permitted densities.

<i>Table 2. Permitted Densities in the UGA (outside the City)</i>		
Zoning Abbreviation	Zoning	Permitted Densities
AG	Agriculture	1 dwelling/40 acres

IV. UGA Growth Allocation Proposal

This section of the proposal compares population and employment growth allocations in the 2025 City proposal to those in the non-binding multi-jurisdictional resolutions approved by the County and all cities in 2025.

As shown in the table below, the City of Nooksack's proposal is consistent with the allocations included in the non-binding resolution.

<i>Table 3. UGA Population Growth Allocation Proposal (2023-2045)</i>		
1	Multi-jurisdictional Resolution Growth Allocation	995
2	City Growth Allocation Proposal	995
3	Difference	0

<i>Table 4. UGA Housing Growth Allocation Proposal (2023-2045)</i>		
1	Multi-jurisdictional Resolution Growth Allocation	433
2	City Growth Allocation Proposal	433
3	Difference	0

<i>Table 5. UGA Employment Growth Allocation Proposal (2023-2045)</i>		
1	Multi-jurisdictional Resolution Growth Allocation	232
2	City Growth Allocation Proposal	232
3	Difference	0

V. UGA / UGA Reserve Boundary Proposal

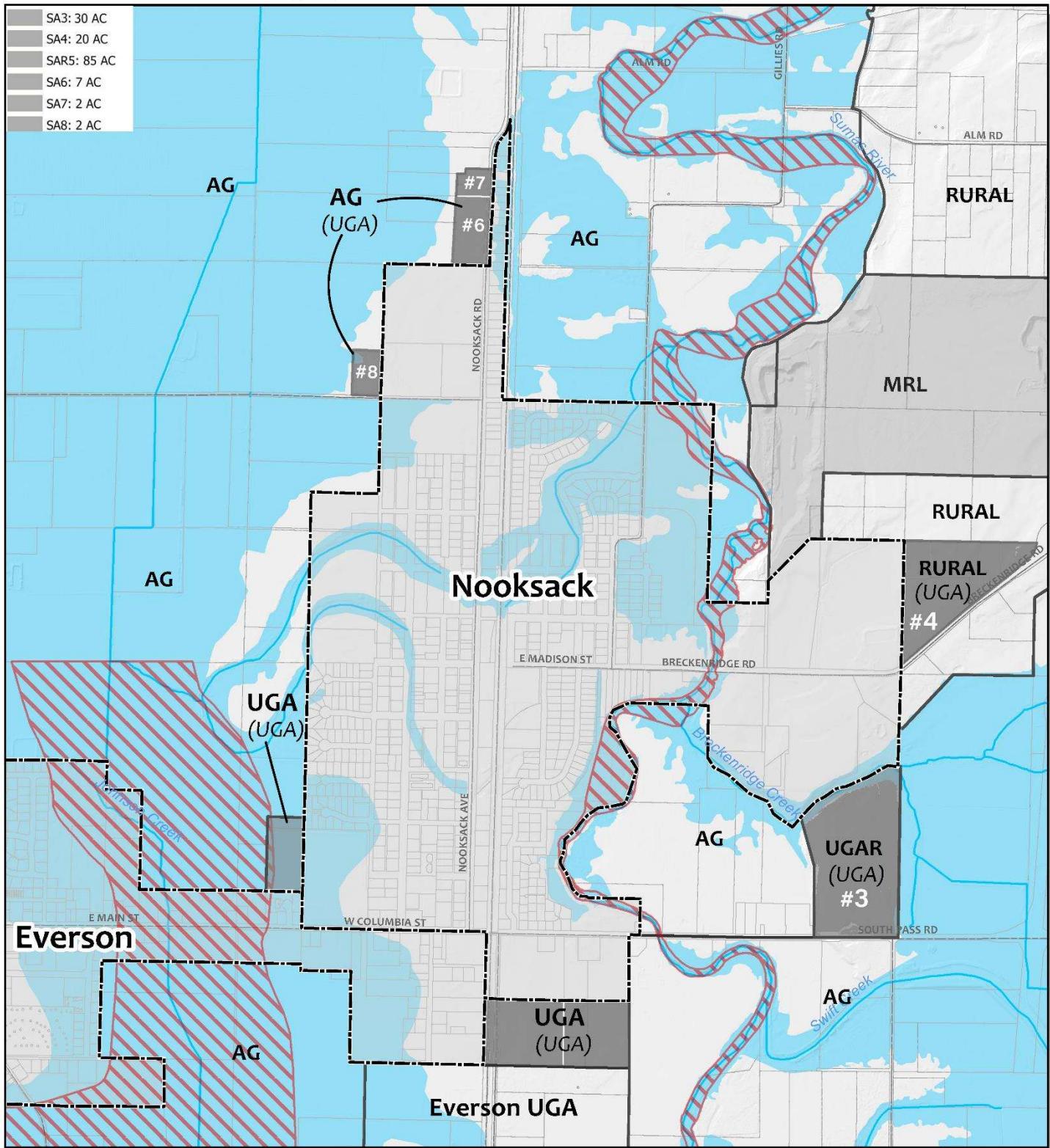
The City of Nooksack is proposing five changes to its Urban Growth Area (UGA) and UGA Reserve boundaries. See map that follows. These changes include:

- Nooksack Study Area 3:** Shifting an approximately 30-acre area from UGA Reserve to full UGA status. This area is located north of S. Pass Rd., to the east of Nooksack and immediately south of Breckenridge Creek (existing City limits). This area has a future zoning designation of Light Industrial, and its location separated from residential areas would avoid potential zoning conflicts while supporting opportunities for increased job growth.
- Nooksack Study Area 4:** Adding an approximately 20-acre area to the UGA that is located immediately east of the City along Breckenridge Road. This area is currently zoned Rural and contains numerous rural-residential parcels. A future City zoning designation of R-8600 is proposed for this area to support urban infill development in this area that is in close proximity to the Nooksack

Elementary School. If deemed appropriate by the County, the current County zoning (applicable prior to annexation) could be changed to UR-4.

3. **Nooksack Study Area 6:** Adding an approximately 7-acre portion of two larger Agriculturally zoned properties located adjacent to the state highway (SR 9), outside the 100-year floodplain, and immediately north of the 29-acre Light Industrial area that was annexed into the City in 2023. This area would have a future zoning designation of Commercial or, alternatively, could expand the adjacent Light Industrial zone.
4. **Nooksack Study Area 7:** Adding an approximately 2-acre area adjacent to the state highway at the north end of the City that is outside the 100-year floodplain. Although zoned Agriculture in the County, this small area contains two one-acre parcels that include residences already served through the City's water system. These parcels would have a future zoning designation of Residential to support limited opportunities for residential in-fill development.
5. **Nooksack Study Area 8:** Adding an approximately 2-acre portion of a larger Agriculturally zoned property that is located outside the 100-year floodplain, north of Tom Road and immediately west of the current City limits. This small area is currently occupied by former agricultural structures and impervious surfaces. The owner has requested the addition of this area to accommodate the relocation of a local church that has outgrown its current location.

In addition, the City is proposing to retain both its southern UGA and southwestern UGA that were added to the Nooksack UGA in 2016.



- Nooksack Urban Growth Area

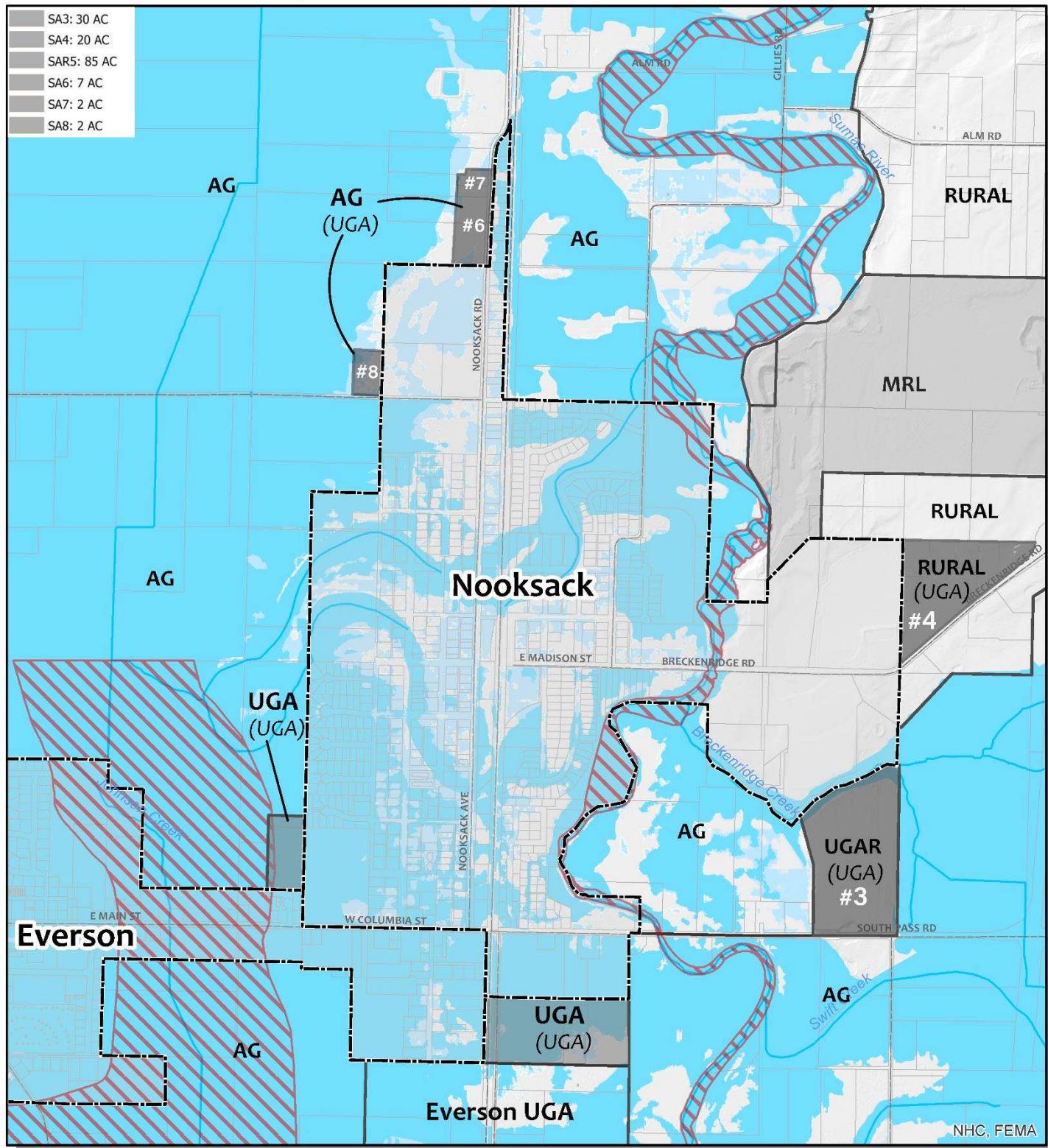
- City of Nooksack
- Proposed Urban Growth Area
- Proposed Urban Growth Area Reserve
- Comprehensive Plan Designations (Proposed in (), Current in **bold**)
- Net change in AG designation - 11 ac. to UGA/UGAR
- Effective Floodway
- Effective Flood Zone

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- Nooksack Urban Growth Area

	City of Nooksack		Draft Floodway (2024-2025)
	Proposed Urban Growth Area		Draft SFHA (2024-2025)
	Proposed Urban Growth Area Reserve		Nookack 1p75x 100 Year Flood
		Comprehensive Plan Designations (Proposed in (), Current in bold)	
-Net change in AG designation - 11 ac. to UGA/UGAR			

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VI. Land Capacity Analysis Overview

A land capacity analysis compares the proposed growth allocations to the capacity of the UGA to accommodate growth. The Land Capacity Analysis is an important tool for sizing UGAs. Land capacity analysis results for the 2025 City Proposal, based upon proposed UGA densities and boundaries, are shown below.

Table 6. Proposed UGA – Population Land Capacity Analysis Results			
1	Population Growth Capacity of Proposed UGA		1,669
2	Population Growth Allocation Proposed		995
3		Surplus (Deficit)	674

Table 7. Proposed UGA – Housing Land Capacity Analysis Results

Income Band (AMI)	Aggregated Housing Needs	Total Capacity of Proposed UGA	Surplus (Deficit)
0-80%	289	295	6
80-120%	56	91	35
120+%	88	204	116
Total	433	590	157

NOTE: AMI means "Area Median Income"

The current LCA shows adequate housing capacity (small surpluses) to accommodate housing for both the low-income and moderate-income bands.

Table 8. Proposed UGA – Commercial/Industrial Land Capacity Analysis Results			
1	Employment Growth Capacity of Proposed UGA		202
2	Employment Growth Allocation Proposed		232
3		Surplus (Deficit)	(30)

The current LCA shows a relatively small deficit of capacity for employment. The City will be looking at options for increasing overall employment capacity to address this small deficit of capacity.

VII. Capital Facility Planning

The City and special districts, as applicable, have undertaken the following capital facility planning efforts in order to assure adequate public facilities and services are planned for the UGA.

Water: The City previously prepared a Water System Plan (WSP) that was approved by the Washington Department of Health in 2013. The City is currently preparing a water system plan update that addresses anticipated growth through 2045. Although not yet finalized, the WSP update shows that the City will have adequate capacity to serve planned growth. It is anticipated that the City will adopt the WSP prior to the end of 2025, and the Washington Department of Health will approve the WSP in 2026.

Sewer: The City prepared a General Sewer Plan (GSP) that was approved by the Washington Department of Ecology in 2012. The City is currently preparing a General Sewer Plan amendment to address all elements related to capital facilities planning required under the GMA. Although not yet finalized, the GSP amendment shows that the City will have adequate capacity to serve planned growth. It is anticipated that the City will adopt the WSP prior to the end of 2025.

Stormwater: The City is addressing capital facilities related to stormwater as part of the 2045 update of the comprehensive plan. Given that new developments are required to fully address associated needs for construction of stormwater management facilities, the City anticipates that adequate facilities will be available to serve planned growth.

Fire Protection: Whatcom County Fire Protection District 1 has begun preparation of a Draft Capital Facilities Plan. The City will continue to work with the District to ensure that the Plan will be completed and adopted prior to completion and adoption of the *2025-2045 Comprehensive Plan Update*.

Schools: The Nooksack Valley School District has prepared and adopted a capital facilities plan that addresses anticipated growth in the district.

Transportation: Capital facilities related to the City's transportation system are addressed in the Transportation Element of the City's comprehensive plan. The City is in the process of updating this information as part of its 2025 comprehensive plan update process, including incorporating projects identified in the City's 6-year transportation improvement program (TIP) and establishing a multimodal level of service standard.

VIII. UGA Expansions into UGA Reserves (if applicable)

Is the City proposing to expand the UGA into the UGA Reserve?

Yes. The City is proposing to convert its current UGA Reserve to full UGA status.

Whatcom County Comprehensive Plan Chapter 2 contains criteria for transferring properties from the UGA Reserve to UGA. The general criteria 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.

City Comments:

The City's land capacity analysis shows a substantial deficit in employment capacity within the current City and UGA. In the City's 2016 comprehensive plan (and in earlier plans), the UGA Reserve was identified as having a future zoning designation of Light Industrial. With the addition of the UGA Reserve to the UGA, the LCA now shows a small deficit of capacity. The addition of this area is essential to opening up opportunities for increased opportunities for job growth in proximity to rural communities.

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.

City Comments:

The City's capital facilities plans (Water System Plan and General Sewer Plan amendment) have incorporated expansion of the City's service areas to include the UGA Reserve. These plans generally show that adequate capacity is available to serve this area. It is generally anticipated that new developments will bear the majority of the costs to extend services to this area.

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.

City Comments:

The City's 2016 Comprehensive Plan established a future zoning designation for the UGA Reserve of Light Industrial. The designation is not intended to be changed as part of the 2025 update.

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.

City Comments:

The City's current UGA Reserve was previously part of the City's UGA, but was placed in Reserve in 2009. As such, this area has already been removed from the County's quantification if its agricultural lands of long-term commercial significance. This area is currently in use for agriculture, and it is anticipated that such use will continue until the area is annexed and developed for urban purposes.

5. **Environment:** Land use regulations are in place to ensure protection of the environment and sensitive watersheds.

City Comments:

The City has land use regulations in place to protect elements of the environment located within the current UGA Reserve. These include critical areas regulations, shoreline management regulations, and flood damage prevention regulations.

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.

City Comments:

A natural open space corridor is in place along the northern boundary of the UGA Reserve that is associated with Breckenridge Creek. This includes a 150-foot stream buffer established through the City's Shoreline Management Master Program.

Whatcom County Comprehensive Plan Chapter 2 also contains specific criteria for transferring *UGA Reserve to UGA*. These criteria are set forth below:

Nooksack Urban 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.

City Comments:

Since the adoption of both the city and county comprehensive plans in 2016, Whatcom County has made significant progress on reducing the amount of Swift Creek sediment released into the Sumas River. The City supports continuation of these efforts and would note the following three points:

- 1) The UGA Reserve is located well to the east of the Sumas River which is the main carrier of any sediments potentially impacted by NOA;
- 2) The UGA Reserve is predominantly situated on higher ground elevated above the 100-year floodplain. The main area that is within the floodplain is located within the 150-foot stream buffer along Breckenridge Creek. This substantial buffer would prohibit development within potentially hazardous areas and limit access to this area; and,
- 3) The City's future zoning designation of Light Industrial would avoid establishment of residential areas in proximity to any potential hazard area. In addition, the City is prepared to work with the County to plan for growth in this area that ensures safety for employees working in this area in the future.

IX. UGA Expansion in the Floodplain (if applicable)

Is the City proposing to expand the UGA into the floodplain?

Yes. the City's proposal to convert the UGA Reserve to full UGA status would include expansion into the floodplain of the Sumas River.

If expanding UGA into a floodplain, explain how the proposal meets the requirements of *RCW 36.70A.110(10)*.

City Comments:

RCW 36.70A.110(10) establishes limitations on UGA expansions into the 100-year floodplains of certain larger rivers, such as the Nooksack River. The above-referenced limitations do not apply to UGA expansions into the floodplain of the Sumas River based on its lower flow rate. In addition, floodplain areas within this proposed UGA are restricted from development

based on the 150-foot stream buffer adjacent to Breckenridge Creek within which such floodplain areas are located.

X. UGA Expansions into Resource Lands (if applicable)

Is the City proposing to expand the UGA or UGA Reserve into lands designated as Agriculture, Rural Forestry, Commercial Forestry, or Mineral Resource Lands on the Whatcom County Comprehensive Plan map?

Yes. The City's proposal is to expand the UGA into Agriculture Resource Lands.

If expanding UGA into areas designated as Agriculture, Rural Forestry, Commercial Forestry, or Mineral Resource Lands, address the policies in Whatcom County Comprehensive Plan Chapter 8.

City Comments:

Chapter 8 from the County comprehensive plan includes a number of goals and policies addressing conservation of the agricultural land base and criteria for designation of agricultural lands of long-term commercial significance. The City is proposing a very small (approximately 11-acre) expansion into lands currently zoned Agriculture; however, such a small expansion would not significantly impact the County's overall agricultural land base. It is also important to note that in 2016 when the City added approximately 35 acres of agricultural land to the UGA, the City also reduced its UGA Reserve by over 80 acres. The net effect of these two UGA modifications (2016 plus 2025 proposal) would still result in an *overall net increase* in the County's agricultural land base.

In addition, an evaluation of the proposed expansion areas based on the designation criteria for Agricultural natural resource land supports de-designation of these areas at this time. County designation criteria address a range of factors, such as soil types, taxation status, parcel size, availability of services and infrastructure, and proximity to urban areas. Although the proposed expansion areas do contain prime agricultural soils and some of these properties are in an open space taxation program, all of these areas are located in close proximity to the city of Nooksack, all have direct frontage onto major transportation routes, all have ready access to urban services available in Nooksack and Everson, all have close access to public utility infrastructure, and all of the parcel sizes are far less than the 40-acre size applicable to agricultural zoning. In fact, the average parcel size within the surrounding area is well below 40 acres.

More specifically, **Area 6** has direct frontage onto SR-9 (a T2 truck route) and has both public water and sewer facilities available across the highway. **Area 7** includes two small (1-acre), previously developed, residential parcels that also have frontage onto SR 9, and these parcels are already receiving their water supply through the City's water distribution system. Lastly, **Area 8** is a small portion of a larger agriculturally zoned property that has frontage

on Tom Road and availability of water service through the City's public system. This area is already unavailable for agricultural production because the land is largely occupied by existing agricultural structures and paved storage areas. This small area has been included in the Nooksack proposal at the request of the property owner, who also owns the adjacent parcels to the east within City limits) to allow relocation of his church that has outgrown its current location.

The small size of the proposed expansion into agricultural lands and consideration of the other factors discussed above support de-designation of these areas and addition to the Nooksack UGA. We would also note that none of the proposed expansion areas is mapped as being within the FEMA 100-year floodplain on the currently effective flood maps. Therefore, the level of risk associated with inclusion of these areas in the Nooksack UGA is very low.

XI. UGA Swap (if applicable)

Is the City proposing a UGA swap under the GMA?

No.

XII. Conclusions

The City of Nooksack is proposing limited expansion of its UGA to address current capacity deficits and increased opportunities for employment growth and affordable housing in response to demonstrated demand. The City's proposal primarily includes adding areas outside the 100-year floodplain that appropriate to designate for future urban development. Based on recent and ongoing increases in population, the City anticipates continuing to offer affordable housing options in a small town setting.

URBAN GROWTH AREA REVIEW



UGA/UGA Reserve Proposal Addendum

October 17, 2025

Introduction

On August 29, 2025, the City of Nooksack submitted its UGA and UGA Reserve Proposal (UGA Proposal) to Whatcom County as part of the 2025 review and update of the city and county comprehensive plans required under the state Growth Management Act (GMA), RCW 36.70A. See the attached map that shows the City's existing urban growth area (UGA) and UGA Reserve. See also the attached map that shows the Nooksack UGA Proposal, including Areas 3, 4, 6, 7 and 8 that are proposed to be included in the Nooksack UGA.

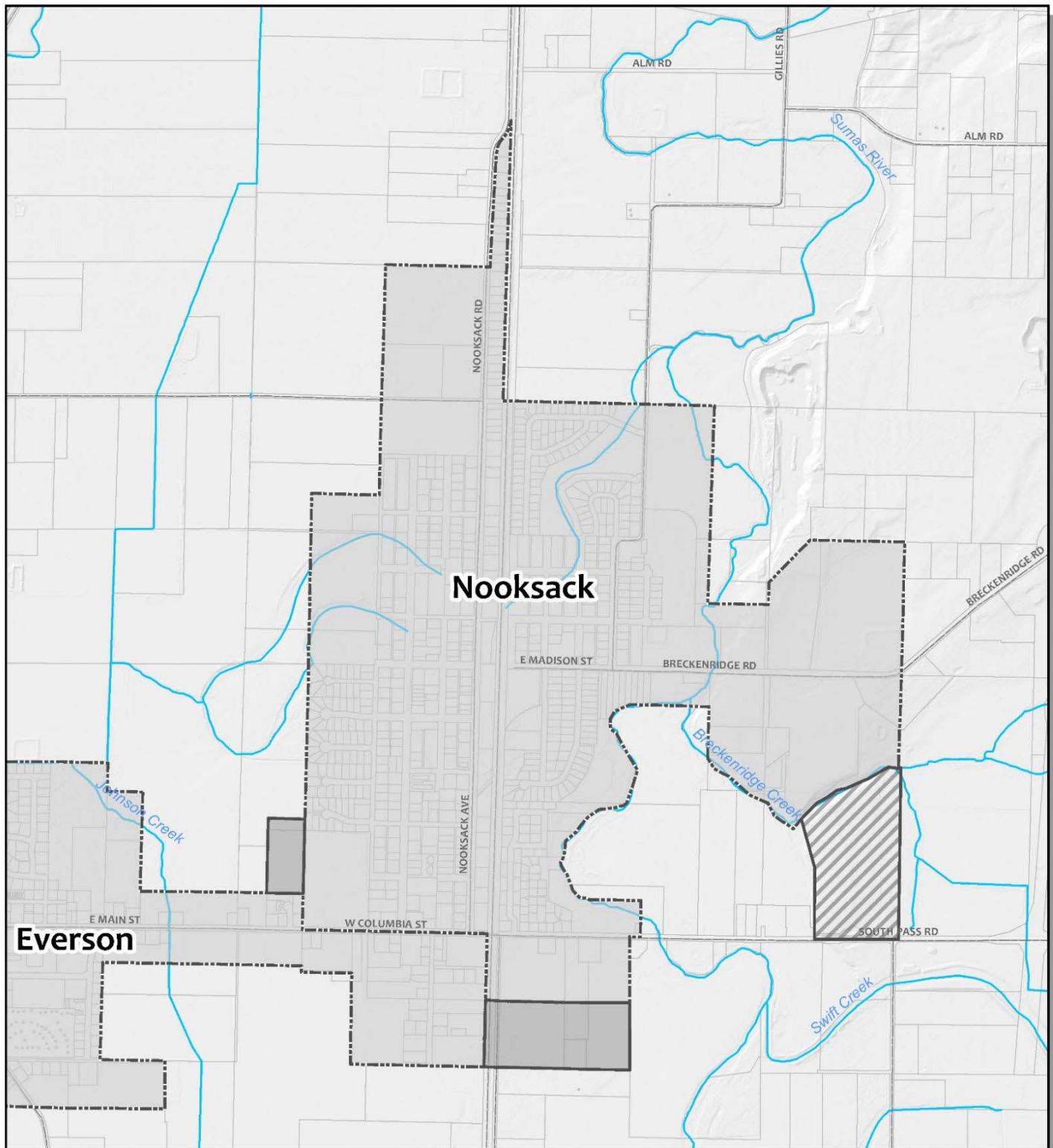
In an email message dated September 4, 2025, Whatcom County Planning and Development Services provided a list of issues / concerns related to the City's UGA Proposal. City staff met with the County Planning Director and Senior Planner on September 8, 2025 to discuss the County's concerns and provided the City's preliminary responses to these concerns. The purpose of this UGA Proposal Addendum is to provide supplemental information to address these concerns to a sufficient degree to allow the City's UGA Proposal to move forward.

In a subsequent message from the County dated October 1, 2025, County Planning provided an additional request that the City's UGA Proposal Addendum also address Whatcom County Policy 8A-6 related to de-designation of agricultural lands and changed circumstances. This Addendum also addresses this additional request from County Planning.

Whatcom County

Current
Comprehensive Plan

UGA PROPOSED - MAP 1



- Nooksack Urban Growth Area

- City of Nooksack
- Urban Growth Area
- Urban Growth Area Reserve

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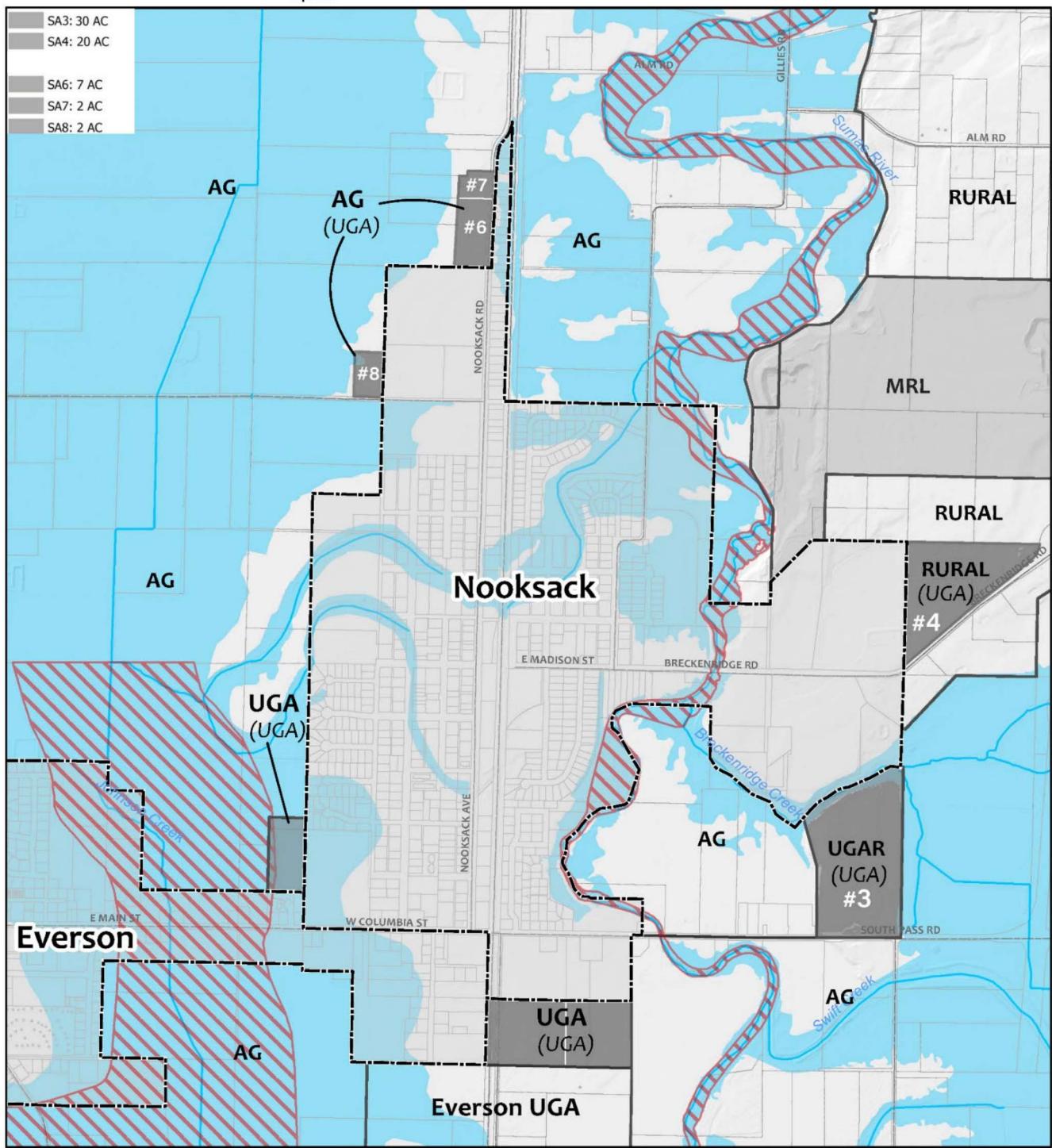


Whatcom County

2025 Comprehensive Plan Update

DRAFT

UGA PROPOSED - MAP 2



- Nooksack Urban Growth Area

-  City of Nooksack
-  Proposed Urban Growth Area
-  Proposed Urban Growth Area Reserve
-  Comprehensive Plan Designations (Proposed in (), Current in **bold**)
-Net change in AG designation - 11 ac. to UGA/UGAR
-  Effective Floodway
-  Effective Flood Zone

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I. County Concerns

The issues / concerns raised by the County Planning Department in relation to the City's UGA Proposal included the following:

1. Population and Employment Land Capacity – The land capacity for population is about 68% higher than the population allocation (p. 9). The land capacity for employment is below the employment allocation (p. 9). Our understanding of Growth Board cases is that, when UGAs are being expanded, the increased land capacity should roughly match the population and employment allocations (more or less). The proposal causes concern with oversizing the UGA expansion for population and under-sizing for employment.
2. Setback/Buffering from Agricultural Lands – The criterion for expanding UGAs into UGA Reserves includes addressing potential incompatibility with adjacent Ag land (p. 12). This should be addressed.
3. Naturally Occurring Asbestos – One of the criteria for expanding a UGA into a UGA Reserve is addressing risk from Naturally Occurring Asbestos (p. 13). This will need to be addressed in greater detail to show how it meets the approval criterion.
4. Floodplain – The Proposed UGA/UGA Reserve map (p. 7) shows a portion of Study Area 8 in the effective flood zone, but it does not appear that this is addressed in the UGA Expansion in the Floodplain section (p. 13 and 14). Can you clarify?
5. Agricultural Mitigation – The UGA Proposal would result in the loss of 11 acres of designated Ag Land (p. 6). Please address mitigation for loss of Ag land (on pp. 14 and 15).

The County's additional request was that the City's UGA Proposal Addendum also address Whatcom County Comprehensive Plan Policy 8A-6, which reads as follows:

Require all requests for re-designation from agriculture to demonstrate that changed site conditions or circumstances have occurred since the original designation to such an extent that the site no longer satisfies the designation criteria for agricultural lands.

Each of these concerns/issues is addressed in the following sections of this UGA Proposal Addendum. Where appropriate, supplemental maps and tables have been included.

II. Population and Employment Land Capacity

The initial results from the City's land capacity analysis were included in the UGA Proposal that was submitted in late August. These results showed a small deficit of capacity for commercial/industrial growth and a larger surplus of capacity for population growth. Since submitting the UGA Proposal, the City has continued to refine the choices and assumptions incorporated into the land capacity analysis. As a result of making minor adjustments to the anticipated density of planned industrial growth, the City's land capacity results now show a very small surplus for commercial/industrial growth.

<i>Updated Table 8. Proposed UGA - Commercial/Industrial Land Capacity Analysis Results</i>		
1	Employment Growth Capacity of Proposed UGA	233
2	Employment Growth Allocation Proposed	232
3		Surplus (Deficit) 1

The City of Nooksack (like all of the jurisdictions in Whatcom County) has been working to comply with the housing requirements established under HB 1220, while still addressing land capacity requirements under the GMA. Although the City's UGA Proposal showed an initial surplus of capacities in all housing categories, the City has been working to refine our housing allocation assumptions to reduce this excess capacity. The updated results presented in the table below show the most-recent results from the land capacity analysis for housing units within various income bands.

Updated Table 7. Proposed UGA – Housing Land Capacity Analysis Results

Income Band (AMI)	Aggregated Housing Needs	Total Capacity of Proposed UGA	Surplus (Deficit)
0-80%	289	290.0	0.0
80-120%	56	56.5	0.5
120%+	88	169.5	81.5
Total	433	515.0	82.0

NOTE: AMI means "Area Median Income"

As can be seen, the land capacity analysis now shows minimal surpluses for the low-income and moderate-income housing bands. A modest, but reduced, surplus of housing units still remains in the high-income band (120%+ AMI), but a large

portion of this surplus is built in to the land capacity tool based on differences in assumptions embedded in the State's Department of Commerce, Housing for All Planning Tool (HAPT) and the County's land capacity analysis tool. The City will continue to work to reduce the overall surplus to the maximum extent possible given the statutory constraints under HB 1220.

The updated results of the land capacity analysis expressed in relation to population are shown in the table below. It is important to reiterate that a large portion of the remaining surplus is an unavoidable outcome of needing to comply with the HAPT-based housing targets, which factor in overproduction to make up for past deficits, higher than the vacancy rates, and lower than persons per household assumptions utilized by the State Office of Financial Management.

<i>Updated Table 6. Proposed UGA - Population Land Capacity Analysis Results</i>		
1	Population Growth Capacity of Proposed UGA	1,341
2	Population Growth Allocation Proposed	995
3		Surplus (Deficit) 346

The City will continue to refine the land capacity analysis to reduce the overall population capacity surplus as much as possible while still complying with HB 1220.

III. Setbacks / Buffering from AG Lands

The County's concern regarding setbacks and buffering from agricultural lands pertains only to the City's proposal to convert the existing UGA Reserve to full UGA status. It is the City's assumption that this concern is intended to reduce potential conflicts between new uses in the City and ongoing agricultural activities in the county. No specific comments or concerns from the owners of properties located adjacent to the UGA Reserve (Area 3) have been provided by the County, nor have any such concerns or concerns been received by the City. Unlike some other cities in the county, Nooksack over the past 30 years has not seen conflicts between residents within the City and surrounding agricultural operations.

It is important to note that the City has adopted "Right to Farm" provisions that are codified under Section 16.08.076 NMC to ensure that required notifications regarding the presence and potential impacts of nearby agricultural activities are fully disclosed to potential buyers of property located in proximity to County agricultural lands. More importantly, the City would highlight that the future zoning designation for the UGA Reserve is Light Industrial, which would likely result in far

fewer opportunities for conflict with agricultural activities than might occur where residential uses are present. In short, future light industrial uses within the City are not seen as being incompatible with adjacent agricultural operations.

If the County can provide a solid basis for needing increased setbacks or buffering between light industrial uses and adjacent agricultural uses, the City would be willing to discuss establishing such zoning provisions prior to annexation of the current UGA Reserve.

IV. Naturally Occurring Asbestos

The County concern regarding potential risks related to naturally occurring asbestos (NOA) pertains only to the City's proposal to convert the existing UGA Reserve located north of S. Pass Road (Area 3) to full UGA status. Although the County has asked Nooksack to demonstrate that risks related to the potential presence of naturally occurring asbestos have been reduced to acceptable levels, the County has not specified what constitutes an acceptable level of risk. Nevertheless, the City is confident that the existing geographic, topographic and regulatory conditions already in place are sufficient to reduce risks from naturally occurring asbestos within the UGA Reserve to negligible or insignificant levels.

First, the UGA is almost entirely situated on land that is elevated well above the surrounding territory to the east and west. While the surrounding areas sit at approximately 85-90 ft above mean sea level (MSL), the UGA Reserve is situated on land predominantly between 100 ft to 130 ft above MSL. See following Topographic Contour Map and Section Elevations. It is not conceivable how NOA sediments would be transported uphill from the surrounding low-lying agricultural fields to be deposited within Area 3.

Second, the UGA Reserve is located almost entirely outside of (and above) the 100-year floodplain (90-95' above MSL). It is not clear how floodwaters would be able to transport NOA sediments above the elevation of the 100-year floodplain to be deposited in areas within Area 3. See Map 4, FEMA Floodplain Map.

Third, the main portion of Area 3 that is within the 100-year floodplain is the northern-most band within the Breckenridge Creek corridor. This narrow stream corridor is bounded on both sides by steep slopes, and the stream itself falls significantly in elevation from east to west. This steep gradient substantially reduces opportunities for deposition of sediment within Area 3.

The City is not aware of any instances where sediment from Swift Creek have been carried through the Breckenridge Creek corridor. It is important to note that

Nooksack officials are very familiar with telltale changes to land and vegetation that result from the deposition of NOA sediments. The Breckenridge Creek corridor in Area 3 does not show signs of the grey sediment deposits where no vegetation is able to grow due to the presence of heavy metals. On the contrary, the Breckenridge Creek corridor is characterized by swift flowing waters, minimal sediment deposition and substantial riparian vegetation.

Fourth, the future zoning of the UGA Reserve is Light Industrial; therefore, following development, human use of Area 3 will be limited to workers that travel to the area during work hours. This area is not planned for residential development, which would have the potential to increase opportunities for human exposure to NOA sediments, such as where those living in the area might find their way down to the creek corridor.

Fifth, as can be seen from the Official Shore Map following, Map 5, the Breckenridge Creek corridor that runs along the northern edge of the UGA Reserve already has a "Natural" shoreline environment designation. This designation is consistent with the applicable stream buffer (Section 16.08.073 NMC, Critical Areas) that precludes development within 150 ft of the ordinary high water mark of Breckenridge Creek – a distance that extends significantly farther to the south of the creek than the mapped floodplain.

This "natural" shoreline designation and stream buffer ensure that no development would be allowed in proximity to the creek. Furthermore, the steep slopes and City shoreline regulations would preclude the establishment of trails with access to areas adjacent to the creek corridor.

Finally, the City has substantial direct experience with how to live and work safely in proximity to Swift Creek sediment deposition areas. City officials have worked closely with residents to ensure safe clean up and disposal of potentially hazardous sediments. This past experience would help ensure proper management of any areas around the perimeter of Area 3 if deposition of NOA sediments were to occur.

Based on all of the above factors, the City is confident that risks from NOA sediments would be reduced well below acceptable levels; therefore, inclusion of the UGA Reserve in the UGA would not pose any substantial risks to those working in this proposed Light Industrial area.

UGA PROPOSED - AREA 3: TOPOGRAPHIC CONTOUR MAP



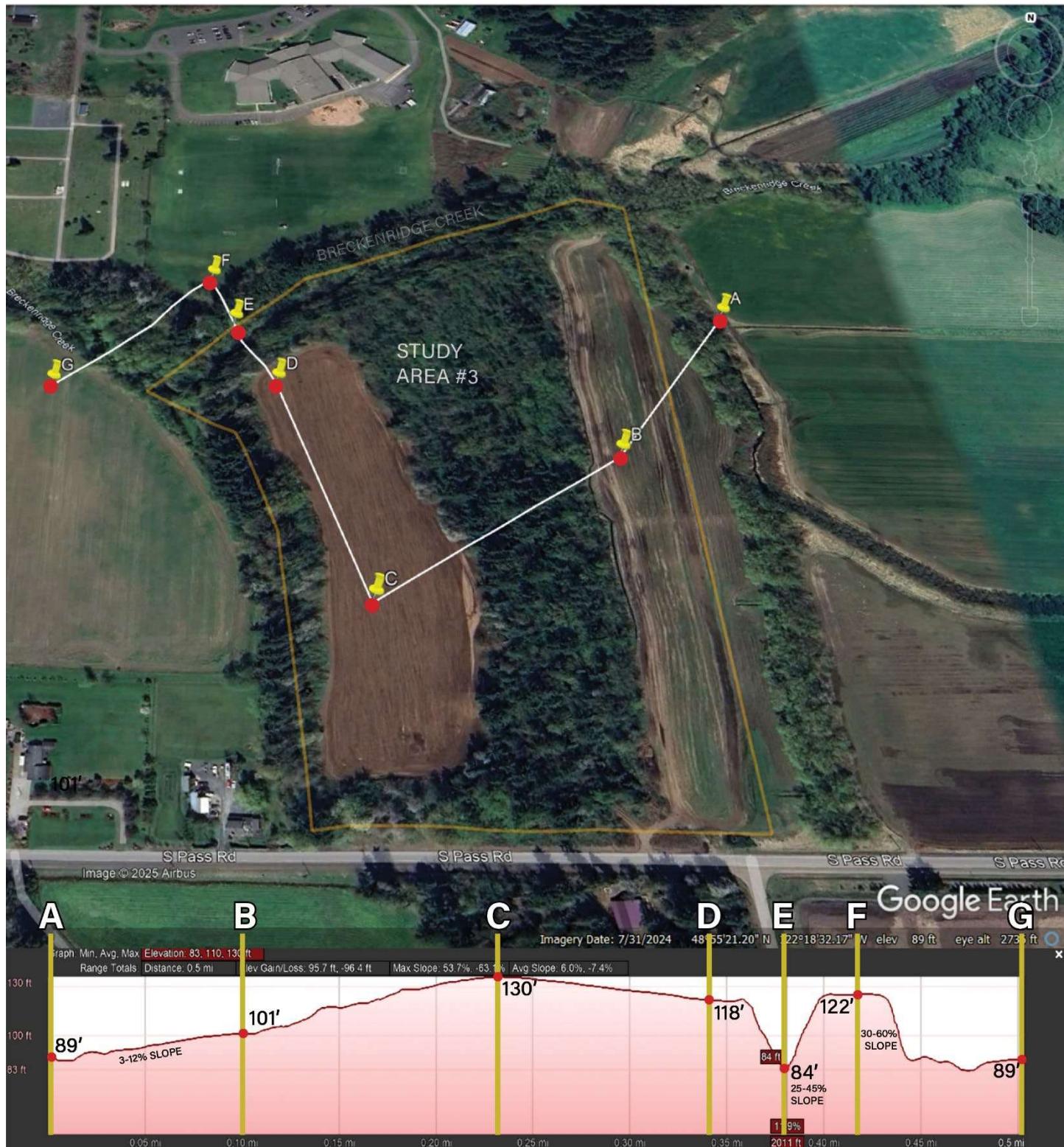
CITY OF **NOOKSACK**

Incorporated in 1912
103 W. Madison Street
Whatcom County, Nooksack, WA 98276
360.966.2531 www.cityofnooksack.com

EFFECTIVE FEMA FLOODPLAIN

SCALE: 1:2,400  0 0.025 0.05 0.1 MILES

UGA PROPOSED: SECTION ELEVATION STUDY AREA #3

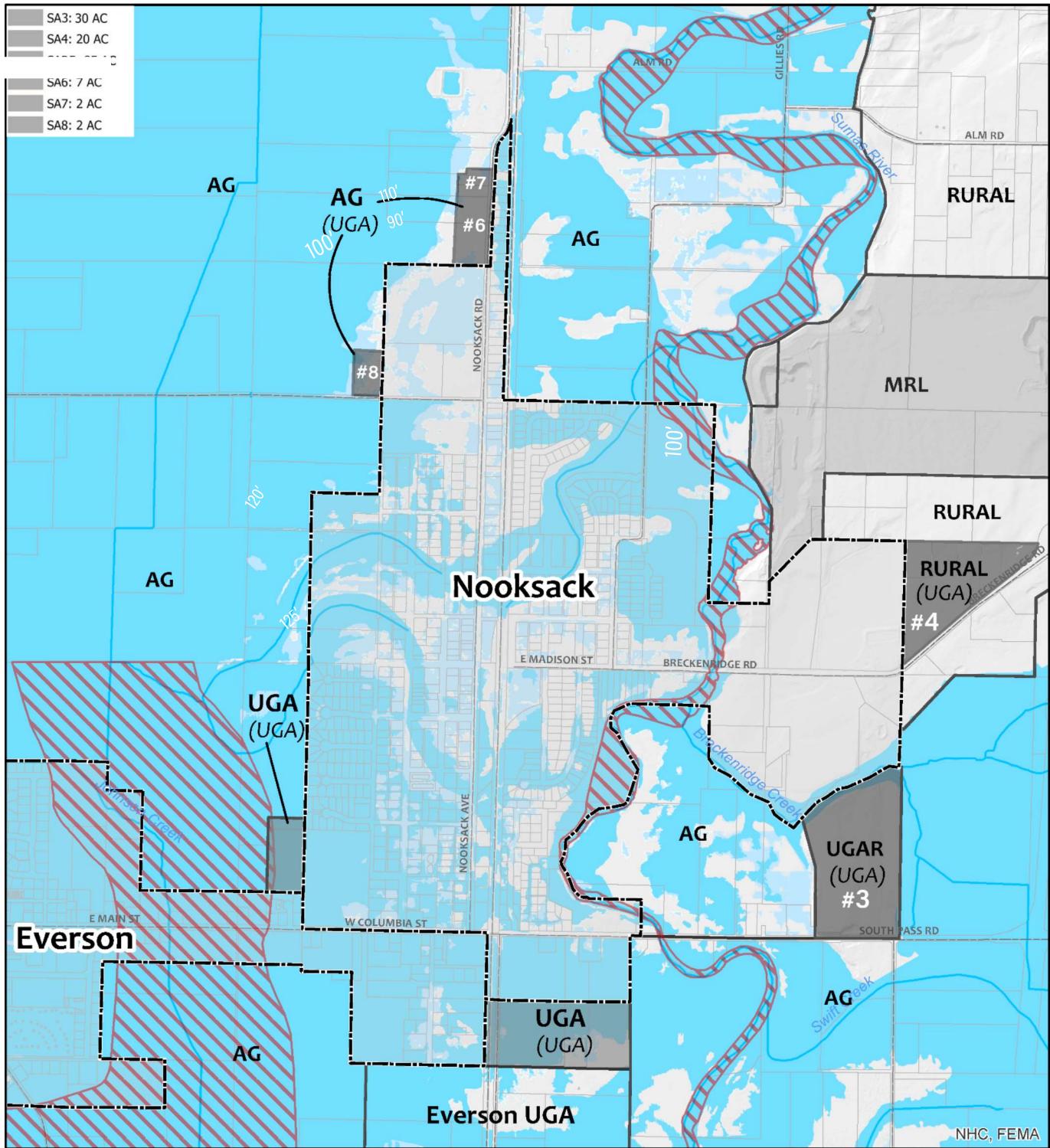


Whatcom County

2025
Comprehensive Plan
Update

DRAFT

UGA PROPOSED - MAP 4



- Nooksack Urban Growth Area

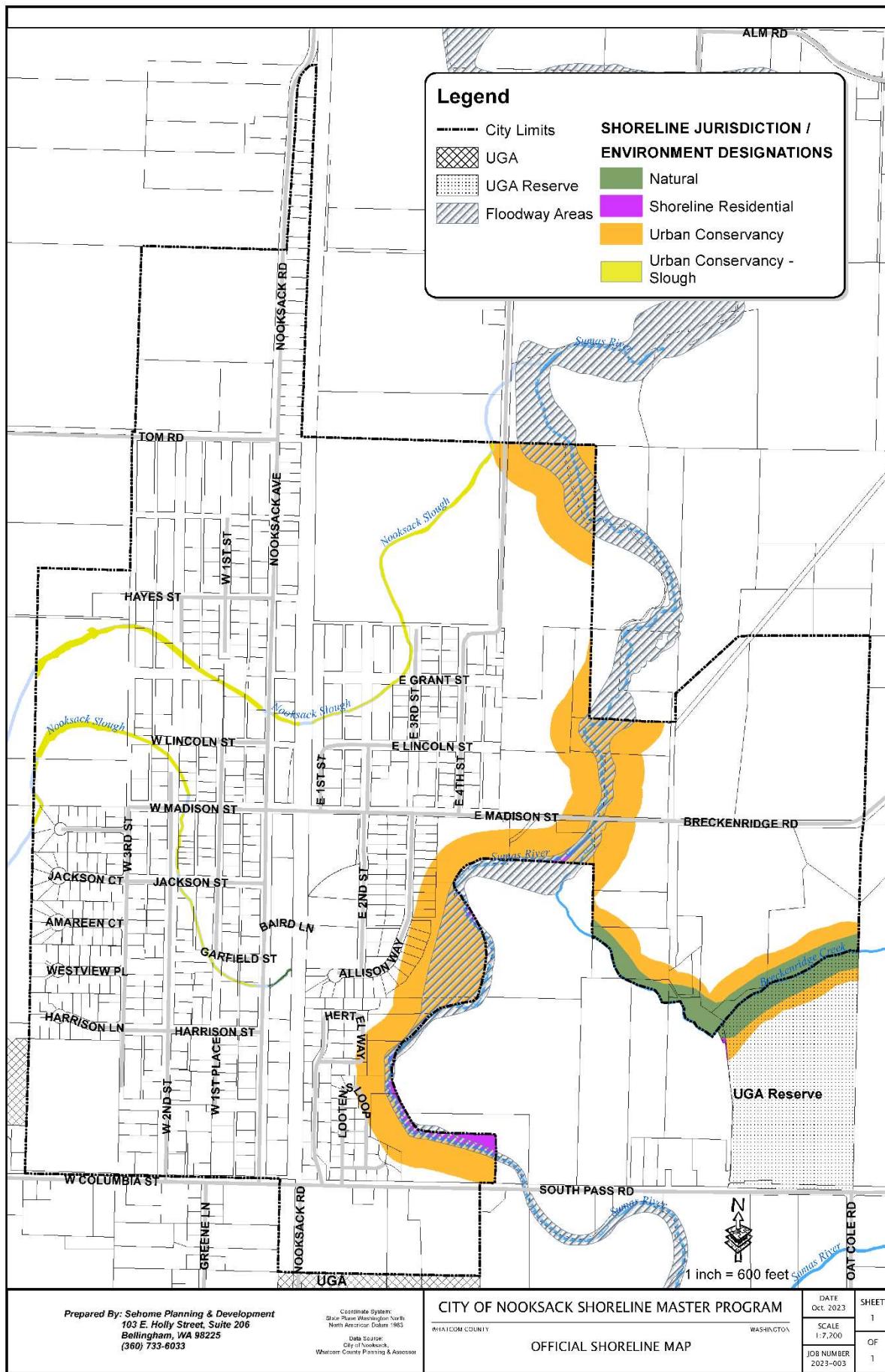
	City of Nooksack		Draft Floodway (2024-2025)
	Proposed Urban Growth Area		Draft SFHA (2024-2025)
	Proposed Urban Growth Area Reserve		Nookack 1p75x 100 Year Flood
			Comprehensive Plan Designations (Proposed in bold , Current in bold) -Net change in AG designation - 11 ac. to UGA/UGAR

USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:



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UGA PROPOSED - MAP 5



V. UGA Expansion into Floodplains

The County has raised a concern that the proposed UGA expansion area located immediately north of Tom Road (Area 8) may include a small expansion into the floodplain of the Nooksack River. Such an expansion into the floodplain at this location was not the City's intention. The City has revisited the mapping of this area and has made small adjustments to the proposed dimensions to ensure that Area 8 does not include any expansion into the floodplain of the Nooksack River. See Map below that shows Area 8 in relation to the boundaries of the 100-year floodplain.

UGA PROPOSED - AREA 8



AREA 8: View from Tom Road.

Proposed Use: Removal of blighted buildings and debris. Relocation of Community Church, once cleared. Property is on North Side of Tom Road.



VI. Agricultural Mitigation

As stated in the City's UGA Proposal, the City is proposing a very small UGA expansion into lands currently zoned Agriculture by the County. Area 6 is an approximately 7-acre portion of a larger property. While the balance of this agricultural property would remain within the County agricultural land base, the City is proposing to require a payment-in-lieu on a per acre basis into the County Conservation Futures Fund to help mitigate the loss of agricultural lands that would result from adding Area 6 to the Nooksack UGA. The details of this proposed mitigation are discussed below.

As discussed further below in this Addendum, Area 7 includes two 1-acre parcels that are already developed with one residence per parcel. Given the fact that these parcels are already developed with non-agricultural uses and are too small to be considered agricultural lands of long-term commercial significance, the City is not proposing to require any mitigation for inclusion of Area 7 in the Nooksack UGA.

AREA 7: View from SR-9.**Current Use:** Residential

Also as discussed, Area 8, located adjacent to Tom Road, is already functionally removed from any form of agricultural production due to the presence of an abandoned house, other aging structures and paved areas. This 2-acre area has been proposed to accommodate relocation of a local church. Based on these factors, no mitigation is being proposed in conjunction with the addition of Area 8 to the Nooksack UGA.

As mitigation for the loss of agricultural lands resulting from the addition of Area 7 to the Nooksack UGA, the City is proposing to require the property owner or developer to make a payment-in-lieu into the County's Conservation Futures fund that would be used to help retire development rights within targeted resource and rural study areas. Both the timing and the magnitude of such a payment are important details that would need to be worked out and agreed to by the City and the County to ensure that required payments are made, while also ensuring that the timing of such payments would not pose an insurmountable economic barrier to development of urban uses following annexation.

With regard to the monetary cost of the payment-in-lieu, the City is proposing that the property owner or developer be required to pay \$25,000 per acre into the Conservation Futures Fund. This price per acre is intended to be equivalent to approximately one-half of the increased property valuation that would result from converting the land from agricultural use to UGA status. For example, if agricultural land in the surrounding area is currently valued at \$20,000 per acre and

unimproved land within the UGA is valued at \$70,000 per acre, the proposed payment-in-lieu would equate to fifty percent of the anticipated increase in property value. Alternatively, at a cost of \$5,000 per development right, a \$25,000 per acre payment-in-lieu would equate to purchasing five development rights per acre.

In relation to the timing of such payments, the City is proposing that the payment-in-lieu be made prior to final approval of the annexation of the UGA expansion area OR, alternatively, a Restrictive Covenant could be recorded with the County Auditor's office requiring that the payment be made before the City approves any development permit for the property. This second option could be important in situations where a property owner might not have access to a large amount of capital at the time of annexation, whereas sufficient capital would be more likely to be available closer in time to actual development of the property.

The above-described proposal for ensuring mitigation has been designed to ensure a reasonable level of mitigation while taking into account the real world constraints related to timing and availability of capital.

VII. Whatcom County Policy 8A-6

Whatcom County Comprehensive Plan Policy 8A-6 states the following:

Require all requests for re-designation from agriculture to demonstrate that changed site conditions or circumstances have occurred since the original designation to such an extent that the site no longer satisfies the designation criteria for agricultural lands

The City's UGA Proposal identifies three areas (Areas 6, 7 and 8) where the City's UGA would be expanded into designated Agricultural Lands. These areas have been zoned Agriculture for many decades, including prior to the enactment of the Growth Management Act. Since their initial designation as Agricultural Lands, these areas (and the areas immediately surrounding them) have been subject to a number of important changed conditions and circumstances that have a direct bearing on the appropriateness or inappropriateness of their current designations.

First, all three areas are now situated immediately adjacent to Nooksack City limits. In 2016, Whatcom County expanded the Nooksack UGA to the north of Tom Road to add an approximately 29-acre area that was subsequently annexed into the City in 2023. This area is referred to as the Sytsma Annexation. Areas 6 and 7 now lies immediately north of the Sytsma annexation where it fronts onto the state highway (SR 9). Area 8 now lies immediately to the west of the Sytsma Annexation with frontage on Tom Road.

Second, the owner of the three parcels that comprise the Sytsma Annexation is now actively pursuing development of this area that is zoned Light Industrial. This will most likely be pursued through submittal of an application for a Binding Site Plan.

Earlier this year, the Nooksack City Council took action by ordinance to establish a new Chapter 18.36 of the Nooksack Municipal Code to allow development of commercial and industrial areas (including the Sytsma Annexation) through use of the Binding Site Plan process. This area was also identified in the Port of Bellingham's recently issued Industrial Land Report as having strong potential for development.

Third, since the time Areas 6 and 7 were designated, the area within Nooksack City limits that lies directly to the east of SR 9 (referred to as Nooksack North) has been fully developed at urban densities. Given that Area 7 only includes two 1-acre parcels with existing residences, Area 6 is now surrounded on three sides by non-resource-based uses.

Fourth, Area 8 includes a 2-acre portion of a larger Agriculturally zoned parcel. The portion of the parcel that is within Area 8 includes an abandoned house, other aging structures, and other impervious areas unavailable for agricultural production. This area is within the City's water system service area because the now-abandoned house was previously served by City water. Although this site still has a service connection to the City water system, the service meter has been removed. Area 8 no longer serves as an integral part of a functioning agricultural property. Rather, the presence of the deteriorating house and out-buildings and other impervious surfaces actually serve to remove this area from inclusion in the productive agricultural land base.

Finally, since the time these expansion areas were initially designated, SR-9 has seen substantial increases in traffic volumes, especially in relation to truck freight traffic. This state highway now serves as one of the main north-south corridors bringing goods to and from Canada through the Sumas and Lynden border crossings. Based on all of the above-described changed conditions and circumstances, these UGA expansion areas no longer meet the criteria for designation as agricultural lands of long-term commercial significance.

VIII. Conclusions

The City of Nooksack is proposing limited expansion of its UGA to address current capacity deficits and increased opportunities for employment growth and affordable housing in response to demonstrated demand. The City's proposal primarily includes adding areas outside the 100-year floodplain that are appropriate to

designate for future urban development. In this UGA Proposal Addendum, the City has provided information that supplements the information included in the City's initial UGA Proposal. This additional information has been provided in response to requests received from County Planning and Development Services. The City will continue to work in cooperation with the County to provide all of the information needed to support the City's UGA Proposal.