

REZONE APPLICATION

SUBMITTED BY ASHLEY GOSAL OF O&S FARMS, LLC.

8035 Guide Meridian
Lynden, WA 98264

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City of Lynden

Rezone Application

Applicant Information

Name: Ashley Gosal
Address: 8798 Guide Meridian
Telephone Number: 619-643-9375 **Fax Number:**
E-mail Address: ashleygosal@gmail.com

Application is hereby made for a rezone as follows:

Type of Rezone Requested:

Current Zoning Designation: CSR **Proposed Zoning Designation:** CSL

Attach narrative explaining the reason for the request / zoning change

Property Information

Address: 8035 Guide Meridian, Lynden WA 98264

Legal Description: (Attach Additional Sheets if Necessary)

See attached.

Property Size: _____ **X** _____

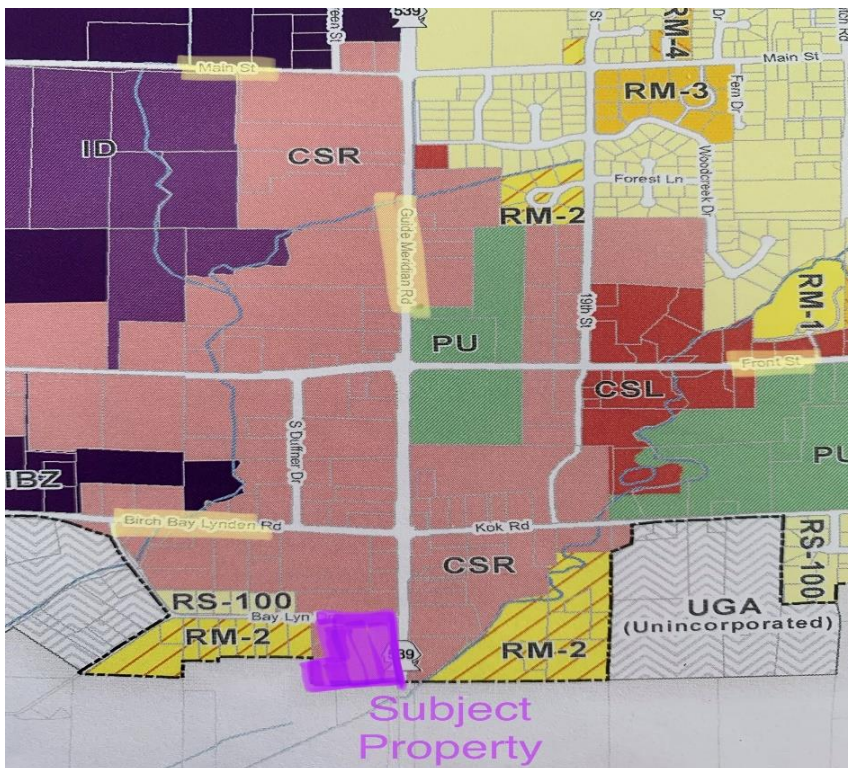
Total Square Footage: 246,550 SF **Total Acreage:** 5.66 Acres

By signing this application, I certify that all the information submitted is true and correct. I also understand that no final approval will be issued until all final review costs are paid in full.

SUBMITTED BY: Ashley Gosal *Ashley Gosal* **DATE:** 11/24/2020
PROPERTY OWNER SIGNATURE: *James Clay* **DATE:** 11/24/2020
PROPERTY OWNER PRINTED NAME: Fishtrap Creek, LLC **DATE:** 11/24/2020

Pre-application meeting date: November 5, 2020 at 2:00 pm
(Applications will not be accepted without a pre-application meeting.)
 Fee's (RZ \$450.00) date paid: _____ receipt # _____

Summary of Subject Property



Payment of All Applicable Fees:

Applicant has submitted two checks:

- \$450.00 (Application)
- \$350.00 (SEPA)

Project Drawings:

Not Applicable. This application is solely for the rezone.

Once rezone is approved, Applicant will begin development plans and associated drawings.

Legal Description of the Property:

Parcel A:

A tract of land located in the Northeast Quarter of the Northeast Quarter of Section 25, Township 40 North, Range 2, East of W.M., said parcel being more particularly described as follows:

Beginning at the intersection of the centerlines of the Guide Meridian Road and County Road Number 51, (formerly known as the Birch Bay Lynden Road and now known as Bay Lyn Drive); thence West a distance of 533 feet; thence South, parallel with the centerline of said Guide Meridian Road to the South line of said Quarter Quarter; thence Easterly along said South line a distance of 533 feet, more or less, to the centerline of said Guide Meridian Road; thence Northerly along said centerline to the point of beginning.

Except the North 300 feet of the East 144 feet thereof.

Also except: Beginning at a point which is 422 feet West of the intersections of the centerlines of the Guide Meridian Road and County Road Number 51, (formerly known as the Birch Bay Lynden Road and now known as Bay Lyn Drive); thence South parallel with the Guide Meridian Road a distance of 141 feet; thence South 49°00'00" West a distance of 83 feet; thence South 77°00'00" West to the West line, extended Southerly of that parcel described in Whatcom County Auditor's File Number 9004302009, thence Northerly along said West line and its Southerly extension to the centerline of County Road No. 51; thence Easterly along the centerline of said Road Number 51; thence Easterly along the centerline of said Road Number 51 a distance of 92 feet to the point of beginning.

And except the right-of-way for Bay-Lyn Drive, lying along the Northerly line thereof, except also the right-of-way for Guide Meridian Road, lying along the Easterly line thereof.

Also except that portion deeded to the State of Washington by that certain instrument recorded June 29, 2007, under Whatcom County Auditor's File No. 2070605388.

Situate in Whatcom County, Washington.

Parcel B:

A tract of land in Section 25, Township 40 North, Range 2 East of W.M., described as follows:

Beginning at a point in the center of the intersection of the Guide Meridian Road and County Road No. 51; thence West along the center line of said Road No. 51, 144 feet; thence South 300 feet parallel to the center line of Guide Meridian Road; thence East 144 feet parallel to Road No. 51; thence North 300 feet to the point of beginning.

Except therefrom the Guide Meridian Road and Bay-Lyn Drive lying along the Westerly line thereof.

Also except that portion deeded to the State of Washington by that certain instrument recorded June 29, 2007, under Whatcom County Auditor's File No. 2070605388.

Situate in Whatcom County, Washington.

Names and Addresses of All Persons, Firms, and Corporations Holding Interest in the Property:

Rezone Applicant:

Ashley Gosal on behalf of O&S Farms LLC

Address: 4362 Valle Dr, La Mesa, CA 91941

Contact: (619)-643-9375

ashleygosal@gmail.com

Current Owner:

James Clay, Fishtrap Creek LLC

Address: 1201 11th St., Suite 202, Bellingham, WA 98225

Ownership Interest:

Owen Gosal, O&S Farms LLC

Address: 8798 Guide Meridian, Lynden, WA 98264

Contact: (360)815-0212

SEPA Checklist:

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.



City of Lynden

SEPA Environmental Checklist

SEPA Fees: \$350.00

A. Background

1. Name of proposed project, if applicable: [To be determined at a future date.](#)
2. Name of applicant: [O&S Farms](#)
3. Address and phone number of applicant and contact person:
[Ashley Gosal](#)
[619-643-9375](#)
[4362 Valle Dr, La Mesa, CA 91941](#)
4. Date checklist prepared: [11/20/2020](#)
5. Agency requesting checklist: [City of Lynden](#)
6. Proposed timing or schedule (including phasing, if applicable): [Rezone expected to be completed by April 2021. Property development to begin Spring of 2021.](#)
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [Yes, once the Property is successfully rezoned from CSR to CSL, applicant will prepare redevelopment plans for a commercial multi-family center on the property.](#)
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [None or unknown at this time.](#)
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [No.](#)
10. List any government approvals or permits that will be needed for your proposal, if known. [Rezone approval, development plan approval\(s\), construction permit approval\(s\).](#)
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to

describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [At this stage, the proposal is only for a rezone of the Property from CSR to CSL. There is no project proposal.](#)

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [The location for the proposal is 8035 Guide Meridian, Lynden, WA 98264. Portion of the NE ¼, NE 1/4 , Section 25, Township 40 North, Range 2 within the County of Lynden, Whatcom County, Washington.](#)

[At this stage, this is only an application for initial rezoning of the Property. We do not yet have a proposed project, however, a future development project is intended for the entire Property.](#)

[Please see attached legal description for specifics on the Property, including a Site Map, Area Map, and Topographic Map.](#)

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)? [Please see attached topographic map indicating all slopes. Site is generally flat. There is a general slope between two tiers of 11%.](#)

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [Dirt with some areas of gravel.](#)

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [No, not to our knowledge.](#)

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [Unknown at this time. The current proposal is for rezoning from CSR to CSL only.](#)

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **Not anticipated. The current proposal is for rezoning only.**
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **Unknown at this stage. The current proposal is for rezoning from CSR to CSL only. There is only an initial concept for the Property (no project proposal).**
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: **Unknown at this stage. The current proposal is for rezoning from CSR to CSL only. There is no project proposal.**

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. **Unknown at this stage. The current proposal is for rezoning from CSR to CSL only. There is no project proposal.**
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **No, not to our knowledge.**
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: **Unknown at this stage.**

3. Water

- a. Surface Water:
- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into
No, not to our knowledge.
- Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. **Unknown at this stage. There is only an initial concept for the Property (no project proposal).**
- 2) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. **Unknown at this stage. There is only an initial concept for the Property (no project proposal).**
 - 3) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. **Unknown at this stage. There is only an initial concept for the Property (no**

project proposal).

4) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [Currently, yes. See attached Site Plan.](#)

5) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [Unknown at this stage. There is only an initial concept for the Property \(no project proposal\).](#)

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [Unknown at this stage. The current proposal is for rezoning from CSR to CSL only. There is no development project proposal. City to install pump station.](#)

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [Unknown at this stage. The current proposal is for rezoning from CSR to CSL only. There is no project development proposal yet.](#)

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [Unknown at this stage.](#)

2) Could waste materials enter ground or surface waters? If so, generally describe. [Unknown at this stage. There is only an initial concept for the Property \(no project proposal\).](#)

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. [Unknown at this stage. There is only an initial concept for the Property \(no project proposal\).](#)

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [Unknown at this stage. The current proposal is for rezoning from CSR to CSL only. There is no project proposal.](#)

4. Plants

- a. Check the types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

Orchards, vineyards or other permanent crops.

wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

- b. What kind and amount of vegetation will be removed or altered? [Unknown at this stage. The current proposal is for rezoning from CSR to CSL only. There is no project proposal.](#)
- c. List threatened and endangered species known to be on or near the site. [None, to our knowledge.](#)
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [Unknown at this stage. The current proposal is for rezoning from CSR to CSL only. There is no project proposal.](#)
- e. List all noxious weeds and invasive species known to be on or near the site. [None, to our knowledge.](#)

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. [None, to our knowledge.](#)

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened and endangered species known to be on or near the site. [None, to our knowledge.](#)
- c. Is the site part of a migration route? If so, explain. [Not to our knowledge.](#)
- d. Proposed measures to preserve or enhance wildlife, if any: [Unknown at this stage.](#)
- e. List any invasive animal species known to be on or near the site. [Not to our knowledge.](#)

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [Unknown at this stage. The current proposal is for rezoning from CSR to CSL only. There is no project proposal.](#)
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [Unknown at this stage. There is only an initial rezone for the Property \(not a project proposal\).](#)
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [Unknown at this stage. There is only an initial rezone for the Property \(not a project proposal\).](#)

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. [Unknown at this stage. The current proposal is for rezoning from CSR to CSL only. There is no project proposal yet.](#)
 - 1) Describe any known or possible contamination at the site from present or past uses. [Unknown at this stage.](#)
 - 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. [Unknown at this stage.](#)
 - 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. [Unknown at this stage.](#)
 - 4) Describe special emergency services that might be required. Proposed measures to reduce or control environmental health hazards, if any: [Unknown at this stage. There is only an initial rezone for the Property \(not a project proposal\).](#)
- b. Noise
 - 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [None, to our knowledge.](#)
 - 2) What types and levels of noise would be created by or associated with the project

on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. Construction of a development, and eventual traffic to serve the development are expected.

3) Proposed measures to reduce or control noise impacts, if any: Unknown at this stage. The current proposal is for rezoning from CSR to CSL only. There is no project proposal yet.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. The current use of the site is CSR (Commercial Regional). Adjacent Properties are CSR and CSL. The proposal will not affect land uses on nearby or adjacent properties.
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? The land has been vacant.
 - 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: Unknown but not expected.
- c. Describe any structures on the site. None.
- d. Will any structures be demolished? If so, what? None.
- e. What is the current zoning classification of the site? CSR.
- f. What is the current comprehensive plan designation of the site? Unknown.
- g. If applicable, what is the current shoreline master program designation of the site? Unknown.
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. Unknown. The Flood Plain on the site is the only critical area we are aware of.
- i. Approximately how many people would reside or work in the completed project? Unknown at this stage. This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.
- j. Approximately how many people would the completed project displace? None.

- k. Proposed measures to avoid or reduce displacement impacts, if any: *N/A*
- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: *This rezoning application is meant to ensure that the Property is compatible with existing and projected land uses and plans per the City of Lynden.*
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: *Unknown at this stage. This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.*

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, mid- dle, or low-income housing. *Unknown at this stage. This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.*
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. *Unknown at this stage. This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.*
- c. Proposed measures to reduce or control housing impacts, if any: *Unknown at this stage. This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.*

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? *Unknown at this stage. This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.*
- b. What views in the immediate vicinity would be altered or obstructed? *Unknown at this stage. This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.*
- b. Proposed measures to reduce or control aesthetic impacts, if any: *Unknown at this stage. This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.*

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Unknown at this stage.** This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.
- b. Could light or glare from the finished project be a safety hazard or interfere with views? **Not expected, but unknown at this stage.** This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.
- c. What existing off-site sources of light or glare may affect your proposal? **Unknown at this stage.** This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.
- d. Proposed measures to reduce or control light and glare impacts, if any: **Unknown at this stage.** This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? **Unknown at this stage.** This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.
- b. Would the proposed project displace any existing recreational uses? If so, describe. **Not expected, but unknown at this stage.** This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: **Unknown at this stage.** This is an application solely for rezoning of the Property at this stage. Development plans have not been determined.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe. **No.**

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. **No.**
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. **Not applicable.**
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. **Not applicable.**

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.
Proposed access to this Property would be (left in) from Bay Lynn Road, as well as access (right out) onto Guide Meridian. Further details have not been determined as this is only an application solely for rezoning of the Property at this stage. Development plans have not been determined.
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? **Not to our knowledge.**
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? **The project will not eliminate any parking. Proposed parking is unknown at this time, as this is only an application solely for rezoning of the Property at this stage. Development plans have not been determined.**
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). **When a project proposal is presented, the proposal may require improvements to existing roads (as described above) including a left turn access into the Property from Bay Lynn Road.**
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. **Not expected.**

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? *Unknown at this time, as this is only an application solely for rezoning of the Property at this stage. Development plans have not been determined.*
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. *Not expected.*
- h. Proposed measures to reduce or control transportation impacts, if any: *Unknown at this time.*

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? *If so, generally describe. Once the rezone is approved, and the development plans are determined, it is expected that there will be an increased need for public services (including fire and police support of the development and its residents).*
- i. Proposed measures to reduce or control direct impacts on public services, if any. *Unknown at this time, as this is only an application solely for rezoning of the Property at this stage. Development plans have not been determined.*

16. Utilities

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____. *Unknown at this time. City will install a sewer pump on the site.*
- j. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. *Unknown at this time, as this is only an application solely for rezoning of the Property at this stage. Development plans have not been determined.*

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: *Ashley Josal*

Name of signee Ashley Gosal

Position and Agency/Organization _____

Date Submitted: 11/24/2020

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

- k. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Unknown at this time, as this is only an application solely for rezoning of the Property at this stage. Development plans have not been determined.

Proposed measures to avoid or reduce such increases are: Unknown at this time, as this is only an application solely for rezoning of the Property at this stage. Development plans have not been determined.

1. How would the proposal be likely to affect plants, animals, fish, or marine life? A Property rezone is not expected to affect plants, animals, fish or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are: N/A

2. How would the proposal be likely to deplete energy or natural resources? N/A

Proposed measures to protect or conserve energy and natural resources are: N/A

3. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? A Property rezone is not expected to affect sensitive areas for government protection.

Proposed measures to protect such resources or to avoid or reduce impacts are: N/A

4. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? N/A

Proposed measures to avoid or reduce shoreline and land use impacts are: [N/A](#)

5. How would the proposal be likely to increase demands on transportation or public services and utilities? [Unknown at this time, as this is only an application solely for rezoning of the Property at this stage. Development plans have not been determined.](#)

Proposed measures to reduce or respond to such demand(s) are: [Unknown at this stage.](#)

6. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. [Not expected, but unknown at this time, as this is only an application solely for rezoning of the Property at this stage. Development plans have not been determined.](#)

Narrative regarding the background, reason for seeking the proposed rezone, and the effect of the proposal on adjacent areas:

Many years ago, the City of Lynden designated the property at 8035 Guide Meridian (the “Property”) within the commercial service regional (CSR) zone. This zone was meant to attract large retail and regional commercial developments to the area. Properties similarly situated rented shops, created equipment stores, and allowed big-box retailers to take over their properties with stores larger than 65,000 square feet. However, because of development impediments on the Property and weak prospects after development, such development never came to fruition on the Property. Surrounding landowners developed around the property as the City of Lynden has grown, but the Property remains underutilized and underdeveloped. What’s more is that if the zoning designation does not change, development of the Property is just not financially or economically feasible.

Given the significant growth in the City of Lynden and the need for more housing opportunities and support services, zoning designations must be updated to accommodate. We see the need to change the zoning of the Property from CSR to CSL to allow for development that is consistent with the city’s needs, growth and development plans. By designating the property to be CSL zoning, the city will allow for feasible development of the property and in turn nurture economic growth for residents of Lynden to experience housing opportunities, support services, walkability and an improved quality of life. Within the Property, a CSL designation would allow for a mixed-use commercial center, multi-family residences. The zoning also allows for support services such as assisted living facilities, day care centers and a bed and breakfast for Lynden families, residents and visitors. As soon as the rezone application is approved, we would like to work with the City to support the City’s growth by building a village-like residential center that will include live-work concepts to accommodate every resident of Lynden.

The rezoning from CSR to CSL will not only effect the property, but will effect the surrounding area. The development of this site will stimulate growth, create more development and housing opportunities, and create a commercial attraction for the City as it is the gateway to the city from the south. As an example, one nearby property to the east owned by Hollander Investments, is considering redevelopment of their site to also create more residential and commercial opportunities. Developing alongside our project, the Hollander-owned project may propose trails to help revitalize and connect the community while increasing resident accessibility to stores, resources and services. Working together, we believe that the two properties can form an attractive and economically supportive gateway to the City of Lynden.

Statement Explaining Changed Circumstances in the area since adoption of the current zoning or a mistake in the current zoning:

The City of Lynden established the current commercial regional (CSR) designation for the property at 8035 Guide Meridian at a time when the surrounding areas were generally undeveloped. The purpose of the CSR designation was to support the development of large retail and regional commercial developments larger than 65,000 square feet. At the time, the zone designation was fair because the area was not highly-populated and the Property was at or near the 'edges' of the city. The CSR zone designation supported storage facilities, warehouses, light manufacturing and other establishments that were intended to be further from the downtown core.

Over the past several years, the City of Lynden has grown considerably. Lynden is more developed, populated and dense. The City is now home to more than 15,000 residents, many of whom are priced out of the single-family home market due to supply and demand constraints. Furthermore, the areas surrounding the Property have developed significantly to support the growth of the community, but development constraints have left this Property behind.

We believe that the changed circumstances and Lynden's growth not only support the need for a rezoning of this Property, but also so that the Property can be better utilized to serve the Lynden community. Creating a mixed-use project would allow for commercial development, additional housing opportunities, pedestrian connectivity and businesses that support local (rather than regional) residents and the local economy. The purpose of this redevelopment is to do what is best for the City of Lynden and its residents because we want to support the growth of the community.

A statement explaining how the proposed rezone is consistent with the City's comprehensive plan, applicable sub area plans, and with protecting public health, safety, and welfare.

The proposed rezoning is consistent with the City's comprehensive plan as CSL zoning provides for growth, greater density, and local scale retail development that will better serve the Lynden community. The rezone is within the city limits and is generally consistent with adjacent zoning and developments. The rezone is also consistent with the City's overall growth plans and is within the boundaries set by Whatcom County in terms of where development should occur before City limits are expanded.

Specifically, the rezoning is consistent with the City of Lynden's desire to build more housing for its residents. Rezoning of this site to CSL will allow this property to be developed into a mixed-use center that can include residential, recreational, civic, and a social center. This will give residents a better sense of community and connection. The proposed rezone will also support public health and welfare because it will provide for additional housing units (thereby decreasing stress on the current housing supply). Increased supply should reduce pressure on the supply/demand equilibrium and, the hope is, create more affordable units for residents. Furthermore, development of the Project is intended create more commercial opportunities for local businesses to stay within Lynden (rather than relocating to Bellingham, for example. This will not only allow more residents to work within our community, but will encourage more local shopping and spending, further supporting the welfare of the City of Lynden and its residents.

Critical Areas Ordinance Checklist:



City of Lynden

Critical Areas Checklist

Section: 25 Township: 40 Range: 2 Parcel Number: 4002254914400000,
4002255024310000, 4002255314420000

Site Address: 8035 Guide Meridian, Lynden, WA

Proposed Uses: Mixed Use Commercial/Residential

Please answer the following questions concerning Critical Area indicators *located on or within 200-feet of the project area:*

- a. Are you aware of any environmental documentation that has been prepared related to critical areas that includes the subject area? (If yes, please attach a list of document titles).
 Yes No Unknown
- b. Are there any surface waters (including year-round and seasonal streams, lakes, ponds, swamps)?
 Yes No Unknown
- c. Is there vegetation that is associated with wetlands?
 Yes No Unknown
- d. Have any wetlands been identified?
 Yes No Unknown
- e. Are there areas where the ground is consistently inundated or saturated with water?
 Yes No Unknown
- f. Are there any State or Federally listed sensitive, endangered, or threatened species and habitats?
 Yes No Unknown
- g. Are there slopes of 15% or greater?
 Yes No Unknown
- h. Is the project located within a Flood Hazard Zone?
 Yes No Unknown
- i. Do you know of any landslide hazard areas?
 Yes No Unknown

I grant permission to the field inspector to enter the building site to determine the presence or absence of critical areas.

I understand that if the information on this form is later determined to be incorrect, the project or activity may be subject to conditions or denial as necessary to meet the requirements of Chapter 16.16 of the Lynden Critical Areas Ordinance.

Ashley Gosal

Applicant's Signature

11/24/2020

Date