



City of Lynden

Comprehensive Plan Amendment Application

I. APPLICANT INFORMATION

Name: City of Lynden Planning Department

Address: 300 4th Street, Lynden WA

Telephone Number: (360) 354-5532 Fax Number: _____

E-mail Address: guddeh@lyndenwa.org

II. CHECK THE APPROPRIATE BOXES

Comprehensive Plan Map Amendment ☐

Comprehensive Text Amendment ☒

III. SUMMARIZE THE CHANGES YOU ARE PROPOSING:

Updates the Comp Plan to be consistent with Pepin Lite infrastructure.

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IV. FOR MAP AMENDMENTS:

A. Tax Parcel Number(s): NA

Site Address: _____

Total Acreage: _____

Property Owner(s): _____

Mailing Address: _____

City, State & Zip Code: _____

Phone Number: () _____

Please attach additional sheets if more than one parcel is involved

B. Existing Comprehensive Plan Designation:

C. Existing Zoning Designation:

D. Proposed Comprehensive Plan Designation:

E. Proposed Zoning Designation:

F. The present use of the property is:

G. The intended future use of the property is:

H. Surrounding land uses are:

V. For Text Amendments

Identify the section(s) of the Comprehensive Plan that you are proposing to amend, and provide the proposed wording (attach additional sheets as needed):

Pepin Creek Sub-Area Plan

Transportation Element and Capital Facilities Plan

VI. For All Amendments:

- A. *Describe how the proposed amendment to the plan is supported by or consistent with the existing goals and policies of the comprehensive plan and the State Growth Management Act?*

See attached

- B. *Have circumstances changed sufficiently since the adoption of the comprehensive plan to justify the proposed change? If so, the circumstances that have changed should be described in sufficient detail so that a finding of changed circumstances can be made and a decision as to appropriateness of the proposed plan amendment can be reached.*

See attached

- C. *Have the underlying assumptions found in the comprehensive plan upon which the land use designation, density or other provisions are based changed, or is new information available which was not considered at the time the plan was adopted? If so, the changed assumptions or new information should be described in sufficient detail to enable the Planning Commission and City Council to find that the land use designation or other sections of the plan should be changed. Examples of the underlying assumptions include expected population growth, utility or roadway capacities, available land supply, or demand for land with the existing or proposed land use designation.*

See attached

D. Does the proposed amendment promote a more desirable land use pattern for the community as stated in the goals and policies in the comprehensive plan? Are there environmental constraints (such as wetlands, steep slopes, significant stands of trees, etc.) present on the site to such a degree that development of the site is economically or physically unfeasible under the existing land use designation? If so, a description of the qualities of the proposed plan amendment that would make the land use pattern more desirable and/or would result in less environmental impact should be provided in sufficient detail to enable the Planning Commission and City Council to find that the proposed amendment is in the community's long term best interest.

See attached

E. What impacts would the proposed amendment to the plan have on the current use of other properties in the vicinity? What measures should be taken to ensure compatibility with the uses of other property in the area?

See attached

F. How will the public interest be served by this amendment?

See attached

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.

Applicant's Signature:  ***Date:*** 3.26.21

Property Owner's Signature: _____ ***Date:*** _____

Pre-application meeting date: _____

(Applications will not be accepted without a pre-application meeting)

☐ *Fee's (CPA \$600.00) date paid:* _____ *receipt #* _____

III. Summarize the Changes Proposed

The City of Lynden is proposing to amend the Comprehensive Plan to update the Pepin Creek Sub Area Plan (PCSA) regarding planned infrastructure improvements known as “Pepin Lite”.

These long-range improvements include bridge construction, the relocation of a portion of Pepin Creek, improvements to the south end of Double Ditch Road and the northern end of Benson Road (as they exist within the PCSA), and to plan for the diagonal connection of these improved roadways with the construction of Pepin Parkway. The scope of Pepin Lite has commonly been described as these 13 projects:

1. Benson Road Pedestrian Improvements – South
2. Main Street Bridge Construction
3. Pine Street Bridge Construction
4. Pepin Creek Realignment – Main Stem
5. Pepin Creek Realignment East / West Connection
6. Pepin Creek Realignment Downstream of Main Street
7. Double Ditch Road Cross Culvert
8. Double Ditch Roadway Improvements
9. Benson Road Pedestrian Improvements – North
10. Benson Roadway Improvements
11. Pepin Parkway Bridge
12. Pepin Parkway Roadway Improvements
13. Main Street / Double Ditch Road Intersection Improvements

In order to consistently reflect these planned infrastructure improvements throughout the City’s Comprehensive Plan, the proposed changes will most affect the Pepin Creek Sub Area Plan, the Capital Facilities Plan, and the Transportation Element portions of the City’s Comprehensive Plan. The amendment is consistent with the City Council’s Resolution of Intent (Resolution 1031) and must be completed prior to the lifting of the development moratorium on this area.

As the amendment is needed prior to the lifting of the moratorium it is being presented outside of the typical calendar for Comprehensive Plan Amendment.

VI. For All Amendments:

- A. Describe how the proposed amendment to the plan is supported by or consistent with the existing goals and policies of the comprehensive plan and the State Growth Management Act.***

The proposed amendment meets the overarching goal to establish a long-range plan for the City which guides future decisions. Although the amendment relates primarily to transportation infrastructure the result of these improvements affects utility networks, the development of

open spaces (specifically Benson Road Park) and facilitates the construction of a variety of housing types. More specifically the amendment addresses the following goals.

Land Use: Goal LU-1 of the Comprehensive Plan relates to the planning for Urban Growth Areas adequate to accommodate projected population growth over the 20-year planning period.

- The Pepin Lite infrastructure detailed in the Comprehensive Plan amendment represents a plan to systematically improve roadways within the Pepin Creek Sub-area as development occurs. This area has been identified as the primary location for residential growth in the next 20 years.

Land Use: Goal LU-2 relates to phased annexations and development and the prioritization of infill over expansion into agricultural and rural lands.

- The Pepin Lite infrastructure improvements facilitate growth and development first within areas that are already part of the City limits but allow for future growth of the roadway network to adjacent urban growth area (UGA). Initial changes will include the construction of the Main Street bridge which will allow for the relocation of Pepin Creek. Moving Pepin Creek away from Double Ditch Road north of Main Street will allow for safer access to as new development occurs. Later phases will include the construction of Pepin Parkway which will provide immediate vehicular and pedestrian access to properties already within the City. Future roadways accessing development within the UGA will stem from the initial Pepin Lite infrastructure improvements.

Housing: Goal H-2 states that the City will strive to provide a mix of single-family and multifamily homes that achieves the density necessary to accommodate projected population growth over the 20-year planning period.

- Roadway improvements and the construction of Pepin Parkway provide vehicular access to parcels zoned RM-3, RM-PC, RMD, and also public open spaces. This facilitates the growth of a wide variety of housing types as RM-3 is geared toward apartments, RM-PC is designed to accommodate townhomes, and RMD is primarily single family residential on a variety of lot sizes. Additionally, the Pepin Creek Sub-Area will be subject to a minimum density so each of these zoning categories will fulfill the density that is expected so that the overall density goal is achieved.

Transportation Element Goal 1 states that the City will encourage public participation and the involvement of other agencies in the city planning process including the enhancement of the transportation network.

- The proposed plan for the transportation network and associated infrastructure are being brought forward, within the setting of public hearings, as a comprehensive plan amendment. This allows for public review and comment of these proposals.

Transportation Element Goal 3 states that the City will maintain levels of service that promote mobility for people and goods consistent with adopted standards.

- Expansion of an improved transportation network into the Pepin Creek Sub-Area promotes safe and efficient vehicular and pedestrian movement. Existing conditions

include deep roadside ditches on both Benson Road and Double Ditch Road. These roads typically include no accommodations for pedestrians except improvements which have already begun on Benson Road. Projects in this area are more technical and costly because improvements to Double Ditch Road require the relocation of Pepin Creek. Careful research and planning has been done to develop the “Pepin Lite” plan. It is critical that the plan be well developed so that cost sharing and full implementation is achieved and level of service is maintained throughout the sub-area as development occurs.

- More specifically the improvements create Pepin Parkway, a diagonal arterial roadway that connects the intersection of Main and Double Ditch to the intersection of Benson and Badger Road. This arterial will be built to City standard and designed to accommodate regional traffic – even traffic associated with the full build out of the Pepin Sub-Area.
- Moving regional traffic through the sub-area in this manner will reduce the amount to traffic that moves past Isom Elementary and the west end of the airport runway on Benson. This helps to create safer environments in both of these critical areas.

Transportation Element Goal 7 states that the City will establish a stable, long term financial foundation for continuously improving the quality, effectiveness, and efficiency of the transportation system.

- The proposed amendment adapts the City’s long-range plan to include the Pepin Lite plan. Financial considerations for implementation are a crucial component. The Pepin Lite infrastructure projects are supported by a financial mitigation study that divides the cost of the infrastructure projects most relevant to growth within the sub-area to development as it occurs. The intent is that this cost sharing will be implemented through a SEPA mitigation fee. This plan is consistent with Goal 7. It recognizes that the city-wide transportation impact fee (TIF) is not adequate to cover the needed infrastructure improvements in this area.
- Pepin Lite is a revised version of a larger, more costly, plan for the Pepin Creek Sub-area. The high cost of these infrastructure improvements was found to be prohibitive. The Comprehensive Plan Amendment is needed – to recognize the reduced scale of infrastructure improvements in this area.

B. *Have circumstances changes sufficiently since the adoption of the comprehensive plan to justify the proposed change? If so, the circumstances that have changes should be described in sufficient detail so that a finding of changes circumstances can be made and a decision as to the appropriateness of the proposed plan amendment can be reached.*

- Yes, circumstances have changed since the adoption of the Pepin Creek Sub-Area, the Transportation Element and the Capital Facilities Plan. Additional engineering, cost estimating, and due diligence regarding permitting were completed.
- Results from this study concluded with infrastructure costs that would be, at a minimum, unpalatable and, at worst, insurmountable. Also, it could be difficult to secure approvals from outside agencies for some elements of the existing plan.

- As a result, City staff created alternate designs for the Pepin Creek Sub-area which would reduce costs and seeks avoid resistance from permitting / reviewing agencies.

C. *Have the underlying assumptions found in the comprehensive plan upon which the land use designation, density or other provision are based changed, or is new information available which was not considered at the time the plan was adopted?*

- Yes, new information is available that led to the proposed comprehensive plan amendment. Additionally, the City Council indicated a preference to address improvements within the sub-area through a phase approach. This shift as well as the new information discussed below developed into the Comprehensive Plan amendment that is now presented.
- New information included additional traffic study to support one diagonal arterial roadway (rather than both Double Ditch and Benson Road). These demonstrated that the plan will be able to handle the traffic generated after full build out of the sub-area.
- Additional engineering estimates were completed on the Pepin projects laid out in the Comprehensive Plan (the full relocation of the creek within the sub-area) as well as cost estimates on Pepin Lite – the reduced plan.
- Review of possible permitting difficulties, especially those related to the realignment of the Benson Road ditch, were researched.
- Review of outside funding found that grants and loans associated with habitat enhancement were difficult to acquire or unavailable. Alternately, funding associated with roadway enhancement projects was somewhat more available.

D. *Does the proposed amendment promote a more desirable land use pattern for the community as stated in the goal and policies in the comprehensive plan? Are there environmental constraints (such as wetland, steep slopes, significant stand of trees, etc.) present on the site to such a degree that development of the site is economically or physically unfeasible under the existing land use designation? If so, a description of the qualities of the proposed plan amendment that would make the land use pattern more desirable and/or would result in less environmental impact should be provided in sufficient detail to enable the Planning Commission and City Council to find that the proposed amendment is in the community's long term best interest.*

- The proposed amendment to accommodate Pepin Lite infrastructure projects promotes a desirable land use pattern for the community in that it is an achievable land use pattern that shares costs with private development, it promotes safe multi-modal transportation, it facilitates a variety of housing types, and provides access to public open spaces. The plan also enhances the habitat of the Pepin Creek corridor in the areas where the Creek will be relocated away from Double Ditch Road. The existing plan for full Pepin Creek and Benson ditch realignment and the improvement of all of Double Ditch Road and all of Benson Road is also a desirable land use pattern. However, the cost of these improvements prohibit its implementation. If improvements cannot be implemented then growth in this area does not occur as planned or, perhaps worse, growth occurs in this area but the supporting infrastructure is not constructed.

- Environmental constraints have been considered in this amendment. It is anticipated wetlands are present in some areas of the Pepin Creek Sub-Area. These were discussed in the Existing Conditions Report (Appendix A of the Pepin Creek Sub-Area Plan). It was assumed that 25-50% of the sub-area could be considered wetlands due to soil types and ground water levels. The cost associated with mitigation was also discussed in this report and factored into the net developable land which ultimately assisted in the creation of estimated unit numbers. The shift to Pepin Lite infrastructure does not change these baseline conditions or mitigation requirements.

E. What impacts would the proposed amendment to the plan have on the current use of other properties in the vicinity? What measure should be taken to ensure compatibility with the uses of other property in the area?

- The use of Pepin Lite for infrastructure planning will affect other properties in a variety of ways. Overall, as the improvements appear to be fundable through private development, it appears that an improved transportation network will be constructed simultaneously to new development. This means that the level of service can be maintained despite a growing population in the area.
- Pepin Lite affects the properties on the south end of Benson Road and the north end of Double Ditch Road in that it is now unlikely that those streets will be improved to arterial standards. Instead, regional traffic that currently uses these streets will be redirected to Pepin Parkway and pass through traffic additionally discouraged with traffic calming measures. Although not improved to arterial standards the south end of Benson Road has already seen pedestrian improvements which will continue in the future and meet up with the new Pepin Parkway. Reduced traffic in this area will be beneficial for traffic flow and safety at Isom Elementary and also for reducing potential airplane / vehicular conflicts at the west end of the airport runway.
- The properties that are identified as the location for Pepin Creek to shift to the east will be impacted as the area of the creek and associated buffers will reduce the developable area within their parcels. Simultaneously the presence of the creek channel may be advantageous in that it reduced ground water levels thereby facilitating stormwater planning.
- Pepin Lite lays out a plan by which most properties already within the City Limits have easy access to Pepin Parkway or improved Double Ditch. This facilitates efficient roadway networks and new development. It also provides ready access to public open space along the southern edge of the Benson Park property.
- The property that may benefit the most from a shift to the Pepin Lite infrastructure program is the properties at the north end of the sub-area. The previous plan called for this area to be heavily dominated by the realignment and associated buffers of Pepin Creek and Benson ditch. Now, as the realignment of Pepin has shifted south and the Benson realignment was abandoned, this property becomes less constrained.

F. How will the public interest be served by this amendment?

- The proposed amendment meets the overarching goal of the Comprehensive Plan to establish a long-range plan for the City which guides future decisions. The Pepin Lite infrastructure projects represent an efficient expansion of a multi-modal transportation network, it improves habitat along the Pepin Creek corridor, it provides better access to public open spaces, and it facilitates growth of a variety of housing types within an area that has been designated to receive this growth.
- A majority of the Pepin Lite infrastructure will be funded by private development. Therefore, the public good is served as the remainder of the City (taxpayers) are not financially supplementing private development on property that is fundamentally constrained due to location and environmental conditions.
- The comprehensive plan amendment, more immediately, provides the public an opportunity to review and respond to the scope of the Pepin Lite project. The amendment also is one more step toward lifting the moratorium that is currently prohibiting development and inhibiting land transactions in the Pepin Creek Sub-Area.