

CITY OF LYNDEN

PUBLIC WORKS DEPARTMENT
300 4th Street, Lynden, WA 98264
www.lyndenwa.org



February 18, 2025

[Property Owner]
[Mailing Address]
[City, ST Zip]

NOTICE OF PRELIMINARY DETERMINATION OF CITY-INITIATED ASSESSMENT REIMBURSEMENT AREA FOR UTILITY SYSTEM IMPROVEMENTS

Project: Guide Meridian Sewer Improvements Project No. 2022-06

Parcel Number: [Parcel GEO ID]

Parcel Address: [Parcel Address]

Preliminary Assessment Amount: [\$ Connection Fee]

Dear [Property Owner],

This letter constitutes a Notice of Preliminary Determination of a City-Initiated Assessment Reimbursement Area that impacts the property listed above. This notice is being sent to you, as the property owner of record, pursuant to the requirements of RCW 35.91.060(1)(c) and Lynden Municipal Code 13.28.180(A)(3)-(4) & 13.28.060.

The City has made a preliminary determination that your property benefits from the utility system improvements described herein. The City is seeking to establish an assessment reimbursement area that would assess your property an equitable share of the expenses prior to connecting to or utilizing said utility system improvements. **The preliminary assessment reimbursement amount determined for the Parcel listed above is [\$Connection Fee].** The factors and methodology used in determining the preliminary assessment reimbursement amount are set forth below.

Project: The City of Lynden ("City") has completed construction of approximately 900 linear feet of 8" sewer main along Front Street west of Guide Meridian, extending north along Guide Meridian through the crossing at the AM/PM gas station and convenience store (collectively, the "Sewer Improvements"). Pursuant to RCW 35.91.060 and LMC 13.28.130, the City is authorized to establish an assessment reimbursement area, finance the costs associated with a utility system improvement, and become the sole beneficiary of reimbursements.

Total Reimbursable Costs: The total reimbursable costs associated with the Sewer Improvements financed by the City are \$1,094,898.08. These costs are further detailed in the

enclosed **Exhibit A**. This total includes only those costs that are reimbursable pursuant to RCW 35.91.060(2) and LMC 13.28.180(A)(1).

Preliminary Assessment Reimbursement Area Boundaries: A preliminary determination of the assessment reimbursement area boundaries has been made by the Public Works Director, which includes the parcel listed above. A map depicting the preliminary reimbursement area is enclosed as **Exhibit B**. The preliminary reimbursement area includes parcels that would, in the City's determination, require construction or improvement of sewer facilities upon development or redevelopment.

Preliminary Assessment Amounts: The Public Works Director has made a preliminary determination of the reimbursement share of each property within the reimbursement area. The allocation for each property is determined by the ratio of the Parcel's square footage to the total square footage of the Assessment Reimbursement Area, which is an equitable allocation method authorized by LMC 13.28.050(E). The preliminary assessment amounts for each property within the preliminary assessment reimbursement area are listed in the enclosed **Exhibit C**.

Right To Request Public Hearing: As the owner of record of property within the preliminary reimbursement area, you have the right to make a written request for a public hearing before the Lynden City Council on the preliminary assessment reimbursement area and the preliminary assessment amount. A request for a public hearing must be submitted in writing to the Public Works Director within twenty (20) days of the date of mailing of this notice. If no timely written requests for a public hearing are received, the preliminary determinations described herein shall become final. If a public hearing is requested, all property owners within the preliminary assessment reimbursement area will receive notice of the public hearing.

At a public hearing, the Lynden City Council may approve, reject, or modify the preliminary determinations for all property within the assessment reimbursement area, applying the standards set forth in LMC 13.28. The Lynden City Council may also elect to remand the matter back to the Public Works Director for further review. The Lynden City Council's final decision on the assessment reimbursement area and the assessment for each property therein is the final decision of the City.

Recording With Whatcom County Auditor's Office: If finalized, the determination of the assessment reimbursement area boundaries and the assessments for each property therein will be recorded with the Whatcom County Auditor's Office.

Interest: Per LMC 13.28.120, once recorded the assessment will bear interest at the interest rate fixed at the Federal Reserve for one-year bills on the secondary market.

Payment of Assessment Amount: Pursuant to LMC 13.28.180(C)(2), an assessment for utility system improvements must be paid prior to the connection to or use of the improvements by the parcel subject to the assessment. Per LMC 13.28.080(B), the City shall not issue a building permit or similar development permit or approval nor grant permission to use water or sewer service for any property with obligations under a latecomer agreement, unless the City has received full payment of the assessment (including interest).

If you have any questions about this matter, I can be reached by phone at (360) 354-3446 or by email at hutchingsj@lyndenwa.org.

CITY OF LYNDEN

PUBLIC WORKS DEPARTMENT



Respectfully,

A handwritten signature in blue ink, appearing to read 'Jon Hutchings', is written in a cursive style.

Jon Hutchings, Director

Enclosures: (A) Reimbursable Costs; (B) Preliminary Assessment Reimbursement Area Boundaries; (C) Preliminary Assessment Amounts for Each Property.

c: File

MEMORANDUM

TO:	FROM:
Jon Hutchings and Mark Sandal	Tyler Buys, P.E.
COMPANY:	DATE:
City of Lynden	January 31, 2025
ADDRESS:	TOTAL NO. OF PAGES INCLUDING COVER:
300 4 th Street, Lynden, WA 98264	4
RE:	
Guide Utilities Latecomer's Assessment	

1. Introduction:

The City of Lynden (City) has constructed a gravity sewer conveyance extension to provide sewer service to parcels in the northwest area of the City. The project was funded by the City, designed by Reichhardt & Ebe, Engineering Inc., and construction was performed by the general contractor Faber Construction. Physical completion was declared December 21, 2023.

This memorandum is to determine reimbursement costs of the gravity sewer conveyance system to the City through connection fees for the future parcels in the service area. These parcels are subject to Latecomer Agreements which include these reimbursements costs to be paid to the City as commercial facilities connect to this extension of the sewer conveyance system.

2. Project:

The gravity sewer conveyance system consists of sewer main pipe with sewer service stubs at various locations along the main pipe, at least one per parcel. The sewer services provide these parcels with a connection point to the sewer main and the City's sanitary system. Additionally, there are sewer manholes with sewer main stubs located near property lines to provide the possibility of further extension of the sewer main onto parcels as they are developed.

3. Location:

The project ties into the existing sewer main approximately 100 linear feet west of the Front Street/Guide Meridian Road intersection then extends north along the west shoulder of Guide Meridian Road approximately 650 linear feet where the sewer main crosses underground and is terminated at a new sewer manhole on the east side of Guide Meridian Road. An aerial of the project location and gravity sewer main can be found in Figure 1.

**FIGURE 1
AERIAL OF PROJECT**



4. Improvements:

The gravity sewer main installed as part of this project primarily runs north to south, however, there are sewer main stubs to the west on the west side of Guide Meridian at each of the sewer manholes. Additionally, there are sewer main stubs to the north at both sewer manholes on the north end of the project. The gravity sewer main pipe is comprised of eight-inch polyvinyl chloride (PVC) pipes with a slope of 0.004ft/ft and five four-foot diameter manholes. The sewer services are connected to the sewer main via a wye connection with a sewer cleanout at the end to indicate the location of the invert. The sewer services are comprised of six-inch PVC pipes.

The permit needed to complete this work was the Washington Department of Transportation's General Permit (Permit Number: GP-MBA-0922-LYN).

5. Area Served:

The majority of parcels this project serves are currently zoned for Regional Commercial Services (CSR), and one parcel that is currently zoned for Local Commercial Services (CSL). However, the development density for parcels zoned CSR and CSL can be treated as equal, therefore the parcel size will be the driving factor for the connection fee.

6. Cost Reimbursement:

The City's costs for the design and construction of this project that are reimbursable through a Latecomers Agreement as these parcels are developed can be found below in Table 1.

**TABLE 1
PROJECT EXPENSES PAID BY THE CITY**

ENGINEERING DESIGN	\$142,390.61
CONSTRUCTION COSTS	\$775,530.14
CONSTRUCTION MANAGEMENT	\$176,977.33
TOTAL	\$1,094,898.08

7. Connection Fee Per Parcel:

The connection fee associated with each parcel is determined by the ratio of the parcel area to the total service area. These connection fees for each parcel in its current state with owner's information are found in Table 2.



Features

- Onsite Septic System
- Sewer Main
- Assessment Area
- ▨ Critical Areas
- - - Urban Growth Area

Property	SqFt	Zoning
1	391168.8	CSR
2	145054.8	CSR
3	50965.2	CSR
4	47044.8	CSR
5	20908.8	CSR
6	233481.6	CSR
7	40075.2	CSL
8	22651.2	CSR
9	48787.2	CSR
10	430808.4	CSR
11	40510.8	CSR

Exhibit C

**TABLE 2
CONNECTION FEE PER PARCEL**

GEO ID	ZONING	OWNER NAME	*PARCEL ADDRESS	LEGAL SQUARE FOOTAGE	LEGAL ACREAGE	CONNECTION FEE
4002244982260000	CSR	DNA REAL ESTATE LLC	8275 GUIDE MERIDIAN RD	391,168.80	8.98	\$291,065.27
4003190392170000	CSR	BS 2021 LLC	8264 GUIDE MERIDIAN RD	145,054.80	3.33	\$107,934.00
4003190412420000	CSR	NORTH PACIFIC CONCRETE PUMPING INC	8282 GUIDE MERIDIAN RD	50,965.20	1.17	\$37,922.76
4003190422560000	CSR	LOGAN K & ROBYN M HOWLETT & DOUGLAS K HOWLETT	8294 GUIDE MERIDIAN RD	47,044.80	1.08	\$35,005.62
4003190193060000	CSR	TODD A & KARI A OLSON	8304 GUIDE MERIDIAN RD	20,908.80	0.48	\$15,558.05
4003190283290000	CSR	MERIDIAN DEVELOPMENTS LLLP	8314 GUIDE MERIDIAN RD	233,481.60	5.36	\$173,731.61
4003190183610000	CSL	O & S FARMS INC	8334 GUIDE MERIDIAN RD	40,075.20	0.92	\$29,819.60
4002245421850000	CSR	DNA REAL ESTATE HOLDINGS LLC	GUIDE MERIDIAN	22,651.20	0.52	\$16,854.56
4002245392050000	CSR	CM VENTURES INC	8247 GUIDE MERIDIAN RD	48,787.20	1.12	\$36,302.13
4002244892000000	CSR	DNA REAL ESTATE HOLDINGS LLC	GUIDE MERIDIAN	430,808.40	9.89	\$320,560.75
4002245222810000	CSR	AGC INVESTMENT TRUST ASHLEY CHAMBERLAYNE/TR	8311 GUIDE MERIDIAN RD	40,510.80	0.93	\$30,143.73
					TOTAL	\$1,094,898.08