

# Proposed Whatcom County Zoning Code Amendments

*Code Amendments under the Whatcom County  
2025-2026 Comprehensive Plan Periodic Update*



COUNCIL COMMITTEE OF THE WHOLE

JUNE 9, 2026



# Proposal Overview

2025-2026 Periodic Update - GMA Related Code Topics

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1. **Adequate Provisions for Existing & Projected Needs of All Economic Segments of the Community – RCW [36.70A.070\(2\)\(d\)](#):**
  - a. Addition & amendment of “Middle Housing” definitions.
  - b. Amendment of “Family” definition to comply with RCW [36.01.227](#).
  - c. Amendment of “Accessory Dwelling Unit” definition to comply with RCW [36.70A.696](#).
  - d. Amendment of “Tandem Parking” definition to comply with RCW [36.70A.622](#).
  - e. Allowance & amendment of Middle Housing standards in Urban Growth Areas (UGAs) to comply with RCW [36.70A.536](#)/HB 2269.
  - f. Allowance & amendment of Middle Housing standards in Limited Areas of More Intensive Rural Development (LAMIRDs) to comply with RCW [36.70A.536](#)/[HB 2269](#).
  - g. Allowance & recategorization of “Mobile Home Parks” in UGAs.
  - h. Amendment of residential parking standards to comply with RCW [36.70A.622](#).

# Proposal Overview cont.

2025-2026 Periodic Update - GMA Related Code Topics

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## 2. LAMIRD Amendments:

- a. Amendment of LAMIRD standards to comply with RCW [36.70A.070](#)(5)(d).

## 3. Essential Public Facilities (EPF) Amendments:

- a. Amendment of LAMIRD standards to comply with RCW [36.70A.200](#).

## 4. Other Concurrent Code Amendments:

- a. Amendment of Heavy Impact Industrial (HII) “Buffer” standards within Cherry Point UGA to align with proposal under periodic update.
- b. Allowance of “Commercial composting and mulching facilities” in Point Roberts Special District in alignment with Whatcom County’s Solid Waste Management Plan.

# 1 Adequate Provisions

RCW [36.70A.070 \(2\)\(d\)](#) – Housing Element

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- Proposed code amendments to support housing availability and accommodation of adequate provisions for the existing and projected needs of all economic segments of the community pursuant to RCW 36.70A.070(2)(d).
- The amendments specifically address regulatory barriers to the development of Moderate Density, Low-Rise, and Mid-Rise housing, a.k.a “Middle Housing”.

# Middle Housing

RCW [36.70A.536](#) / HB [2269](#)

## GMA allows for Middle Housing in UGAs & LAMIRDs subject to:

- Maximum of 4 dwelling units per lot.
- Public sewer & water service.
- No standards more restrictive than for detached single-family residences.



**Duplex Stacked**  
2 units



**Duplex Side-by-Side**  
2 units



**Cottage Housing**  
3-10 units



**Triplex/Fourplex**  
3-4 units

# Allowance of Middle Housing in UGAs

RCW [36.70A.536](#) / HB [2269](#)

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- **Proposed code amendments would allow for Duplexes, Triplexes, & Fourplexes, as a “Permitted” use in residential zoning districts in UGAs.**
  
- **Including Urban Residential (UR), Urban Residential-Medium (URM) & Urban Residential Mixed (UR-MX) Zones as follows:**
  - Must be consistent with the density requirements of the zone (Does not affect density).
  - Requires public water, sewer, and stormwater service.
  - Max of 4 dwelling units/lot.

# Allowance of Middle Housing in LAMIRDs

RCW [36.70A.536](#) / HB [2269](#)

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- **Proposed amendments would allow for Duplexes, Triplexes, & Fourplexes, as a “Permitted” use in all LAMIRDs, within “Rural Community” designation in the following zones:**
  - Residential Rural-2 (RR-2)
  - Residential Rural-3 (RR-3).
  - Small Town Commercial (STC).
  
- **Proposed standards, compliant with HB 2269, include:**
  - Must be consistent with the density requirements of the zone (Does not affect density).
  - Requires public water & sewer service.
  - Max of 4 dwelling units/lot.

# Other Adequate Provisions

RCW [36.70A.536](#) / HB [2269](#)

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- **Allowance & recategorization of “Mobile Home Parks” in residential zones in UGAs pursuant to current standards, including:**
  - Allow as an “Administrative” use in the UR zoning district.
  - Recategorize from “Conditional” to “Administrative” use in URM, & UR-MX zones.
  
- **Relaxation of Residential Parking Standards:**
  - Reduce minimum parking stall width from nine (9) feet to eight (8) feet.
  
  - Allowance of grass block pavers for all residential developments.
  
  - Update code to clarify parking stalls may be enclosed, unenclosed, or in tandem.
  
  - Parking standards shall not apply to residential development projects if compliance with tree retention requirements would otherwise make the proposal infeasible.

# 2 LAMIRDs – Updated Standards

RCW [36.70A.070](#)(5)(d)

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- **Relaxation of LAMIRD Standards to Promote New & Expanded “Retail & Food” Uses in all LAMIRDs & “Essential Rural Retail Services” in LAMIRDs 10+ miles away from a UGA:**
  - SB [5275](#) applies to all WC LAMIRDS & allows for 2,500-sf of new “Retail & Food” uses & up to 5,000-sf for existing developments.
  - SB [6140](#) applies to only Point Roberts, Diablo, and Newhalem LAMIRDs, and allows for new “Essential Rural Retail Services” (groceries, pharmacies, hardware & automotive store & similar uses) up to 10,000-sf.

# 3

## Essential Public Facilities – Updated Standards

RCW [36.70A.200](#)

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- **Addition of:**
  - “Community Facilities” as a CUP in the UR, URM, & UR-MX zones.
    - Group care facilities operated for the care of juveniles committed to the State.
  
- **Update of:**
  - EPF definitions and correction of definition locations to WCC 20.97.
  
  - “Opiate Substitute Treatment Clinics” with “Opiate Treatment Programs.”
  
  - “Substance Abuse” with “Substance Use Disorder Treatment Facilities”.
  
  - Clarification “Public Community Facilities” (Police Stations, Community Centers) vs. “Community Facilities”

# 4a Heavy Impact Industrial Buffer Standards

RCW [36.70A.696](#)

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- To align with the Cherry Point UGA proposal (which re-designates a 385-acre portion of the UGA north of Grandview Rd. to Rural) & prevent the 660' buffer standard of the HII zoning district from encroaching into BP's main plant area at Cherry Point.
  - Allow required buffers to be provided off-site by written agreement.
  - Subject area encumbered by conservation easements/deed restrictions that prevent future light industrial development within the area.
- PDS worked with representatives of BP Cherry Point Refinery on the proposed amendment.

# 4b Solid Waste Standards in Point Roberts

RCW [70A.205.040](#)

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- Pursuant to RCW [36.70A.142](#) WC must allow for the siting of organic materials management facilities in the areas identified in WC's Solid Waste Management Plan, approved by WA State DOE on 8/20/25.
- Point Roberts has limited access to commercial composting services because of its unique location; served by a transfer station, and all solid waste is trucked back to mainland USA.
- PDS recommends the amendment of WCC [20.72.150](#) (Point Roberts Special District) to allow Solid Waste Facilities Type III in the Point Roberts overlay as a "Conditional" in the Rural zoning district within Point Roberts.