

CHAPTER 2 – LAND USE

#	Page	Section/Policy	Proposed Amendment	Sponsor	Meeting
1	2-1	*** 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 there 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.	Boyle	APPROVED via “CONSENT” SCOTW 3.3.2026
2	2-2/3	GMA Goals	The Citizen Participation goal of the Growth Management Act and the Public Involvement Countywide Planning Policies have been addressed in the development of this chapter through citizen committee <u>County Advisory Groups</u> participation, workshops, and public hearings. Also, specific goals and policies give direction for property owner notification and the establishment of on-going citizen committee input.	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
3	2-4	Background Summary	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 .	Boyle	APPROVED via MOTION SCOTW 3.3.2026
4	2-5	Background	All of this needs to be done in light of those aspects of the county which are most valued: water quality, productive agricultural <u>and forest</u> land, economic development in rural areas, distinct boundaries between rural and urban areas, and predictability in land use plans.	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
5	2-5	Accommodating Growth	This allows for efficient provision of services, <u>transportation, and infrastructure</u> , 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.	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
6	2-6	NEW Policy 2A-8 Re-number subsequent policies	<u>Policy 2A-8: Where applicable, retain existing light and heavy industrial zoning and identify additional industrial sites as recommended by the July 2025 Whatcom County Industrial Lands Study to ensure the county can meet future demand.</u>	Galloway	APPROVED AS AMENDED via MOTION SCOTW 3.3.2026
7	2-10	Goal 2C	Channel growth to areas where adequate services <u>and infrastructure</u> can be provided.	Galloway	APPROVED via “CONSENT”

					SCOTW 3.3.2026
8	2-10	NEW Policy 2C-7	<u>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.</u>	Galloway	APPROVED via “CONSENT” COTW 3.3.26 APPROVED AS AMENDED via MOTION COTW 3.10.26
9	2-11	Policy 2D-4	Coordinate permitting requirements among jurisdictions to <u>improve consistency and</u> minimize duplication and delays.	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
10	2-12	NEW Policy 2D-11 Re-number subsequent policies	<u>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.</u>	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
11	2-13	Policy 2E-1 Policy 2F-2 Policy 2Q-4 Policy 2Q-5 Goal ZZZ	Change citizen to resident: Policy 2E-1: Provide education on the assets of the community and offer incentives for individual <u>residents</u> citizens to take responsibility to protect those assets. Policy 2F-2: Base incentive programs on suggestions from citizens <u>residents</u>, government officials, and experts in the field. Policy 2Q-4: Provide planning assistance to <u>the residents</u> citizens 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 assist the <u>residents</u> citizens of Birch Bay and Columbia Valley Urban Growth Areas with incorporation when appropriate. <i>Subsequently removed by amendment #36</i> Goal ZZZ: Provide for broad participation in the siting process by affected agencies, <u>residents</u> citizens and any other interested parties.	Boyle	APPROVED via “CONSENT” SCOTW 3.3.2026

12	2-13	Policy 2F-2	Base incentive programs on suggestions from citizens <u>residents</u> , government officials, and experts in the field.	Galloway	RESOLVED (SEE AMENDMENT #11)
13	2-13/14	Goal 2H	Preserve private property rights while recognizing the importance of the rights of the community <u>and tribal treaty rights</u> , including protecting the natural environment and conserving resources.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
14	2-14/15	Diverse Cultural Composition and Environmental Justice	<u>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.</u> Whatcom County is becoming more diverse and accepting this diversity is important.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
15	2-16	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, and 2021 , <u>and 2025</u> . 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. <u>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.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
16	2-17	Goal 2K	Discourage development in areas prone to flooding. <u>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.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
17	2-17	Policy 2K-1	Limit lands in one-hundred year floodplains <u>(using most current flood maps and projections)</u> to low-intensity land uses such as open space corridors or agriculture.	Galloway	APPROVED via "CONSENT"

					SCOTW 3.3.2026
18	2-19	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 in Whatcom County. <u>Chapter 8: Natural Resource Lands and</u> 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. <i>Note: Subsequently edited by #95</i>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
19	2-19	Goal 2M	Protect and encourage restoration <u>and enhancement</u> of habitat for fish and wildlife populations including adequate instream flows.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
20	2-20	Policy 2M-3	Develop educational tools, and incentives to encourage existing land uses to restore <u>and enhance</u> degraded habitat to properly functioning conditions, especially for threatened and endangered species. <i>Subsequently amended by amendment #117</i>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
21	2-20	NEW Policy 2M-11	<u>Policy 2M-11: Explore voluntary, incentive driven, non-regulatory frameworks to encourage net ecological gain and the restoration and enhancement of riparian areas.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
22	2-21	Purpose	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, <u>and reduce residents' risk of harm from climate impacted natural hazards like flooding, sea level rise, and wildfires.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
23	2-21	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 <u>various committee presentations, discussions, public comments, and</u> a public hearing before developing a response to city proposals and final action.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026

24	2-21	Background Summary	Such variables as average population per household, occupancy, residential and employment densities, infrastructure requirements, natural systems and critical areas constraints, <u>flood impacted or adjacent areas</u> , ownership and development trends, and appropriate market factors to assure adequate supply and affordable housing were considered.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
25	2-22	Issues, Goals, and Policies Overall	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, <u>and</u> • 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).z • <u>Access to services and infrastructure, and</u> • <u>Floodplain or adjacent based on most current flood maps and future projections.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
26	2-22/23	Issues, Goals, and Policies Overall	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 economic centers. • The size of cities' UGAs shall be consistent with their ability to provide services, <u>utilities, and infrastructure.</u> • UGAs shall include contiguous areas that are suitable for urban growth as set forth in the GMA. • Sufficient land capacity shall be provided within UGAs to accommodate the 20-year urban growth projection, plus a reasonable land supply market factor. Setting of UGAs shall minimize impacts on agricultural land, forestry, mineral resources, watersheds, water resources, and critical areas. Cities should accommodate additional housing at appropriate urban densities before expanding into areas where growth would adversely impact critical areas or resource lands <u>or be at risk of flooding or other natural hazards.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
27	2-23/24	Policy 2N-1	Establish urban growth areas for cities, first, by determining the <u>land and zoning</u> capacity of the existing UGA to accommodate growth in the 20 year planning period. If it is determined that additional land <u>or density</u> 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,	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026

			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		
28	2-24	Policy 2N-3	Consider development incentives, such as <u>expedited permitting or</u> density bonuses, in UGAs in association with the density credit program. <u>Work with the cities to coordinate permitting processes and</u> Encourage cities to consider development incentives in association with a cooperative City-County density credit program.	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
29	2-25	Policy 2N-8	Encourage provision of serviced industrial sites by cities. <u>Where applicable, within urban growth areas, preserve existing zoning designations for properties with operating industries and protect existing industrial and maritime developments and industrially zoned 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.</u> <i>Note: Further amended by Amendment #91</i>	Galloway	APPROVED AS AMEDNED via MOTION SCOTW 3.3.2026
30	2-25	Policy 2N-9	Consider mixed-use zoning, where appropriate, to encourage walkability <u>and reduced vehicle miles travelled.</u>	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
31	2-25/26	Goal 2P	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 citywide average net densities for new developments as shown below, while respecting unique characteristics of each city: • Bellingham – six to 43 units per net acre; • Ferndale – six to 10 units per net acre; • Lynden – six to 10 units per net acre; • Blaine – six to 10 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 overall average net densities for new developments as shown below, while respecting unique characteristics of each community:	Galloway	N/A

			- Birch Bay – five to ten units per net acre; and - Columbia Valley – four to six units per net acre. Question: <i>Are these sufficient densities? Do we have the option to allow for more density?</i>		
32	2-26	Policy 2P-1	Encourage cities to adopt and implement policies and development regulations that promote urban densities. <u>Coordinate with cities on policies and development regulations in the city adjacent UGAs for consistency.</u>	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
33	2-26	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, <u>inclusionary zoning, permanent affordability covenants</u> , and responsible reductions in infrastructure requirements for subdivisions.	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
34	2-27	Policy 2Q-3	<u>Support the Birch Bay Community Advisory Committee and</u> E ncourage the establishment of an advisory committee for the Birch Bay and Columbia Valley Urban Growth Areas to provide a mechanism to interface with the County regarding their respective community development issues.	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
35	2-27	Policy 2Q-4	<i>Duplicate of Amendment #11</i> Provide planning assistance to citizens <u>the residents</u> 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.	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
36	2-27	Policy 2Q-5	Encourage and assist the citizens <u>Consider incorporation</u> of Birch Bay and Columbia Valley Urban Growth Areas with incorporation when <u>feasible and</u> appropriate. <i>Note: subsequently amended by #136</i>	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
37	2-27	Policy 2R-4	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 <u>and two ADUs per parcel</u> ten acres <u>so long as the development meets all applicable building and construction, development and land use, and health codes.</u> <i>Note: If passed, will need to change subsequent references.</i>	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026

38	2-29	NEW Policy 2S-6	<u>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.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
39	2-31	Policy 2U-6	Whatcom County and Bellingham should continue to coordinate protection and development within the its eight W <u>watersheds including Lake Whatcom, Whatcom Creek, Squalicum Creek, Padden Creek, Chuckanut Creek, Silver Creek, Little Squalicum Creek, and Bellingham Bay.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
40	2-32	Policy 2U-9	Prior to considering rezoning industrial lands within the Bellingham UGA, the County will first support the City of Bellingham's completion of an annexation plan that retains existing light and heavy industrial zoned areas and evaluates potential measures to mitigate for conflicts between existing, incompatible land uses. 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 <i>Whatcom County Industrial Lands Study</i> (July 2025).	Galloway	MOTION APPROVED TO RETAIN PC LANGUAGE SCOTW 3.3.2026
41	2-32	Policy 2U-9	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).	Stremmler	FAILED BY #40 VOTE SCOTW 3.3.2026
42	2-41	Policy 2W-1	Work with Everson to adopt measures to limit development in floodplains. <u>Development that does occur should take mitigative measures like increasing building elevation to reduce risk of harm and damage from flooding.</u> <i>Note: Subsequently revised by Amendment #103</i>	Galloway	APPROVED AS AMENDED via MOTION SCOTW 3.3.2026
43	2-57	Policy 2Z-1	Work with Nooksack to adopt measures to limit development in floodplains. <u>Development that does occur should take mitigative measures like increasing building elevation to reduce risk of harm and damage from flooding.</u> <i>Subsequently revised by Amendment #104</i>	Galloway	APPROVED AS AMENDED via MOTION SCOTW 3.3.2026
44	2-61	Sumas	The 2021 <u>and 2025</u> 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 <u>relocate current residents and</u> direct new population out of the path of the flood.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026

45	2-62	Policy 2AA-2	Work with Sumas to adopt measures to limit development in floodplains. <u>Development that does occur should take mitigative measures like increasing building elevation to reduce risk of harm and damage from flooding.</u> <i>Note: Subsequently revised by Amendment #105</i>	Galloway	APPROVED AS AMENDED via MOTION SCOTW 3.3.2026
46	2-84	Policy 2CC-16	...The County Administration should provide the County Council, <u>Lummi Nation, and Nooksack Indian Tribe</u> written notice of all known preapplication correspondence or 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). <i>Note: This policy was subsequently amended by #147</i>	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
47	2-89	Rural Character and Lifestyle	... 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. <u>It is also important to note that rural lifestyle is not sustainable for everyone in an ever-increasing population given land and resource scarcity and that it comes at a cost and inequity to residents. Rural areas lack sufficient services and infrastructure, often creating food, health care, child care, and employment deserts. The services that are provided are minimal and expensive. Furthermore, rural development is disproportionately vulnerable to climate impacts. Whatcom County should intentionally not drive growth to rural areas, especially housing intended for lower incomes that is more appropriate in areas with urban levels of services and infrastructure.</u> 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...	Galloway	FAILED via MOTION SCOTW 3.3.2026
48	2-91	Policy 2DD-2 (A) New #4	Policy 2DD-2(A)(4): 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: ... <u>4. Consider pathways for code-compliant, sustainable, low-impact, off-grid housing in an effort to accommodate housing consistent with rural character and development.</u>	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026

49	2-94	Policy 2DD-2 (C)(10)	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: ... C. Measures to protect critical areas and surface and groundwater resources: ... 10. Require evidence of an adequate <u>and legal</u> water supply prior to issuance of any building permit, per WCC 24.11.060, adopted herein by reference.	Galloway	APPROVED AS AMENDED via MOTION SCOTW 3.3.26
50	2-94	Policy 2DD-2 (C)(12)	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: ... C. Measures to protect critical areas and surface and groundwater resources: ... 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. <u>Implement the goals and objectives of the Lake Whatcom Management Program Work Plan.</u>	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
51	2-96	Policy 2DD-2 Add NEW (E) (Moved to 2FFF, pg. 145)	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: ... <u>E. Measures to protect against climate impacted natural hazards:</u> <u>1. 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.</u>	Galloway	APPROVED via MOTION SCOTW 3.3.2026

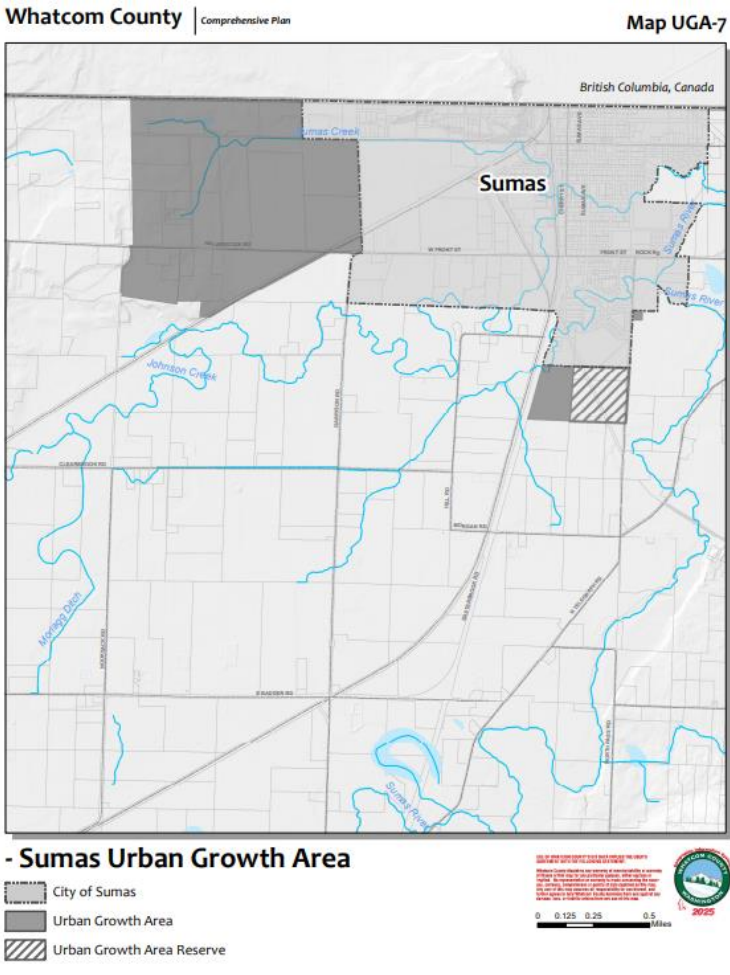
			<i>Note: Subsequently revised by Amendment #111; Policy 2DD-2(E)(1) was moved to Goal 2FFF</i>		
52	2-100	LAMIRDS Type III	<u>Galloway Amendment- Scrivener</u> Change reference to cottage industries to home-based businesses	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
53	2-108	Policy 2LL-1	<u>Galloway Amendment- Scrivener</u> Change reference to cottage industries to home-based businesses	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
54	2-114	NEW Policy 2NN-5 Re-number subsequent policies	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.	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
55	2-114	Policy 2NN-6	If vacant lots in the Lake Whatcom watershed come available due to a tax foreclosure the County may should acquire them, remove the developments rights and then place them back on the market through the public auction process to recover any residual value.	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
56	2-114	NEW Policy 2NN-8	Policy 2NN-8: Whatcom County should work with Sudden Valley landowners to help them inspect and maintain their private stormwater systems.	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
57	2-114	Policy 2NN-9	Work with all parties to maintain, and appropriately plan for infrastructure, public services, and stormwater retention so that Sudden Valley can develop and mitigate appropriately.	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
58	2-115	NEW Policy 2PP-2	Policy 2PP-2: Recognize and mitigate against the risk of wildfire for residences adjacent to or surrounded by federal forested lands.	Galloway	APPROVED via “CONSENT” SCOTW 3.3.2026
59	2-115	NEW Policy 2QQ-3	Policy 2QQ-3: Consider land back opportunities in an effort to return land, stewardship, and sovereignty back to Indigenous Peoples, restoring ancestral lands to Lummi Nation and Nooksack Indian Tribe, strengthening tribal self-determination, and managing natural resources through traditional practices.	Galloway	APPROVED via MOTION SCOTW 3.3.2026

			<i>Note: This new policy was amended on 5/12/2026 (see #165)</i>		
60	2-122	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 <u>and local economy</u> .	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
61	2-122	Policy 2RR-5	Promote conservation principles by example or by offering educational opportunities <u>to residents and visitors</u> .	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
62	2-122	Policy 2RR-7	Enhance <u>responsible</u> recreation opportunities <u>that keep people safe and don't damage the environment</u> .	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
63	2-122	Policy 2RR-8	Preserve scenic vistas, historic, <u>cultural</u> , and archaeological sites.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
64	2-123	Open Space Corridors	<u>Galloway Amendment – Scrivener</u> Goal <u>2SS</u> Policy <u>2SS-1</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
65	2-123	Policy 2SS-1	Identify marine, riverine, and other riparian corridors as essential elements of open space corridors <u>and fish and wildlife habitat</u> .	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
66	2-123	Policy 2SS-2	Identify contiguous <u>agriculture and</u> forested landscapes as essential elements of open space corridors. Utilize the Conservation Easement Program to protect working <u>agriculture and</u> forestlands to achieve numerous benefits, including the preservation of the working forestlands base, recreation opportunities, watershed health, and wildlife habitat.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026

67	2-123	Policy 2SS-7	Identify open space corridors in areas highly susceptible to climate change impacts. <u>Recognize the benefits of restored and enhanced riparian habitats for flood risk reduction.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
68	2-123	Goal 2TT	Promote coordination among the county, cities, Port of Bellingham, <u>Tribes</u> , and other appropriate jurisdictions in order to protect linked greenbelts, parks, and open spaces.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
69	2-125	NEW Policy 2UU-13 Re-number subsequent policies	<u>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.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
70	2-125	Policy 2UU-15	Consider an update to <i>Whatcom County Open Space Policies and Criteria and Public Benefit Rating System</i> (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, <u>forests</u> , and shorelines. <u>Consider benefits to climate resilience and ecosystem services. Updating policies, criteria, and rating system may require advocating for State legislation.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
71	2-127/ 128	Essential Public Facilities	<u>Galloway Amendment – Scrivener / non-substantive</u> Process This section was prepared with consideration of information and procedures adopted by other jurisdictions. An Essential Public Facilities Advisory Committee composed of <u>citizencommunity members</u>, 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 <u>citizen-community</u> 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.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026

			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. 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 365-196-550) indicate that essential public facilities: • Are typically difficult to site <u>because of potential adverse effects related to size, bulk, hazardous characteristics, noise, or public health and safety;</u> • Provides a public service, including a local service; and • Are provided, substantially funded or contracted for by government or subject to public service obligations.		
72	2-129	Policy 2XX-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, 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.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
73	2-130	Policy 2XX-4	If significant amendments to the essential public facility siting process are proposed in the future, an essential public facilities committee consisting of <u>citizen community members</u>, business, health care, and government representatives, as appropriate, will be appointed by the County Executive, <u>and confirmed by the County Council</u>, to make recommendations relating to the proposed amendments.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
74	2-131	Policy 2YY-4	... 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 <u>and other</u> impacts to surrounding residential areas.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026

75	2-127	Policy 2YY-15	If significant amendments to the essential public facility siting criteria are proposed in the future, an essential public facilities committee consisting of citizen <u>community members</u> , business, health care, and government representatives, as appropriate, will be appointed by the County Executive, <u>and confirmed by the County Council</u> , to make recommendations relating to the proposed amendments.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
76	2-140	Goal 2ZZ	Provide for broad participation in the siting process by affected <u>local, state, federal, and tribal</u> agencies, citizens <u>community members</u> , and any other interested parties.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
77	2-142	Goal 2CCC	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. <u>Ensure engagement and coordination with Lummi Nation and Nooksack Indian Tribe.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
78	2-143/ 144	Policy 2CCC-12	The County shall continue to cooperate with <u>the Tribes and</u> cultural groups and their organized representatives of the tourism industry to promote <u>respectful and appropriate</u> cultural tourism and ensure that cultural tourism projects remain eligible for funding assistance through its hotel/motel from the lodging tax funds and grants program.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
79	2-144	VMT 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. <u>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.</u>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
80	2-144	Policy 2DDD-4	Coordinate with cities <u>and employers</u> to plan for housing development <u>of housing, services, alternative transportation, and infrastructure in</u> proximity ate to employment to reduce employment-based vehicle miles traveled.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
81	2-145	Goal 2EEE	Reduce and mitigate the risk to lives and property posed by wildfires by using land use planning <u>and building code</u> tools to reduce wildfire risk. Reduce 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.	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026

85	2-56	Sumas UGA Proposal	Replace Sumas UGA map with the below map reflecting Council's direction on 2/10/26  - Sumas Urban Growth Area - City of Sumas - Urban Growth Area - Urban Growth Area Reserve Scale: 0, 0.125, 0.25, 0.5 Miles Whatcom County Comprehensive Plan Map UGA-7		APPROVED via "CONSENT" SCOTW 3.3.26
86	2-5	Background Summary	...All of this needs to be done in light of those aspects of the county which are most valued: <u>treaty natural and cultural resources</u>, water quality, productive agricultural land, economic development in rural areas, distinct boundaries between rural and urban areas, and predictability in land use plans. <i>Note: Duplication of Amendment #94</i>	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026
87	2-18	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 <u>and protecting treaty natural resources</u> in Whatcom County. Chapter 10: Environment, contains	Galloway	APPROVED via "CONSENT" SCOTW 3.3.2026

			additional discussion of fish and wildlife issues, as well as goals and policies regarding fish and wildlife habitat protection and management. <i>Note: Duplication of Amendment #95</i>		
88	2-20	Issues, Goals, and Policies	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<u>maintain viability as</u> economic centers <u>with a balance of jobs, housing, and quality of life.</u>	Galloway	WITHDRAWN (SEE AMENDMENT #96)
89	2-22	Policy 2N-5	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. <u>Policy 2N-5: Urban Growth Areas should be established in a way that preserves agricultural land, forestry, mineral resources, treaty natural resources (e.g. salmon, wildlife, traditional foods), tribal cultural resources, water resources, and critical areas.</u> <u>Policy 2N-6: Urban growth shall maintain proper buffers from natural resource areas to minimize conflicts with natural resources and industries based on them.</u> <u>Policy 2N-7: Encourage increased densities within existing city boundaries before expanding into county resource lands.</u>	Galloway	REPLACED WITH AMENDMENT S #97, #98, #99
ADDITIONAL AMENDMENTS FOR 3/10					
90	INTENTIONALLY BLANK				
91	2-25	Policy 2N-8	Encourage provision of serviced industrial sites by cities. Where applicable, within urban growth areas, preserve existing zoning designations for properties with operating the regulatory ability of existing industries <u>to continue operating, if proposed for rezoning,</u> and protect existing industrial and maritime <u>zoned</u> developments and industrially zoned 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. <i>Note: Previously amended by #29</i>	Galloway	APPROVED via MOTION COTW 3.10.26
92	2-4	Background Summary	A key need for meeting land demands to generate <u>familyliving</u> wage employment is land that is "ready to go" for industrial development.	Galloway	APPROVED via "CONSENT" COTW 3.10.26

93	2-56	Nooksack	The Community's expressed vision is to maintain an atmosphere of safe and friendly family 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.	Galloway	APPROVED via "CONSENT" COTW 3.10.26
94	2-5	Background Summary	All of this needs to be done in light of those aspects of the county which are most valued: <u>treaty natural and cultural resources</u> , water quality, productive agricultural and forest land, economic development in rural areas, distinct boundaries between rural and urban areas, and predictability in land use plans. <i>Note: Duplication of Amendment #86</i>	Galloway	APPROVED via "CONSENT" COTW 3.10.26
95	2-19-20	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 <u>and protecting treaty natural resources</u> in Whatcom County. Chapter 8: Natural Resource Lands and 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. <i>Note: Duplication of Amendment #87</i>	Galloway	APPROVED via "CONSENT" COTW 3.10.26
96	2-22	Issues, Goals, and Policies	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 maintain viability<u>become viable</u> as economic centers <u>with a balance of jobs, housing, and quality of life</u>.	Galloway	AMENDMENT WITHDRAWN COTW 3.10.26
97	2-24	Policy 2N-5	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. <u>Urban Growth Areas should be established in a way that preserves agricultural land, forestry, mineral resources, treaty natural resources (e.g. salmon, wildlife, traditional foods), tribal cultural resources, water resources, and critical areas.</u>	Galloway	AMENDMENT WITHDRAWN COTW 3.10.26
98	2-25	NEW Policy 2N-6	<u>Policy 2N-6: Maintain proper buffers between urban growth, including established residential neighborhoods and industrial sites, and natural resource areas.</u>	Galloway	APPROVED via "CONSENT" COTW 3.10.26
99	2-25	NEW Policy 2N-7 Renummer subsequent policies	<u>Policy 2N-7: Encourage increased densities within existing city boundaries before expanding into county resource lands.</u>	Galloway	APPROVED via "CONSENT" COTW 3.10.26

100	2-15	Policies 2J-6-11 Add new policies and renumber Policy 2J-6	<u>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.</u> <u>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.</u> <u>Policy 2J-8: Equitably site beneficial uses such as trails, parks, and schools and prioritize new investments in underserved areas.</u> <u>Policy 2J-9: Equitably plan for capital facilities and invest in underserved or overburdened areas.</u> Policy 2J-610: Public participation plans for future Comprehensive Plan updates should include reaching vulnerable populations in overburdened communities. <u>Policy 2J-11: Meaningfully involve all affected people in planning decisions, not just comprehensive plan updates.</u>	Galloway	APPROVED via "CONSENT" COTW 3.10.26
101	2-92/ 93	Policy 2DD-2C	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. <u>2. Ensure compliance with Growth Management Act provisions to better protect of senior water rights, agricultural water rights, and fish and wildlife habitats.</u> <u>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.</u>	Galloway	APPROVED via "CONSENT" COTW 3.10.26
102	2-137	Policy 2YY-13	1. In compliance with RCW 36.70A.410, Whatcom County will not treat a residential structure occupied by persons with handicapsdisabilities 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.	Galloway	APPROVED via "CONSENT" COTW 3.10.26
103	2-41	Policy 2W-1	Work with Everson to adopt measures to limit development in <u>current and future</u> floodplains <u>and areas at increased risk due to climate change</u>. Development that does occur should take mitigative measures like increasing building elevation to reduce risk of harm and damage from flooding 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.	Scanlon	APPROVED via "CONSENT" COTW 3.10.26

			<i>Note: Subsequently amended by #152</i>		
104	2-57	Policy 2Z-1	Work with Nooksack to adopt measures to limit development in <u>current and future floodplains and areas at increased risk due to climate change</u>. Development that does occur should take mitigative measures like increasing building elevation to reduce risk of harm and damage from flooding 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. <i>Note: Subsequently amended by #157</i>	Scanlon	APPROVED via "CONSENT" COTW 3.10.26
105	2-62	Policy 2AA-2	Work with Sumas to adopt measures to limit development in <u>current and future floodplains and areas at increased risk due to climate change</u>. Development that does occur should take mitigative measures like increasing building elevation to reduce risk of harm and damage from flooding 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. <i>Note: Subsequently amended by #158</i>	Scanlon	APPROVED via "CONSENT" COTW 3.10.26
106	2-51	NEW Policy 2Y-3 Re-number subsequent policies	<u>Work with Lynden to adopt measures to limit development in current and future floodplains and areas at risk 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.</u> <i>Note: Subsequently amended by #156</i>	Scanlon	APPROVED via "CONSENT" COTW 3.10.26
107	2-47	NEW Policy 2X-4 Re-number subsequent policies	<u>Work with Ferndale to adopt measures to limit development in current and future floodplains and areas at risk 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.</u> <i>Note: Subsequently amended by #155</i>	Scanlon	APPROVED via "CONSENT" COTW 3.10.26
108	2-37	NEW Policy 2V-1	<u>Work with Blaine 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</u>	Scanlon	APPROVED via "CONSENT" COTW 3.10.26

		Re-number subsequent policies	<u>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.</u> <i>Note: Subsequently amended by #153</i>		
109	2-31	NEW Policy 2U-7 Re-number subsequent policies	<u>Work with Bellingham 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.</u> <i>Note: Subsequently amended by #152</i>	Scanlon	APPROVED via "CONSENT" COTW 3.10.26
110	2-69	NEW Policy 2BB-3 Re-number subsequent policies	<u>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.</u>	Scanlon	APPROVED via "CONSENT" COTW 3.10.26
111	2-96	NEW Policy 2DD-2(E)(1)	E. Measures to protect against climate impacted natural hazards: <u>1. Work with 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.</u> <i>Note: Previously revised by Amendment #51; Original Policy 2DD-2(E)(1) was moved to Goal 2FFF</i> <i>Note: Subsequently amended by #161</i>	Scanlon	APPROVED via "CONSENT" COTW 3.10.26
112	2-10	STRIKE Policy 2C-7	Policy 2C-7: To partially defray the costs of infrastructure and service improvements required by development in areas under county jurisdiction, Construction Impact Fees, will be levied as per state law. (#8) <i>Note: Policy 2C-7 was retained and subsequently amended to insert "may be levied" in place of "shall be levied."</i>	Stremmler	FAILED via MOTION COTW 3.10.26

113	2-100	NEW Policy 2GG-4 Re-number subsequent policies	<u>Policy 2GG-4: Land in the R10A district may not be rezoned to a rural zone that allows a higher density if it is located in the current or future flood plain or a sea level rise inundation zone.</u> <i>Note: Subsequently amended by #162</i>	Galloway	APPROVED AS AMENDED via MOTION COTW 3.10.26
114	2-145	Goal 2EEE	Reduce and mitigate the risk to lives and property posed by wildfires by using land use planning and building code tools to reduce wildfire risk. Reduce wildfire risks to residential development in high risk areas and the wildland urban interface area <u>through enforcing wildfire building codes and education</u>, separating human development from wildfire prone landscapes, and protecting existing residential development and infrastructure through community wildfire preparedness and fire adaptation measures.	Galloway	APPROVED via "CONSENT" COTW 3.10.26
115	2-6/7	NEW Policies 2A-9, 2A-10, 2A-11 Re-number subsequent policies	<u>Policy 2A-9: Where applicable, retain light and heavy industrial zoning for parcels with active and lawfully established industrial operations as of the date of Comprehensive Plan adoption. For industrially zoned parcels without an active industrial use as of the date of adoption, require review during the next periodic update to evaluate continued industrial designation based on:</u> <u>• Compatibility with surrounding and planned residential land uses.</u> <u>• Environmental health and cumulative pollution impacts.</u> <u>• Infrastructure availability and fiscal sustainability.</u> <u>• Consistency with Urban Growth Area development patterns and Countywide Planning Policies.</u> <u>Policy 2A-10: Prioritize redevelopment and intensification of previously disturbed, underutilized, or remediated industrial lands before expansion or activation of dormant heavy industrial zoning, particularly in areas adjacent to existing or planned residential neighborhoods.</u> <u>Policy 2A-11: Where heavy industrial zoning is located within Urban Growth Areas planned for residential growth, land use designations should support urban residential development patterns that minimize exposure to industrial pollution and advance public health, environmental justice, and long-term fiscal resilience.</u> <i>Note: subsequently amended by #135</i>	Galloway	MOTION APPROVED TO RETAIN 2A-11 AND DELETE 2A-9 AND 2A-10 SCOTW 3.17.26
116	2-10	NEW Policies 2C-8, 2C-9	<u>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.</u> <u>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.</u>	Galloway	APPROVED via "CONSENT" COTW 3.10.26

117	2-20	Policy 2M-3	Develop educational tools, <u>technical assistance</u>, and incentives-based programs to encourage <u>and support</u> existing land uses to restore and enhance degraded habitat to properly functioning <u>ecological</u> conditions, <u>with measurable outcomes</u>, especially for threatened and endangered species. <i>Note: also amended by Amendment #20</i>	Galloway	APPROVED via “CONSENT” COTW 3.10.26
118	2-20	NEW Policies 2M-4, 2M-5, & 2M-6	<u>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.</u> <u>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.</u> <u>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.</u>	Galloway	APPROVED via “CONSENT” COTW 3.10.26
119	2-24/25	NEW Policies 2N-8 to 2N-11 Re-number subsequent policies	<u>Policy 2N-8: Within Urban Growth Areas, preserve zoning designations for properties with operating and lawfully established heavy industrial uses as of the date of Comprehensive Plan adoption.</u> <u>Policy 2N-9: Where Heavy Impact Industrial zoning exists in areas that are substantially surrounded by established residential development:</u> <u>Regulate expansion of Heavy Impact Industrial zoning boundaries.</u> <u>Evaluate dormant or undeveloped Heavy Impact Industrial zoned parcels during periodic review for transition to compatible urban residential or mixed-use designations.</u> <u>Minimize further encroachment of heavy industrial uses into residential neighborhoods.</u> <u>Policy 2N-10: Recognize existing lawful industrial operations as legal nonconforming or vested uses where applicable, and support opportunities to relocate industries to more suitable areas. Explore voluntary incentive programs, land swaps, phased transition tools, and relocation assistance mechanisms to encourage the long-term consolidation of heavy industrial uses into appropriately planned industrial districts.</u> <u>Policy 2N-11: Consider mitigative measures such as buffering, performance standards, environmental mitigation requirements, and transition zones designed to reduce exposure to noise, emissions, freight traffic, and other industrial impacts.</u>	Galloway	MOTION APPROVED TO STIKE 2N-8, 2N-9, 2N-10, AND 2N-11 SCOTW 3.17.26

120	2-32/33	NEW Policies 2U-10 to 2U13	<u>Policy 2U-10: Prior to considering rezoning or retention of industrial lands 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 suitability of existing light and heavy industrial zoning. Such evaluation may include analysis of:</u> <u>• Proximity to established and planned residential neighborhoods;</u> <u>• Cumulative environmental health impacts;</u> <u>• Infrastructure capacity and fiscal sustainability;</u> <u>• Urban development patterns consistent with walkability and reduced vehicle miles traveled.</u> <u>Policy 2U-11: Consider land uses more compatible with urban residential or mixed-use designations, where appropriate, on parcels that are undeveloped, dormant, or substantially surrounded by residential uses.</u> <u>Policy 2U-12: Coordinate with Bellingham to consider consolidation of industrial zoned areas into appropriately planned industrial districts and prioritize redevelopment of already disturbed or remediated industrial lands before designating new industrial sites countywide.</u> <u>Policy 2U-13: Consider additional industrial zoning based on demonstrated need, infrastructure availability, and compatibility with surrounding land uses, and work to reduce cumulative pollution exposure in residential neighborhoods.</u> <i>Note: Subsequently amended by #137</i>	Galloway	MOTION APPROVED TO RETAIN POLICY 2U-10 AS AMENDED AND DELETE POLICIES 2U-11, 2U-12, AND 2U-13 SCOTW 3.17.26
121	2-41	NEW Policies 2W-2, 2W-3, & 2W-4 Re-number subsequent policies	<u>Policy 2W-2: Elevation strategies should prioritize structural elevation methods such as pier-supported construction, pile foundations, elevated platforms, amphibious or floating design, and other innovative flood-adaptive techniques rather than reliance on imported fill that reduces flood storage capacity.</u> <u>Policy 2W-3: Continue to require no net loss of flood storage in floodplain development regulations; use best available science and updated flood mapping, and consider cumulative impacts on downstream communities.</u> <u>Policy 2W-4: Coordinate regionally to ensure flood mitigation efforts align with watershed-scale planning and long-term climate resilience goals.</u> <i>Note: Subsequently amended by #159 & #160</i>	Galloway	APPROVED AS AMENDED SCOTW 3.17.26
122	2-57/58	NEW Policies 2Z-2 to 2Z-4	<u>Policy 2Z-2: Elevation strategies should prioritize structural elevation methods such as pier-supported construction, pile foundations, elevated platforms, amphibious or floating design, and other innovative flood-adaptive techniques rather than reliance on imported fill that reduces flood storage capacity.</u>	Galloway	APPROVED AS AMENDED SCOTW 3.17.26

		Re-number subsequent policies	<u>Policy 2Z-3: Continue to require no net loss of flood storage in floodplain development regulations; use best available science and updated flood mapping, and consider cumulative impacts on downstream communities.</u> <u>Policy 2Z-4: Coordinate regionally to ensure flood mitigation efforts align with watershed-scale planning and long-term climate resilience goals.</u> <i>Note: Subsequently amended by #159 & #160</i>		
123	2-62	NEW Policies 2AA-3 to 2AA-5 Re-number subsequent policies	<u>Policy 2AA-3: Elevation strategies should prioritize structural elevation methods such as pier-supported construction, pile foundations, elevated platforms, amphibious or floating design, and other innovative flood-adaptive techniques rather than reliance on imported fill that reduces flood storage capacity.</u> <u>Policy 2AA-4: Continue to require no net loss of flood storage in floodplain development regulations; use best available science and updated flood mapping, and consider cumulative impacts on downstream communities.</u> <u>Policy 2AA-5: Coordinate regionally to ensure flood mitigation efforts align with watershed-scale planning and long-term climate resilience goals.</u> <i>Note: Subsequently amended by #159 & #160</i>	Galloway	APPROVED AS AMENDED SCOTW 3.17.26
124	2-145/146	NEW Policies 2FFF-1 to 2FFF-5	<u>Policy 2FFF-1: Establish and periodically update a Climate Resilience Overlay District that applies special development standards and mitigation measures to protect people, property, ecological systems, and infrastructure from climate-impacted natural hazards, including flooding, sea level rise, extreme precipitation, wildfire, heat events, and erosion.</u> <u>Policy 2FFF-2: Use best available science and the most current hazard maps and projections within the overlay; use and incorporate adaptive design standards appropriate to the risk level.</u> <u>Policy 2FFF-3: Prioritize nature-based solutions in the overlay, including green infrastructure, habitat restoration, soil stabilization, and other low-impact development techniques that enhance stormwater management, carbon sequestration, and ecological resilience.</u> <u>Policy 2FFF-4: Subject high-intensity or heavy industrial uses proposed within areas of elevated climate hazard to heightened review to prevent increased public safety risk, infrastructure strain, or environmental contamination during hazard events.</u> <u>Policy 2FFF-5: Coordinate with cities, Tribes, and regional partners to ensure hazard mitigation planning aligns with land use, capital facilities planning, and long-term fiscal sustainability.</u> <i>Note: Subsequently amended by #149, #150, & #151</i>	Galloway	APPROVED via "CONSENT" COTW 3.10.26

125	2-78	NEW Goal and policies 1-3 under Cherry Point/Environmental (Not numbered – this change will change all subsequent lettering/numbering so we will edit when everything is approved.)	<u>New Goal: Recognize the ecological significance of the Cherry Point Aquatic Reserve and the documented environmental sensitivity of adjacent shorelines and marine habitat.</u> <u>Policy 1: Strengthen oversight, monitoring, and enforcement mechanisms associated with industrial development in the Cherry Point UGA to ensure that reserve protection goals are achieved and that cumulative impacts do not result in further degradation of critical habitat.</u> <u>Policy 2: Prior to approval of new or expanded heavy industrial uses within or adjacent to the Cherry Point UGA, require:</u> <u>Cumulative impact analysis incorporating marine, shoreline, and upland effects.</u> <u>Independent environmental review where appropriate.</u> <u>Clear mitigation standards with measurable performance benchmarks.</u> <u>Periodic compliance reporting and public transparency.</u> <u>Policy 3: Coordinate with state agencies, Tribes, and regional partners to align land use decisions with the long-term ecological protection intent of the Reserve.</u> <i>Note: These new policies were stricken on 5/12/2026 (see #139)</i>	Galloway	APPROVED via “CONSENT” COTW 3.10.26
126	2-115/116	NEW Policies 2QQ-4 & 2AA-5	<u>Policy 2QQ-4: Prioritize evaluation of surplus public lands, conservation properties, and ecologically significant areas for potential partnership, land transfer, cooperative management, conservation easements or stewardship opportunities with tribal governments.</u> <u>Policy 2QQ-5: Coordinate with local, state, and federal and tribal governments on the implementation of initiatives that respect existing property rights while advancing long-term ecological restoration and cultural preservation.</u> <i>Note: These new policies were stricken on 5/12/2026 (see #165)</i>	Galloway	APPROVED via “CONSENT” COTW 3.10.26
127	2-18	Policy 2L-2	Policy 2L-2(c): Public Participation. Each subarea plan update process will be based on a public participation program that addresses public input on the <u>identification and discussion of</u> key issues associated with the subarea plan update.	Galloway	APPROVED via “CONSENT” COTW 3.10.26
128	2-122	Policy 2RR-8	Policy 2RR-8: Preserve scenic vistas, historic, <u>cultural</u>, and archaeological sites. <i>Note: repeat of Amendment #63:</i>	Galloway	RESOLVED (SEE AMENDMENT #63)
129	2-14	NEW Policy 2H-4	<u>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.</u>	Elenbaas	APPROVED AS AMENDED via MOTION COTW 5.12.26

130	2-67	Birch Bay UGA	<u>Birch Bay UGA</u> 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. <u>Affordable housing sites should be encouraged in the Birch Bay UGA.</u>	Galloway	APPROVED via "CONSENT" COTW 3.10.26
131	2-67	Birch Bay UGA	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 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. <u>Designated affordable housing sites should be included in the water/sewer service area, as amended if needed.</u>	Galloway	APPROVED via "CONSENT" COTW 3.10.26
132	2-69	Policy 2BB-3 Add bullets	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) • <u>Recognize opportunities for affordable housing sites for property included in the Birch Bay UGA.</u> • <u>Approve land use entitlements and permit decisions that implement Housing Policy 3C-9 to produce affordable housing.</u>	Galloway	APPROVED via "CONSENT" COTW 3.10.26
133	Maps	Replace Maps 2-1 and 2-3 (Maps section – end of document)	Replace Map 2-1, <u>Comprehensive Plan Designations</u>, and Map 2-3, <u>Open Space Areas and Corridors</u>, with new versions from PDS. <i>PDS note: County GIS staff updated Map 2-1 (Comprehensive Plan Designations) and Map 2-3 (Open Space Areas & Corridors) to reflect changes to the Everson and Sumas UGA boundaries made at the February 10 Council Committee of the Whole meeting. The language relating to the buffer where the Cherry Point UGA abuts the Birch Bay UGA was also shortened.</i> <i>PDS subsequent note: Because the City of Bellingham proposed re-designating land from UGA to UGA Reserve south of Ferndale, there is now an opportunity to identify open space between the Bellingham and Ferndale UGAs. Modified Map 2-3 identifies certain streams with a buffer as open space between these UGAs.</i>	PDS	APPROVED SCOTW 3.17.26

134		Amendment #105 in this chart	Work with SumasNooksack to adopt measures to limit development in current and future floodplains and areas at increased risk 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. <i>Note: On March 11, 2026, a correction was made to Amendment #105 in this chart to correct an error. The word Nooksack was replaced with Sumas. Council did not approve this change and thus we are flagging it here. The name was listed correctly in the chapter text.</i>	Scanlon	APPROVED SCOTW 3.17.26
ADDITIONAL AMENDMENTS FOR 4/28					
135	2-6	Policy 2A-9 (See #115)	Policy 2A-9: Where heavy industrial zoning is located within urban growth areas <u>adjacent to residential neighborhoods, the County should identify and implement measures planned for residential growth, land use designations should support urban residential development patterns</u> that minimize <u>neighborhood</u> exposure to industrial pollution and advance public health, environmental justice, and long-term fiscal <u>economic</u> resilience. <u>These measures should be developed with meaningful involvement of affected communities.</u> <i>Note: This policy was amended during COTW on 5/12/2026 to add the word “municipal” before “urban growth areas.” This action was done via motion (no associated amendment number)</i>	Galloway	APPROVED AS AMENDED via MOTION SCOTW 4.28.26
136	2-26	Policy 2Q-5 (See #36)	Policy 2Q-5: Assist the communities Consider incorporation of Birch Bay and Columbia Valley Urban Growth Areas <u>with incorporation</u> when feasible and appropriate.	Boyle BBCAC	APPROVED AS AMENDED via MOTION SCOTW 4.28.26
137	2-31	Policy 2U-11 (See #120)	Policy 2U-11: Prior to considering rezoning or retention of industrial lands <u>To inform long term planning</u> 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 suitability <u>compatibility</u> of existing light and heavy industrial zoning <u>with surrounding land uses</u>. Such evaluation may shall include <u>analysis consideration</u> of: • <u>Proximity to established and planned residential neighborhoods;</u> • <u>Zoning transitions, landscaping and buffering between residential and industrial uses;</u> • <u>Cumulative environmental and public health impacts;</u> • <u>Economic impacts;</u>	Galloway	APPROVED AS AMENDED via MOTION COTW 5.12.26

			- Infrastructure capacity and fiscal sustainability; Urban-dDevelopment patterns consistent with walkability and reduced vehicle miles traveled.		
138	2-72	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. <u>2023 was the first year without herring spawning confirmed at Cherry Point by WDFW and partners since monitoring began in the 1970s. No spawn was detected in 2024, either.</u> 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.”	Galloway	FAILED COTW 5.12.26
139	2-74	New Goals and Policies under Cherry Point – Environmental (See #125)	New Goal: Recognize the ecological significance of the Cherry Point Aquatic Reserve and the documented environmental sensitivity of adjacent shorelines and marine habitat. Policy 1: Strengthen oversight, monitoring, and enforcement mechanisms associated with industrial development in the Cherry Point UGA to ensure that reserve protection goals are achieved and that cumulative impacts do not result in further degradation of critical habitat. Policy 2: Prior to approval of new or expanded heavy industrial uses within or adjacent to the Cherry Point UGA, require: • Cumulative impact analysis incorporating marine, shoreline, and upland effects. • Independent environmental review where appropriate. • Clear mitigation standards with measurable performance benchmarks. • Periodic compliance reporting and public transparency. Policy 3: Coordinate with state agencies, Tribes, and regional partners to align land use decisions with the long-term ecological protection intent of the Reserve. <i>Note: This new goal and subsequent policies were preliminarily approved in COTW on 3.10.26 via Amendment #125. This amendment proposes striking the New Goal and New Policies 1, 2, and 3.</i> <i>Note: Amendments #140 and #141 below seek to amend Policy 1 and Policy 2. These competing amendments need to be addressed.</i>	Stremmler	APPROVED via MOTION COTW 5.12.26
140	2-74	New Goals and Policies under	Policy 1: Strengthen<u>Review and evaluate</u> oversight, monitoring, and enforcement mechanisms associated with industrial development in <u>lands adjacent to the Aquatic Reserve within</u> the Cherry Point UGA to ensure <u>consistency with that Aquatic R</u>eserve protection goals <u>and the</u>	Galloway	FAILED (see #139 above)

		Cherry Point – Environmental (See #125)	Whatcom County Shorelines Master Plan are achieved and that cumulative impacts do not result in further degradation of critical habitat. <i>Note: Amendment #139 above seeks to strike Policy 1. These competing amendments need to be addressed.</i>		
141	2-74	New Goals and Policies under Cherry Point – Environmental (See #125)	Policy 2: Prior to approval of new or expanded heavy industrial uses within or adjacent to the Cherry Point UGA, <u>consider-require</u>: • <u>Zoning regulations that evaluate cCumulative impacts analysis incorporating on</u> marine, shoreline, and upland effects. • Independent environmental review where appropriate. • Clear mitigation standards with measurable performance benchmarks. • Periodic <u>SEPA</u> compliance reporting <u>to Planning and Development Services where industrial activities are permitted</u> and public transparency. <i>Note: Amendment #139 above seeks to strike Policy 2. These competing amendments need to be addressed.</i>	Galloway	FAILED (see #139 above)
142	2-74	Environmental	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. <u>The existing industrial uses at Cherry Point do not conflict with aquatic reserve status.</u> 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).	Galloway	FAILED COTW 5.12.26
143	2-75	Cherry Point UGA Features – 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. <u>The AltaGas pier has the least depth of the three industrial piers at Cherry Point, requiring dredging or deberthing to anchor nearby during low tide events.</u>	Galloway	WITHDRAWN COTW 5.12.26
144	2-75	Cherry Point UGA Features – 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	Galloway	WITHDRAWN COTW 5.12.26

			products. Both the Cherry Point Refinery and the Ferndale Refinery receive crude oil shipments by rail, <u>and AltaGas receives liquid petroleum gas shipments by rail.</u>		
145	2-79	Policy 2CC-11	Policy 2CC-11: It is the policy of Whatcom County to limit the <u>impact of industries on the aquatic and nearshore environment and greenhouse gas emissions number of industrial piers</u> at Cherry Point to the existing three piers, taking into account the need to <u>by the following actions:</u> • <u>Limit the number of industrial piers to the existing three piers;</u> • <u>Address the cumulative impact of increased vessel traffic, anchoring and dredging Act conservatively in land use matters</u> 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; • <u>Complete an assessment of impacts, and a restoration plan to address identified impacts, to Cherry Point herring and other forage fish that might be caused by impediments to littoral drift, beach armoring, creosote and treated wood, light penetration through piers, anchoring, dredging, and stormwater discharge</u> Encourage the continued agency use of best available science; • <u>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;</u> • <u>Limit the expansion of industry which increases greenhouse gas emissions without corresponding offsets or mitigation measures;</u> • 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.	Galloway	WITHDRAWN COTW 5.12.26
146	2-81	Policy 2CC-16	Policy 2CC-16: The County will, through its adopted SEPA policies and applicable permitting processes, seek to limit the negative <u>identify and mitigate significant adverse</u> 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.	Galloway	APPROVED AS AMENDED via MOTION COTW 5.12.26

147	2-81	Policy 2CC-16 (See #46)	The County Administration should provide the County Council, Lummi Nation, and Nooksack Indian Tribe written notice of all known preapplication correspondence or 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). <i>Note: Pre-application meetings are industry’s opportunity to fully understand permit requirements within the complex web of County regulations and are used as a critical discussion for finalizing project scope and whether a project will even proceed. Sharing information broadly before that scope is defined can create unneeded confusion. Tribes should absolutely be informed—but at the right point in the process, when the project is clear enough for that notice to be meaningful and transparent.</i>	Stremmler	APPROVED via MOTION COTW 5.12.26
148	2-141	Goal 2FFF and associated policies (See #51, #111, & #124)	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. Policy 2FFF-1: Establish and periodically update a Climate Resilience Overlay District that applies special development standards and mitigation measures to protect people, property, ecological systems, and infrastructure from climate impacted natural hazards, including flooding, sea level rise, extreme precipitation, wildfire, heat events, and erosion. Policy 2FFF-2: Use best available science and the most current hazard maps and projections within the overlay; use and incorporate adaptive design standards appropriate to the risk level. Policy 2FFF-3: Prioritize nature-based solutions in the overlay, including green infrastructure, habitat restoration, soil stabilization, and other low impact development techniques that enhance stormwater management, carbon sequestration, and ecological resilience. Policy 2FFF-4: Subject high intensity or heavy industrial uses proposed within areas of elevated climate hazard to heightened review to prevent increased public safety risk, infrastructure strain, or environmental contamination during hazard events. Policy 2FFF-5: Coordinate with cities, Tribes, and regional partners to ensure hazard mitigation planning aligns with land use, capital facilities planning, and long term fiscal sustainability. <i>Note: Goal 2FFF was preliminarily approved by Amendment #51 and relocated by Amendment #111. Policies 2FFF-1 through 2FFF-5 were preliminarily approved by Amendment #124. This proposed amendment proposes striking Goal 2FFF and Policies 2FFF-1 through 2FFF-5.</i>	Stremmler	FAILED COTW 5.12.26

			<i>Note: Amendments #149, 150, & 151 also amend policies under 2FFF. These will have to be resolved.</i>		
149	2-141	Policy 2FFF-1 (See #124)	Policy 2FFF-1: Establish and periodically update a Climate Resilience Overlay District that applies special development standards and mitigation measures to protect people, property, ecological systems, and infrastructure from climate-impacted natural hazards, including flooding, sea level rise, extreme precipitation, wildfire, heat events, and erosion. 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. <i>Note from PDS/PW: HB 1181 Washington’s Climate Planning Law required changes to the Shoreline Master Program to address sea level rise. Contingent on the outcome of the sea level rise rulemaking, the Overlay District may not be the appropriate regulatory approach. Additional analysis through docketed regulatory amendments and public process will be necessary to determine applicability of any new development standards and appropriate mitigation measures within any areas at risk for climate impacts that are not currently regulated. See draft Chapter 12- Climate Element Policies 12.13.6, 12.13.11, 12.21.1, 12.22.8, and 12.22.10 regarding policies for planning and regulatory approaches associated with flooding and sea level rise.</i>	PDS/PW	APPROVED via MOTION COTW 5.12.26
150	2-141	Policy 2FFF-2 & Policy 2FFF-3 (See #124)	Policy 2FFF-2: Use best available science and the most current hazard maps and projections within the overlay; use and incorporate adaptive design standards appropriate to the risk level. Policy 2FFF-3: Prioritize nature-based solutions in the overlay, including green infrastructure, habitat restoration, soil stabilization, and other low-impact development techniques that enhance stormwater management, carbon sequestration, and ecological resilience. <i>Note from PDS/PW: See comments regarding additional public process and code amendments to define and establish a Climate Overlay District prior to determining prescriptive design standards or mitigation measures.</i>	PDS/PW	APPROVED via MOTION COTW 5.12.26
151	2-141	Policy 2FFF-4 (See #124)	Policy 2FFF-4: Subject high-intensity or heavy industrial uses proposed within areas of elevated climate hazard to heightened review to prevent increased public safety risk, infrastructure strain, or environmental contamination during hazard events. <i>Note from PDS/PW: See comments regarding additional public process and code amendments to define and establish Climate Overlay District prior to defining “elevated climate hazard” or determining scope of “heightened review.” Defining the geographic area for elevated climate hazard will require additional public process, see 2FFF-1.</i>	PDS/PW	APPROVED via MOTION COTW 5.12.26

152	2-30	Policy 2U-7 (See #109)	Policy 2U-7: Work<u>Coordinate</u> with Bellingham to adopt regulations measures 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. <u>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.</u> current and future floodplains and areas at increased risk 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. <i>Note from PDS/PW: Recommendation to amend 2U-7, 2V-1, 2W-1, 2X-4, 2Y-3, 2Z-1, and 2AA-2: As written, “mitigative measures” could be interpreted as a permitting condition for a Floodplain Development Permit. The Future Shorelines: Whatcom Climate Vulnerability Assessment and Shoreline Management Solutions Report identified a forecasted scenario for all areas subject to any amount of flood inundation. Next steps include addition of flood water depth and velocity data and working interjurisdictionally to define the highest risk areas within the area predicted to flood. That work will inform any necessary County code modifications including, but not limited to the Shoreline Master Program amendments and amendments to the Flood Damage Prevention Code. Other jurisdictions, including Bellingham, are developing separate sea level rise vulnerability assessments and adaptation plans which may take a complementary, but not identical approaches.</i>	PDS/PW	APPROVED via “CONSENT” COTW 5.12.26
153	2-35	Policy 2V-1 (See #108)	Policy 2V-1: Work<u>Coordinate</u> with Blaine to adopt regulations measures 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. <u>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.</u> current and future floodplains and areas at increased risk 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.	PDS/PW	APPROVED via “CONSENT” COTW 5.12.26
154	2-39	Policy 2W-1 (See #42, 103)	Policy 2W-1: Work<u>Coordinate</u> with Everson to adopt regulations measures 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. <u>Coordinate with Everson through the Floodplain Integrated Planning process to address increased risk of riverine flooding due to climate change, consistent with Countywide Planning</u>	PDS/PW	APPROVED via “CONSENT” COTW 5.12.26

			Policy T4. current and future floodplains and areas at increased risk 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.		
155	2-45	Policy 2X-4 (See #107)	Policy 2X-4: Work <u>Coordinate</u> with Ferndale to adopt regulations measures to limit development in <u>the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates.</u> <u>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.</u> current and future floodplains and areas at increased risk 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.	PDS/PW	APPROVED via "CONSENT" COTW 5.12.26
156	2-49	Policy 2Y-3 (See #106)	Policy 2Y-3: Work <u>Coordinate</u> with Lynden to adopt regulations measures to limit development in <u>the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates.</u> <u>Coordinate with Lynden through the Floodplain Integrated Planning process to address increased riverine flooding due to climate change, consistent with Countywide Planning Policy T4.</u> current and future floodplains and areas at increased risk 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.	PDS/PW	APPROVED via "CONSENT" COTW 5.12.26
157	2-54	Policy 2Z-1 (See #104)	Policy 2Z-1: Work <u>Coordinate</u> with Nooksack to adopt regulations measures to limit development in <u>the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates.</u> <u>Coordinate with Nooksack through the Floodplain Integrated Planning process to address increased riverine flooding due to climate change, consistent with Countywide Planning Policy T4.</u> current and future floodplains and areas at increased risk 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.	PDS/PW	APPROVED via "CONSENT" COTW 5.12.26

158	2-59	Policy 2AA-2 (See #105)	Policy 2AA-2: Work<u>Coordinate</u> with Sumas to adopt <u>regulations measures</u> to limit development in <u>the FEMA preliminary 100-year floodplain, through amendment and enforcement of critical areas ordinance regulations, flood damage prevention regulations, and building code updates.</u> <u>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. current and future floodplains and areas at increased risk 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.</u>	PDS/PW	APPROVED via "CONSENT" COTW 5.12.26
159	2-39	Policy 2W-2 Policy 2Z-2 Policy 2AA-3 (See #121, 122, & 123)	Policy 2W-2: Elevation strategies should prioritize structural elevation methods such as pier-supported construction, pile foundations, elevated platforms, amphibious or floating design, and other innovative flood-adaptive techniques rather than reliance on imported fill that reduces flood storage capacity. Policy 2Z-2: Elevation strategies should prioritize structural elevation methods such as pier-supported construction, pile foundations, elevated platforms, amphibious or floating design, and other innovative flood-adaptive techniques rather than reliance on imported fill that reduces flood storage capacity. Policy 2AA-3: Elevation strategies should prioritize structural elevation methods such as pier-supported construction, pile foundations, elevated platforms, amphibious or floating design, and other innovative flood-adaptive techniques rather than reliance on imported fill that reduces flood storage capacity. <i>Note from PDS/PW: As written, this policy is inconsistent with construction requirements in riverine floodplains. Regarding elevating structures, FEMA requires typical stem wall foundations with flood vents to address hydrostatic pressure. WCC Title-17 (Reaches 1-4) currently does not allow importing fill without mitigation (must have a balanced cut/fill). Reach 5 (Sumas River Watershed) does allow for some filling without mitigation on a smaller scale. Larger volumes must demonstrate that it will not result in adverse impact to base flood elevations and flood flows per hydraulic analysis which may require mitigation for impacts. Developments involving fill are evaluated on a case-by-case basis and a determination is made by the floodplain administrator if the filling would warrant further analysis. Post, pile, and column foundations are already required in coastal velocity zones (FEMA Coastal High Hazard Areas).</i> <i>Note: This language was added to chapter 2 in three different places: Policy 2W-2 (Everson), Policy 2Z-2 (Nooksack), and Policy 2AA-3 (Sumas). This amendment proposes deleting all three of these policies.</i>	PDS/PW	APPROVED via "CONSENT" COTW 5.12.26

160	2-39	Policy 2W-3 Policy 2Z-3 Policy 2AA-4 (See #121, 122, & 123)	Policy 2W-3: Continue to utilize require no net loss of flood storage in floodplain development regulations; use best available science and updated flood mapping <u>in floodplain development regulations</u>, and consider cumulative impacts on downstream communities. Policy 2Z-3: Continue to utilize require no net loss of flood storage in floodplain development regulations; use best available science and updated flood mapping <u>in floodplain development regulations</u>, and consider cumulative impacts on downstream communities. Policy 2AA-4: Continue to utilize require no net loss of flood storage in floodplain development regulations; use best available science and updated flood mapping <u>in floodplain development regulations</u>, and consider cumulative impacts on downstream communities. <i>Note from Public Works: Within the FEMA 100-year floodplain (Zone A or AE where a floodway is not designated), Whatcom County Code Title 17 requires that the cumulative effect of proposed development will not increase the water surface elevation of the base flood more than one foot at any point in the community. Nooksack River Reach 5 (Everson, Nooksack, Sumas and unincorporated Whatcom County) does not drain to Puget Sound and is not subject to the FEMA Biological Opinion, which requires balanced cut/fill or that floodplain storage is addressed and also requires habitat assessments by a biologist. Within Reach 5, Whatcom County may develop a locally administered floodway in this corridor that is compatible with berm construction. Constructing the Everson-Nooksack berms would likely be very challenging if the County is required to balance cut/fill in Reach 5.</i> <i>HB 1181, the Climate Planning Law, included a provision requiring updates to jurisdiction's Comprehensive Flood Hazard Management Plans to include climate change. The Comprehensive Flood Hazard Management Plan is being updated through the FLIP process. There is also ongoing work through the Floodplain Integrated Planning process to assess consistency of jurisdiction's flood development codes across Whatcom County with Ecology's best available science guidance, as well as developing recommendations to jurisdictions for revisions based on FLIP hydraulic modelling.</i> <i>Note: This language was added to chapter 2 in three different places: Policy 2W-3 (Everson), Policy 2Z-3 (Nooksack), and Policy 2AA-4 (Sumas). This amendment proposes modifying all three of these policies.</i>	PDS/PW	APPROVED via "CONSENT" COTW 5.12.26
161	2-92	Policy 2DD-2(E) (See #51, 111)	E. Measures to protect against climate impacted natural hazards: 1. Work with partners to adopt <u>updated regulations</u> measures to limit development in <u>areas at highest risk of riverine flooding and sea level rise</u> current and future floodplains and areas at risk of sea level rise and coastal erosion due to climate change. <u>Prioritize climate adaption recommendations in the Future Shorelines: Whatcom Climate Vulnerability Assessment and Shoreline Management Solutions Report for interjurisdictional implementation.</u>	PDS/PW	APPROVED via "CONSENT" COTW 5.12.26

			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. <i>Note from Public Works: See recommendations in the Future Shorelines: Climate Vulnerability Assessment and Shoreline Management Report (page 62) for additional interjurisdictional coordination and public engagement.</i>		
162	2-97	Policy 2GG-4 (See #113)	Policy 2GG-4: Land in the R10A district may not be rezoned to a rural zone that allows a higher density if it is located in the current or future flood plain or a sea level rise inundation zone. <i>Note from PDS/PW: There is no regulatory definition for “likely future floodplain” or “sea level rise inundation zone,” so it is unclear what land in the R10A district this new policy applies to. Defining the geographic area for areas outside FEMA effective or preliminary flood mapping and associated zoning changes will require additional review, see comments regarding 2FFF-1.</i>	PDS/PW	APPROVED via “CONSENT” COTW 5.12.26
163	2-19	Policy 2M-2	Policy 2M-2: Ensure that existing land uses do not cause further degradation of habitat for threatened and endangered priority habitat and species.	Galloway	FAILED COTW 5.12.26
164	2-19	Policy 2M-3	Policy 2M-3: Develop educational tools, technical assistance, and incentive-based programs to encourage and support existing land uses to restore and enhance degraded habitat to properly functioning ecological conditions, with measurable outcomes, especially for threatened and endangered priority habitat and species.	Galloway	FAILED COTW 5.12.26
165	2-115	Policy 2QQ-3 Policy 2QQ-4 Policy 2QQ-5 (See #59 & 126)	Policy 2QQ-3: Consider land back opportunities in an effort to return land, stewardship, and sovereignty back to Indigenous Peoples, restoring ancestral lands to Lummi Nation and Nooksack Indian Tribe, strengthening tribal self-determination, and managing natural resources through traditional practices. Consider opportunities to coordinate and engage with the Tribes on relevant county planning and land use matters. Policy 2QQ-4: Prioritize evaluation of surplus public lands, conservation properties, and ecologically significant areas for potential partnership, land transfer, cooperative management, conservation easements or stewardship opportunities with tribal governments. Policy 2QQ-5: Coordinate with local, state, and federal and tribal governments on the implementation of initiatives that respect existing property rights while advancing long-term ecological restoration and cultural preservation.	Galloway/ Scanlon	APPROVED via MOTION COTW 5.12.26

166	2-131	Policy 2XX-4	Policy 2XX-4: If significant amendments to the essential public facility siting process are proposed in the future, an essential public facilities committee consisting of community members, business, health care, and government representatives, as appropriate, may<u>will</u> be appointed by the County Executive, and confirmed by the County Council, to make recommendations relating to the proposed amendments. <i>Note: See PDS memo attached to AB2026-184</i>	PDS	APPROVED via MOTION COTW 5.12.26
167	2-138	Policy 2YY-13	Policy 2YY-13: Substance use disorder treatment 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 disabilities differently than a similar residential structure occupied by a family or other unrelated individuals. 2. Within unincorporated Whatcom County, substance use disorder treatment facilities, 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 <i>Note: See PDS memo attached to AB2026-184</i>	PDS	APPROVED via MOTION COTW 5.12.26

ADDITIONAL AMENDMENTS FOR 6/2

168	2-81	New Policy 2CC-19 – Regulatory Certainty for Existing Facilities	<u>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.</u>	Elenbaas	APPROVED via “CONSENT” SCOTW 6.2.26
169	2-81	New Policy 2CC-20 - Logistical infrastructure	<u>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 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 may require additional infrastructure to meet market demands and should be allowed to facilitate job creation and meet climate goals as outlined in Chapter 12 - Climate.</u>	Elenbaas	APPROVED via “CONSENT” SCOTW 6.2.26
170	2-81	New Policy 2CC-21 – Orderly Energy Transition	<u>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 infrastructure may improve safety, environmental performance, and operational efficiency. Modifications to refinery processing systems that increase processing 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 capacity should demonstrate that the overall</u>	Elenbaas	APPROVED via “CONSENT” SCOTW 6.2.26

			<u>environmental outcome represents an improvement relative to existing facility operations. The intent is not to encourage refinery 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.</u>		
171	5-11	NEW Policy 2?-?	<u>The County may adopt or amend land use designations, zoning classifications, development regulations, conditional use procedures, performance standards, or other implementing regulations to accommodate non-carbon or renewable resource energy generation, storage, transmission, and related infrastructure, including location-dependent energy resources where appropriate and consistent with environmental review, public safety, and resource protection goals.</u> <i>Note: This policy was moved to chapter 5 (Policy 5H-15)</i>	Elenbaas	APPROVED AS AMENDED SCOTW 6.2.26 MOVED TO CHAPTER 5
172	5-11	NEW Policy 2?-?	<u>Non-carbon or renewable resource energy generation, storage, transmission, and supporting utility infrastructure may serve essential public functions and should not be categorically precluded from consideration within the County where impacts can be appropriately mitigated.</u> <i>Note: This policy was moved to chapter 5 (Policy 5H-16)</i>	Elenbaas	APPROVED AS AMENDED SCOTW 6.2.26 MOVED TO CHAPTER 5
ADDITIONAL AMENDMENTS FOR 6/16					
173	2-6	Policy 2A-8 (See #6)	Where applicable, retain existing light and heavy industrial zoning and identify additional industrial sites <u>prioritizing locations with existing infrastructure, transportation access, and permitting feasibility for timely development and</u> as recommended by the July 2025 Whatcom County Industrial Lands Study to ensure the county can meet future demand.	Stremler/ Boyle AGC of WA	
174	2-6	Policy 2A-9 (See #115 & #135)	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 <u>through clear, objective, and measurable standards</u> with meaningful involvement of affected communities <u>while ensuring continued viability and expansion of industrial uses within designated industrial zones.</u>	Stremler AGC of WA	
175	2-13	Goal 2H (See #13)	Preserve private property rights while recognizing the importance of the rights of the community and tribal treaty rights, including protecting the natural environment and conserving resources <u>while maintaining the County's sole decision-making authority for land use consistent with state law.</u>	Stremler AGC of WA	

176	2-24	Policy 2N-8 (See #29 & #91)	Policy 2N-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 <u>and adjacent residential areas</u> 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.	Boyle	
177	2-82	Policy 2CC-20 (See #169)	Storage tanks and related logistics infrastructure necessary for safe operations, product blending, regulatory compliance, renewable fuel handling, and market supply flexibility shall not 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 <u>or evolving market demands</u> may require additional infrastructure to meet market demands and should be allowed to facilitate job creation and meet climate goals as outlined in Chapter 12.	Boyle AltaGas	
178	2-82	Policy 2CC-21 (See #170)	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 <u>or fuel handling</u> systems that increase processing <u>or fuel handling</u> 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 <u>or fuel handling</u> capacity should demonstrate that the overall environmental outcome represents an improvement relative to existing facility operations. The intent is not to encourage refinery <u>or facility</u> expansion, but to allow modernization projects that leave the environment better off	Boyle AltaGas	

			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.		
179	2-79	Goal 2CC and all 2CC policies	Revert to original language as approved by the Planning Commission for Goal 2CC and all related policies. Delete all subsequent amendments: 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.	Scanlon	

			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		
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			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.		
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			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		
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			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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UGA Maps – added for 5.19.2026				
	ITEM	PROPOSED AMENDMENT	SPONSOR	COUNCIL ACTION
1	Map UGA-2	Add note in legend: <u>The Comprehensive Plan map amendment for the pending Blaine de-annexed area, approximately 573 acres, shall only take effect upon finalization of de-annexation and returning the land to the unincorporated Whatcom County land base.</u>	PDS	APPROVED via “CONSENT” SCOTW 5.19.26

	(New map page 2-36; deleted map page 2-37)			
2	Map 2-1 (Map section end of Ch. 2)	Add note in legend: <u>The Comprehensive Plan map amendment for the pending Blaine de-annexed area, approximately 573 acres, shall only take effect upon finalization of de-annexation and returning the land to the unincorporated Whatcom County land base.</u>	PDS	APPROVED via “CONSENT” SCOTW 5.19.26
*Note: Council approved a motion on 5.19.2026 to revise Blaine’s Urban Growth Area to retain a portion of the lots within the “Dakota Creek” area, with development potential, in the UGA (option 3 of PDS memo). There is no amendment number associated with this motion.				
*Note: Council approved a motion on 5.19.2026 to support including the parcels outlined in red (Birch Bay UGAR properties for consideration map) be included in the Urban Growth Area Reserve study that has been docketed. There is no amendment number associated with this motion.				

DISCUSSION ITEMS ON UGAs – updated for 5.19.2026		
1	Bellingham UGA	• South Yew Street UGA Reserve area to UGA • Futurewise comments
2	Birch Bay UGA	• Add affordable housing parcel – 4610 Lincoln Rd. – UGAR? • 8231 & 8233 Blaine Rd. • Engelsman UGA
3	Blaine UGA	• Planning Commission did not approve – city zoning impact • Dakota Creek UGA (see PDS memo)
4	Cherry Point UGA	Buffer
5	Everson UGA	Futurewise: we recommend denial of the Everson UGA expansions because they are not needed and will expand onto agricultural lands of long-term commercial significance.
6	Ferndale UGA	Futurewise: The UGA reserve expansion violates the County Comprehensive Plan and is not needed to accommodate growth during the next 20 years.

7	Nooksack UGA	Futurewise: we recommend denial of the Nooksack UGA expansions because they are not needed and will expand onto agricultural lands of long-term commercial significance.
8	Sumas UGA	Futurewise: we recommend denial of the Sumas urban growth area expansions because they will add flood plains to the urban growth area and will expand onto agricultural lands of long-term commercial significance.