**WHATCOM COUNTY COUNCIL AGENDA BILL**

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<th>CLEARANCES</th>
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<td>Division Head: Sylvia Goodwin</td>
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<td>10/12/04</td>
<td>Plan &amp; Dev Comm/Cnc1.</td>
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<td>Prosecutor: Karen Frakes</td>
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<td>Executive: Pete Kremen</td>
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**SUBJECT:**
Proposed amendments to the Whatcom County Comprehensive Plan, Chapter 2 – Land Use, City of Nooksack Urban Growth Area

**ATTACHMENTS:**
1. Proposed ordinance
2. Planning Commission Findings of Fact & Reasons for Action, Conclusions, and Recommendations
3. Staff report and proposed amendments
4. Draft Planning Commission minutes

**SEPA review required?** (x) Yes ( ) NO
**SEPA review completed?** (x) Yes ( ) NO

**Should Clerk schedule a hearing?** ( ) Yes (x) NO
**Requested Date:**
A hearing must be held if the Council changes the Planning Commission Recommendation (WCC 20.10.110).

**SUMMARY STATEMENT:**
Pursuant to RCW 36.70A.130, Whatcom County is required to review and revise its comprehensive plan, as needed, by December 1, 2004. The proposed amendments constitute Whatcom County’s 7-year review and update of sections of the Whatcom County Comprehensive Plan, Chapter 2 – Land Use, related to the City of Nooksack UGA. The amendments clarify use and calculation of “net developable” densities in the UGA; update Nooksack’s UGA characterization; and amend Policy 2Y-5 to update information regarding the interlocal agreement between the City of Nooksack and the County.

Note: The subject proposal is one of a number of comprehensive plan amendments initiated this year. These amendments must be considered concurrently by the County Council so that the cumulative effect of the various proposals can be evaluated (RCW 36.70A.130). Additionally, pursuant to the review schedule established in WCC 20.10.120, final Council action on these amendments should occur on or about November 30.

**COUNCIL ACTION TAKEN:**
10/12/2004: Committee voted to recommend to full Council going forward to concurrency meeting.
10/12/2004: Forwarded to concurrency meeting.
1/25/2005: Adopted 7-0, Ord. #2005-007

**Related County Contract #:**

**Related File Numbers:** CMP2004-00007

**Distribution Request**
Indicate those who should receive a copy after Council action. List specific names to the right.

- ADS Facilities Management
- ADS Finance
- ADS Human Resources
- ADS Info Services
- Assessor
- Auditor
- Cooperative Extension
- District Court
- Executive
- Health
- Hearing Examiner
- Jail
- Juvenile
- Parks
- Planning
- Prosecutor
- Public Works
- Sheriff
- Superior Court
- Treasurer
- Other

**Ordinance or Resolution Number**
(this item): Ord. #2005-007
ORDINANCE NO. 2005-007

AMENDING THE OFFICIAL WHATCOM COUNTY COMPREHENSIVE PLAN, CHAPTER 2 – LAND USE, TO UPDATE SECTIONS RELATING TO THE CITY OF NOOKSACK URBAN GROWTH AREA, AS NECESSARY, IN ACCORDANCE WITH THE GROWTH MANAGEMENT ACT 7-YEAR COMPLIANCE REVIEW REQUIREMENT PER RCW 36.70A.130

WHEREAS, the Growth Management Act requires counties and cities to review and, if needed, revise comprehensive plans to ensure continued compliance with the GMA (RCW 36.70A.130); and

WHEREAS, it is also appropriate to review the comprehensive plan in light of new information and changed County and City priorities; and

WHEREAS, pursuant to RCW 36.70.390, legal notice was published in the Bellingham Herald; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments on July 22, 2004 and held additional work sessions on August 12, 2004 and September 9, 2004; and

WHEREAS, the Planning Commission has evaluated the proposed amendments; and

WHEREAS, the County Council has considered the Planning Commission’s Findings of Fact & Reasons for Action, Conclusions, and Recommendations; and

WHEREAS, the Whatcom County Council finds the amendments to be within the interest of the public health, safety and welfare; and

WHEREAS, the County Council has adopted the following Findings and Conclusions:

FINDINGS AND CONCLUSIONS

1. Notice of the Planning Commission public hearing for the subject amendments was published in the Bellingham Herald on July 8, 2004.


3. A determination of Non-significance was issued by the Whatcom County SEPA official on August 30, 2004.

4. State law requires that Whatcom County review its Comprehensive Plan by December 1, 2004 to ensure continued compliance with the Growth Management Act (RCW 36.70A.130).
5. Pursuant to RCW 36.70A.130, the proposed Comprehensive Plan amendments attached as Exhibit A constitute Whatcom County’s seven-year review and update of the official Whatcom County Comprehensive Plan, Chapter 2 – Land Use, Urban Growth Areas (UGAs) sections, relating to the City of Nooksack UGA to ensure continued compliance with the GMA and incorporate new information.


7. Pursuant to RCW 36.70A.110, counties are required to designate urban growth areas within which urban growth will be encouraged and outside of which growth can only occur if it is not urban in nature.

8. Pursuant to RCW 36.70A.130 cities and counties are required to continually review, evaluate, and revise their comprehensive plans and development regulations, if needed, to ensure that the provisions of those plans and regulations are consistent with the requirements of the Growth Management Act (GMA).

9. Pursuant to RCW 36.70A.130(4)(a) the county and cities are also required to review and revise their comprehensive plans and development regulations, as needed, by December 1, 2004 and every seven years after that.

10. As many of the cities are currently in the process of reviewing and updating their respective comprehensive plans, no amendments are proposed to the boundaries or allowable development densities within the Nooksack Urban Growth Area as part of the proposed amendments. Whatcom County will conduct a review and update of urban growth areas, as necessary, in accordance with RCW 36.70A.130(3).

11. Services and utilities are currently available, or are planned to be available, to serve City UGAs.

12. The County has entered into interlocal agreements with all of the Cities regarding annexation and development in the Urban Growth Areas.

13. Updated population projections for the County and Urban Growth Areas have been adopted by Whatcom County.

14. Designated Resource Lands are not being impacted by the proposed amendments to the County Comprehensive Plan as no additions are being proposed to any of the previously adopted city Urban Growth Boundaries.

15. The County anticipates initiating future modifications to current zoning designations within UGAs to ensure that future urban development densities can be achieved.

16. The City of Nooksack adopted a Comprehensive Plan in 1998 and is currently working on an update.

17. The City of Nooksack and Whatcom County entered into an interlocal agreement regarding annexation and development within the Nooksack Urban Growth Area in 2000.

18. The 2000 Interlocal Agreement between Nooksack and Whatcom County has eliminated the need for policy direction to adopt such an agreement. The adopted interlocal agreement also
addresses multiple issues, among others, enumerated under Policy 2Y-5.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that:

Section 1. The Official Whatcom County Comprehensive Plan be amended as shown in Exhibit A.

Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of the Comprehensive Plan shall not affect or impair the validity of the plan as a whole or any part thereof other than the part so declared to be invalid.

ADOPTED this 25 day of January 2005

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

L. Caskey-S
Laurie Caskey-Schreiber, Council Chair

() Approved  () Denied

Pete Kremen, Executive

Date: 1/28/05
City of Nooksack Urban Growth Area

WHATCOM COUNTY COMPREHENSIVE PLAN, Chapter 2 – Land Use
(from pages 2-41 to 2-42 of the Whatcom County Comprehensive Plan)

Nooksack

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

Issues involved in determining the Nooksack Urban Growth Area include flood prone areas, adjacency to mineral resource land, provision of adequate economic development opportunities, and a desire to retain the existing character of the smallest but growing, Whatcom County community.

Nooksack is surrounded with on all sides by limitations to development. West of the city limits is the Nooksack River floodplain with a recent history of recurring flooding. The area north of the city includes some floodplain of the Sumas River, which is designated as agricultural land. East of the city is the Sumas River, active agricultural land, and an active gravel mine. South of the city is the City of Everson and more agricultural land. Thus, any expansion will impact one of these sensitive or resource areas.

The goal in establishing the boundary for Nooksack has been to provide sufficient land with a minimal impact on resource lands and flood prone areas.

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

East
Immediately east of the existing city limits, 221 acres of land have been included. This land is mostly located outside floodplains and Nooksack has indicated a willingness to provide urban services. This area currently contains the Nooksack Elementary School and a cemetery, both of which are considered public uses. The majority of the remaining area is planned for residential development, with 37 acres identified for future industrial development.

GOAL 2Y:

Set an Urban Growth Boundary for Nooksack which accommodates future growth needs and recognizes constraints imposed by Nooksack and Sumas River flooding, agricultural uses, and mineral resource mining issues.

Policy 2Y-1:

Work with Nooksack to adopt measures to avoid limiting development in floodplains.

Policy 2Y-2:

Encourage Nooksack to review land use proposals for available agricultural and flood prone lands for designation in open space type uses.
Policy 2Y-3: Encourage Nooksack to pursue multi-family development and to adopt measures to develop within the existing city limits at increased densities.

Policy 2Y-4: Ensure Nooksack can provide adequate urban services to accommodate projected population growth within the urban growth area.

Policy 2Y-5: Review and update the Negotiate and adopt an interlocal agreement with Nooksack, as needed, to provide which provides for:

- restriction of extension of urban levels of service to urban uses outside the Short Term Planning Areas of the UGA
- revenue sharing formulas
- levels of service within the UGA
- identification of needed improvements and establishment of how they will be paid for
- land use and zoning designations and density levels of development within the UGA and review of procedures for development proposals
- coordination with the county of greenbelts and open space
- use and coordination of a Geographic Information System
- timing and procedures to be used for during review of adequacy of land supply in the year 2000 and at 5 year intervals thereafter
- consistency with the Coordinated Water System Plan
- exploration of transferring densities from rural areas of the county into Nooksack or the UGA
- reexamination of the commercial area north of South Pass Road, flood prone and agricultural areas
- measures for protection of adjacent resource lands through control of incompatible uses and/or buffers
- long term measures to assure compatibility with resource lands
WHATCOM COUNTY PLANNING COMMISSION
FINDINGS OF FACT, REASONS FOR ACTION &
RECOMMENDATIONS

AMENDING THE OFFICIAL WHATCOM COUNTY COMPREHENSIVE PLAN, CHAPTER 2 –
LAND USE, TO UPDATE SECTIONS RELATING TO UNINCORPORATED
RESIDENTIAL/RECREATIONAL URBAN GROWTH AREAS, INCLUDING BIRCH BAY,
COLUMBIA VALLEY/KENDALL, AND THE SUDDEN VALLEY PROVISIONAL URBAN
GROWTH AREA

WHEREAS, the Growth Management Act requires counties and cities to review and, if
needed, revise comprehensive plans to ensure continued compliance with the GMA (RCW
36.70A.130); and

WHEREAS, it is also appropriate to review the comprehensive plan in light of new
information and changed County priorities; and

WHEREAS, pursuant to RCW 36.70.390, legal notice was published in the Bellingham
Herald; and

WHEREAS, the Planning Commission held a public hearing on the proposed
amendments on Thursday, July 8, 2004; and

WHEREAS, the Planning Commission has evaluated the proposed amendments and
considered all testimony.

NOW THEREFORE BE IT RESOLVED:

THE PLANNING COMMISSION ENTERS THE FOLLOWING FINDINGS OF FACT, REASONS
FOR ACTION AND RECOMMENDATION:

I. FINDINGS OF FACT AND REASONS FOR ACTION

1. Notice of the Planning Commission public hearing for the subject amendments was


3. A determination under the State Environmental Policy Act (SEPA) is anticipated in August of
2004, prior to concurrent review of the Comprehensive Plan amendments by the Planning
Commission.

4. State law requires that Whatcom County review its Comprehensive Plan by December 1,
2004 to ensure continued compliance with the Growth Management Act (RCW 36.70A.130).

5. Pursuant to RCW 36.70A.040, Whatcom County adopted the Whatcom County
6. Pursuant to RCW 36.70A.110, counties are required to designate urban growth areas within which urban growth will be encouraged and outside of which growth can only occur if it is not urban in nature.

7. On November 23, 1999, pursuant to RCW 36.70A.130, the Whatcom County Council designated the Columbia Valley/Kendall area as an unincorporated residential/recreational Urban Growth Area (UGA) under the Whatcom County Comprehensive Plan by Ordinance #99-075.

8. No amendments are proposed to the boundaries of any of the Unincorporated Residential/Recreational Urban Growth Areas.

9. Sudden Valley and the Columbia Valley areas were both platted prior to the Growth Management Act and are continuing to infill at urban densities.

10. On December 11, 2001, pursuant to RCW 36.70A.130, the Whatcom County Council designated the Sudden Valley as a Provisional Urban Growth Area under the Whatcom County Comprehensive Plan by Ordinance #2001-071.

11. A new 2004 Birch Bay Community Plan has been written and is currently before the County Council for review and adoption.

12. Services and utilities are currently available, or are planned to be available, to serve the Birch Bay, Columbia Valley/Kendall, and Sudden Valley UGAs.

13. The Birch Bay, Columbia Valley/Kendall, and Sudden Valley UGAs are all experiencing rapid population and development growth.

14. The proposed amendments are consistent with the Growth Management Act, County Wide Planning Policies, and the Whatcom County Comprehensive Plan.

II. RECOMMENDATION

Based upon the above findings of fact and reasons for action, the Whatcom County Planning Commission recommends approval of the proposed Comprehensive Plan text amendments as attached as Exhibit A.
WHATCOM COUNTY PLANNING COMMISSION

Date 7/8/04  Date 7/9/04

Vote taken July 8, 2004 at a regularly scheduled Planning Commission meeting.

Commissioners voting:

DAVID PROS, ROBERT WIESEN, RON ROOSMA, JOHN STEENSMA, DAVID HUNTER, KENNETH MANN, JOHN BELISLE, GEOFF MENZIES, AND RABEL BURDGE.

Ayes: 9, Nays: 0, Abstain: 0. Motion carried to adopt the above Findings of Fact and Reasons for Action, Conclusions and Recommendations.

Attachments:

EXHIBIT A: Recommended Whatcom County Comprehensive Plan, Chapter 2 – Land Use, text amendments.
Unincorporated Urban Growth Areas

WHATCOM COUNTY COMPREHENSIVE PLAN, Chapter 2 – Land Use
(from pages 2-47 to 2-51 of the Whatcom County Comprehensive Plan)

Note: Double underline and double-strikethrough text indicate additional amendments recommended by the Whatcom County Planning Commission on July 8, 2004.

Unincorporated Residential/Recreational Urban Growth Areas

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

Birch Bay

Birch Bay is a resort community which has the most-development highest growth rate and the most potential for development of any unincorporated area in the county. The area has historically been a second-home resort area with a trend toward permanent, often retirement homes. A high proportion are still second homes. According to the 2000 U.S. Census, approximately 51% of the housing units in the Birch Bay Census Designated Place are vacant or seasonally occupied. The 2000 census counted 5,094 housing units in the Birch Bay Census Designated Place, including recreational units and RV sites.

It is currently estimated that there are approximately 2,300 vacation and residential dwelling units in the Birch Bay region. There are also 3,000 an estimated 2,210 acres of undeveloped residential zoned land in the Birch Bay UGA with urban zoning. Approximately 549 Over 1,000 of these acres are used for parks, and other public uses or are constrained by wetlands and other critical areas. Considering existing vacant platted lots; a 25% market factor, the high seasonal use (estimated at 45% based on 1990 US Census data); and a deduction of land for infrastructure, utilities, a town core area, and shoreline and critical areas, buffers, the growth estimate for there is sufficient residential land for approximately 4,235 new residential or recreational units within the Birch Bay Urban Growth Area during the planning period is approximately 2,300. This would account for about 5,300 new residents over the planning horizon. Assuming that 50% of the units will be recreational and that the occupied units would have 2.33 residents per household, these housing units could house an additional 4,932 full-time residents and provide as many as 2,117 seasonal housing units or RV sites.

Water and sewer are provided by Birch Bay Sewer and Water District which has a network of water lines throughout most of the district, essentially coterminous with the urban growth area designated-zoning. Birch Bay has the capability of providing sewer service to the area, but the present system covers a much smaller geographic area than the water distribution.

The district purchases water under a contractual agreement from the City of Blaine, but the city is seeking to reduce the amount of water it sells to the district. Recently, the district completed a contractual agreement with the Public Utility District No. 1 (PUD) to purchase water which the PUD pumps from the Nooksack River. This agreement assumes using excess capacity at the Ferndale water treatment plant to purify water for potable use. Possible limitations on the "area of use" of the water withdrawn by the PUD may be an issue in supplying water to the Birch Bay
Unincorporated Urban Growth Areas

Agency Report EXHIBIT A

Water and Sewer District: The district continues to explore a variety of options to respond to the water supply issues, including constructing their own water treatment plant or using Ferndale's treatment plant. In April, 2002, the District entered into a 30 year contract with the City of Blaine to purchase water adequate to serve the District's projected need for water through 2022. The District also has a pending application for groundwater rights to a well drilled by the District, and an application to transfer water from the Nooksack River, by means of a contract with Whatcom County PUD 1, to supply the longer term needs of the community.

Portions of the district, areas zoned for single-family residential, are contiguous to the City of Blaine. One area in particular, if annexed to Blaine, would provide a land connection between two areas of the city that are connected by water only. There is a question of whether or not jurisdiction over these areas should be within the Blaine UGA but this decision may need to be re-evaluated depending on water supply.

In 1992, an attempt was made to incorporate Birch Bay; however, it was defeated by the voters. One of the issues was whether a portion of the Cherry Point Industrial Area should be included within the boundaries for incorporation. The County Comprehensive Plan now includes a number of policies that would prohibit the inclusion of the Cherry Point area with the boundaries of a future incorporation of Birch Bay.

Birch Bay was originally planned and zoned in its present configuration in the 1970s. This planning and zoning were reaffirmed in 1987 with the adoption of the Birch Bay–Blaine Subarea Plan. Since that time, wetland constraints have become a much bigger issue and are a major limiting factor for portions of the area. In 2002, a citizen group competed a Community Plan for the Birch Bay Urban Growth Area and surrounding rural area. The Birch Bay Community Plan, as revised, is adopted as a Subarea of the Whatcom County Comprehensive Plan and provides more detailed background information and policy direction regarding growth and development within Birch Bay. Where there are conflicts between the Birch Bay Community Plan and the Whatcom County Comprehensive Plan, the County Comprehensive Plan shall prevail.

Columbia Valley/Kendall

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

The Columbia Valley area, like many other areas in Whatcom County, was originally developed to cater to a seasonal population, primarily Canadians who are allowed to spend up to six months per year in the United States. 2000 U.S. Census data indicates that approximately 52% 53% of the existing housing population is either seasonal or vacant. However, portions of the area, particularly Paradise Lakes, have become attractive for permanent residents, with this trend expected to increase to 60% in the 20 year planning period. The lots are affordable and the current and projected development will provide an available work force for economic development.

Columbia Valley refers to two large subdivisions, Paradise Lakes and Peaceful Valley, which are located along both sides of Kendall Road (SR 547). These developments include a golf course, a large pond and wetland complex along Kendall Creek, and some undeveloped land. There are approximately 2,000 platted lots, with an estimated 1,615 1,375 current dwelling units consisting of both recreational cabins, manufactured homes, and permanent residences. Since
designation of the Columbia Valley/Kendall UGA in 1999, dwelling units have increased by approximately 17%. Accounting for some buildout of undeveloped land, summertime populations could reach 5,000 people within the 20 year planning horizon.

Paradise Lakes has public roads and continues to rely on a water association and utilizes septic systems for sewage disposal. The Evergreen Water-Sewer District provides public water service (formerly provided by the Paradise Lakes Country Club) to residential and camper lots within the Paradise Lakes divisions. Peaceful Valley has private roads and a water and sewer system managed by Water District 13 which has ample capacity. The district has gone through bankruptcy because of the need to carry the capital debt and operating costs of a system that is under-utilized.

Public transit service is provided to the Columbia Valley/Kendall area by the Whatcom Transportation Authority (WTA). Local east-county law enforcement is provided by a full time resident Sheriff’s Deputy that is based out of Kendall. The small town of Kendall has a commercial district, fire station, and an elementary school.

Sudden Valley Provisional UGA

Sudden Valley was established in the early 1970s as a recreation/resort area located in the Lake Whatcom Watershed. But over the last thirty years it has developed into an Urban Residential area. Sudden Valley has private paved roads, all underground utilities (electricity, gas, cable and telephone), and a public water and sewer system provided by Water District 10. Fire District #2, strategically located in Sudden Valley, provides fire and ambulance service. Sudden Valley’s 1,724 4,645 total acres originally included 4,648 platted single-family lots/condominiums, a limited commercial area, community facilities, a marina, and a golf course. Of the 1,545 acres, 835 acres of open space and 140 acres of golf course (63%) are community association owned. The remaining 749 570 acres (43%) (37%) are private property. 2000 US Census data indicates that approximately 26% 22% of the existing housing population in Sudden Valley is either seasonal or vacant.

Sudden Valley contributes to a high volume of vehicle trips on Lake Whatcom Boulevard and Lake Louise Road. Right-of-way and alignment studies have been proposed for the 6-year TIP to study alternatives, cost and location relative to addressing the growing volume of vehicular trips on Lake Whatcom Boulevard and Lake Louise Road. Public transportation services are provided supplied by the Whatcom Transportation Authority (WTA).

Sudden Valley lies within the Lake Whatcom Watershed where limiting development has been identified as desirable. The Sudden Valley Community Association (SVCA) has a Board of Directors mandated lot consolidation program with a targeted density reduction of 1,400 lots, reducing the total lots for development from 4,648 to 3,248. To date approximately 75% 67% (1,047 943 lots) have been placed into density reduction of which 452 348 are voluntary private lot consolidation. SVCA funding has been set aside to purchase additional lots for density reduction. In accordance with the 2000 Lake Whatcom Management Program, the County and Water District 10 have also assisted Sudden Valley with their density reduction program through several joint agreements and exchanges of property and restrictive covenants. To date, the SVCA, County, and Water District 10 have acquired 115 undeveloped lots in Sudden Valley at annual tax foreclosure auctions. The Lot Consolidation Covenant to Bind process has, also, increased voluntary private lot consolidation. The County Council has exempted Sudden Valley
from the Lake Whatcom Transfer of Development Rights (TDR) program because Sudden Valley’s density reduction plan meets the intent of the TDR program.

Since 1985, Sudden Valley has mandated the use of appropriate stormwater best management practices through standards for individual stormwater detention for all new construction. Any new building permits on existing lots must be able to demonstrate that stormwater detention is included on the plan as a precondition to issuance of a permit. Sudden Valley is also subject to additional regulatory protections that apply to the Lake Whatcom watershed under the Water Resource Protection Overlay District, Stormwater Special District, and Water Resource Special Management Area requirements. Under the provisions of these special districts, potential impacts from impervious surfaces, stormwater runoff, and clearing activities are required to be addressed on-site.

Sudden Valley has implemented a 10-year Forest And Wildlife Stewardship (FAWS) plan with the State of Washington Department of Natural Resources (DNR). This plan provides environmental education and guidance to the Sudden Valley community, on a continuing basis, to assure sound environmental health and safety for plants, animals, and residents with an emphasis on properly managing flora and fauna indigenous to the region.

**GOAL 2AA:** Recognize Birch Bay, Sudden Valley Provisional Urban Growth Area, and the Columbia Valley/Kendall area as county urban growth areas, not associated with existing cities.

**Policy 2AA-1:** Work with all parties to resolve the water issue so Birch Bay can develop to its full potential.

**Policy 2AA-2:** Work with Birch Bay Water and Sewer District and the City of Blaine to resolve the issue of jurisdiction north of Lincoln Road and east of the Semiahmoo development. As a starting premise, assume the area between Lincoln Road and Drayton Harbor to ultimately be part of Blaine but with water and sewer service from the district.

**Policy 2AA-3:** Re-evaluate the amount and location of area designated as resort commercial and multiple family in Birch Bay, based on the present knowledge of wetlands in the area.

**Policy 2AA-4:** Recognize the resort nature of Birch Bay and Columbia Valley/Kendall, including the significant second home factor when analyzing land supply for urban growth area boundaries.

**Policy 2AA-5:** Encourage incorporation of Birch Bay when financial viability can be achieved without including the Cherry Point Industrial Area within proposed city boundaries.

**Policy 2AA-6:** Recognize the impacts of tourist development on local residents in the Birch Bay, Sudden Valley, and Columbia Valley and provide for mitigation of those impacts.
Policy 2AA-7: Work with all parties to resolve infrastructure and public service issues so that the Columbia Valley/Kendall area can develop to its full potential.

Policy 2AA-8: Study Columbia Valley/Kendall to identify the factors necessary to create an economically viable city, the implications of such development within the County overall, and make recommendations as to how and when incorporation should be initiated.

Policy 2AA-9: Require unplatted areas in Columbia Valley/Kendall to obtain “ability to serve” letters from schools, fire districts, and water and sewer service providers and demonstrate adequate road capacity in order to receive county approval for new subdivisions.

Policy 2AA-10: For new subdivisions, encourage the use of clustering with adequate setbacks along Kendall Creek, Kendall and Sprague lakes, and wetlands to avoid environmental degradation of surface waters, to enhance/restore fish habitat relative to complying with listings under the Endangered Species Act, where they might apply, and to protect the aquifer underlying the Columbia Valley.

Policy 2AA-11: For existing lots in Columbia Valley/Kendall, encourage the use of appropriate stormwater best management practices and connection to public sewer to protect surface waters and the aquifer. Any new building permits on existing lots must be able to demonstrate that the water service is available to provide adequate water as a precondition to the issuance of a permit.

Policy 2AA-12: Work with the homeowner’s associations and the owners of undeveloped tracts in Columbia Valley/Kendall to develop regional stormwater collection and treatment facilities or standards for individual stormwater detention and infiltration facilities, prior to approval of new subdivisions.

Policy 2AA-13: Recognize the need for light impact industrial land uses within the Columbia Valley/Kendall Urban Growth Area. Consider establishing a light impact industrial zone within the long term planning area located on the north side of Limestone Road. Retain the existing zoning within this long term planning area until a master plan has been completed to identify traffic impacts and infrastructure/utility/service needs, and appropriate mitigation measures.

Policy 2AA-14: Preclude additional commercial zoning within the urban growth area until the Small Town Commercial district in Kendall is fully developed and a land supply study demonstrates a need for additional commercial land.

Policy 2AA-15: Facilitate meeting the unique needs of Sudden Valley due to its location within the Lake Whatcom Watershed.

Policy 2AA-16: Recognize the existing parcelization and the commitment for development of the remaining multi-family parcels in Sudden Valley.
Policy 2AA-17: Work with the Community Association towards achievement of the density reduction target of 1,400 lots within the Sudden Valley Provisional UGA.

Policy 2AA-18: If the county acquires lots through tax foreclosure, consider selling them as non-buildable lots.

Policy 2AA-19: Support Water District 10's effort to maintain provide adequate sewer capacity and control stormwater run-off in keeping with appropriate environmental controls and the Sudden Valley Community Association's density reduction goal.

Policy 2AA-20: Explore alternatives for traffic impact mitigation including:

- enhanced bus service to Sudden Valley

- consideration of some additional commercial and limited light industrial development within existing Neighborhood Commercial and Resort Commercial zones to create a fuller service community to limit shopping and journey to work trips

Policy 2AA-21: Recognize Sudden Valley as a provisional county urban growth area, not associated with an existing city.

Policy 2AA-22: Study Sudden Valley to identify the factors necessary to create an economically viable city, the implications of such development within the County overall, and make recommendations as to whether, and, if feasible, how such action should be addressed.

Policy 2AA-23: Work with all parties to maintain and appropriately plan for, resolve infrastructure, and public services, and stormwater retention issues so that Sudden Valley area can develop to its appropriate full potential.

Policy 2AA-24: Work with the Sudden Valley Community Association to develop an interlocal agreement prior to Incorporation that will insure that zoning density is not increased after incorporation, that implementation of the density reduction program continues, and that protection of critical areas is equal to or greater than existing County regulations.

Policy 2AA-25: If incorporation has not been accomplished by the end of 2006, a comprehensive plan amendment shall be docketed to consider whether the Sudden Valley Provisional UGA is viable or whether it should be redesignated as returned to a “Recreational Subdivision.”