

## ORDINANCE NO. 1660

### AN ORDINANCE ADOPTING THE BUILDABLE LANDS REPORT 2022 – WHATCOM COUNTY REVIEW AND EVALUATION PROGRAM

**WHEREAS**, the City of Lynden has worked in coordination with Whatcom County, the other Whatcom County municipalities, and a consultant to produce a final draft of the *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* (dated July 7, 2022); and

**WHEREAS**, the distinct Whatcom County municipalities, including the City of Lynden, are individually tasked to adopt the *Buildable Lands Report 2022* for their jurisdiction; and

**WHEREAS**, on November 21, 2022, the Lynden City Council held a public hearing to review the *Buildable Lands Report 2022* and to hear and consider any public discussion on the “Report”; and

**WHEREAS**, the Lynden City Council adopts the following findings of fact regarding the adoption of the *Buildable Lands Report 2022*:

#### **FINDINGS OF FACT**

1. The proposal is to adopt the *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* (July 7, 2022).
2. The Whatcom County SEPA Official determined on July 19, 2022 that adoption of the *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* is categorically exempt from SEPA review, under WAC 197-11-800(17) as information collection and research, and the City of Lynden SEPA official concurs with that exemption.
3. Lynden City Council set the public hearing for the review of the *Buildable Lands Report 2022* at their regular November 7, 2022 City Council meeting.
4. Following the November 7 meeting, notice of the public hearing was posted on the City’s website and was subsequently published in the Lynden Tribune on November 16, 2022.
5. Whatcom County and the City of Lynden recognize that the *Buildable Lands Report 2022* does not address the issue of housing affordability. Additional work that revisits the estimates of supply and demand that are feasible, realistic, and consistent with current regulatory requirements and infrastructure are needed and will be reviewed in the 2025 comprehensive plan updates.

6. The Growth Management Act (GMA) “Review and Evaluation Program” (buildable land) requirements became applicable to Whatcom County, and the cities therein, when the State Legislature adopted Engrossed Second Substitute Bill 5254 in 2017.
7. The GMA’s Review and Evaluation Program requirements (RCW 36.70A.215) include updating county-wide planning policies, developing a buildable lands program methodology, data collection, reviewing achieved densities, evaluating land suitable for development, and issuing a Buildable Lands Report. The information contained in the Buildable Lands Report will inform the next update of the City of Lynden Comprehensive Plan, which is due by June 30, 2025.
8. The County’s consultant held interviews with representatives of each jurisdiction and several key community stakeholders. This information was compiled in a *Stakeholder Interview Summary Whatcom County Review and Evaluation (Buildable Lands) Program* (CAI, May 2019).
9. The County’s consultant conducted research on topics with important implications for the buildable lands report, including local regulations, infrastructure, housing affordability, and growth trends. This included reviewing relevant portions of the Revised Code of Washington and Washington Administrative Code. This information was compiled in a *Background Information and Key Issues Report* (CAI, June 2019).
10. Whatcom County and the cities, with the assistance of a consultant, developed the *Whatcom County Review and Evaluation Program Public Participation Plan* (April 2020) and have followed that Plan.
11. Whatcom County and the cities developed draft Countywide Planning Policies (CWPPs) establishing the Review and Evaluation Program. The Lynden City Council approved the proposed procedures for amending the Countywide Planning Policies on March 16, 2020, and Resolution 1058 - the Interlocal Agreement amending the CWPPs on November 21, 2022.
12. Whatcom County and the cities, with the assistance of a consultant, drafted the *Whatcom County Review and Evaluation Program Methodology* to implement the 2017 state amendments to the GMA. Stakeholders reviewed and provided comments on preliminary draft versions of this Methodology in 2021. Modifications to the draft Methodology were made based upon stakeholder comments in 2021.
13. Whatcom County and the cities, with the assistance of a consultant, developed Data Reporting Tool templates for collection of data on development and local government ordinances over the review period. The templates are intended to

facilitate uniform collection of data by the County and cities.

14. The County and cities entered information in the Data Reporting Tool, including information on building permits and plats issued between April 1, 2016 and March 31, 2021. The Data Reporting Tool calculates achieved densities for the individual County jurisdictions, including Lynden, over the five-year review period.
15. Whatcom County and the cities, with the assistance of a consultant, developed Suitable Land Tool templates for estimating the amount of land available for development over the remaining portion of the planning period. The templates are intended to facilitate uniform evaluation of land supply by the County and cities.
16. The County and cities entered information in the Suitable Land Tool to estimate the capacity of land suitable for development to accommodate population and employment growth over the remaining portion of the existing planning period (2021-2036). The Suitable Land Tool compares the land capacity to the projected population and employment growth to estimate whether there will be a surplus or deficit of land to accommodate projected growth (2021-2036).
17. The City of Bellingham and the County shared draft Data Reporting Tool and Suitable Land Tool spreadsheets at a Buildable Lands - Virtual Stakeholder Workshop on February 9, 2022 to begin to share the results with the public.
18. Whatcom County and the cities issued the *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* on July 7, 2022. This Report summarizes and analyzes information from the Data Reporting Tool, Suitable Land Tool, and other sources to meet the requirements of the Growth Management Act.
19. The *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* shows that there is sufficient suitable land to accommodate the countywide population projection contained in the *Whatcom County Comprehensive Plan* (Chapter 1).
20. The *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* shows that the City of Lynden has sufficient suitable land to accommodate the UGA population projections contained in the *Whatcom County Comprehensive Plan* (Chapter 1).
21. The *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* shows that there is sufficient suitable land to accommodate the countywide employment projection contained in the *Whatcom County Comprehensive Plan* (Chapter 1).

22. The *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* shows that each UGA, including the City of Lynden, has sufficient suitable land to accommodate the UGA employment projections contained in the *Whatcom County Comprehensive Plan* (Chapter 1).

**NOW, THEREFORE, BE IT ORDAINED** by the Lynden City Council that:

**Section 1.** The review and evaluation required by the Growth Management Act has occurred and the *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* has been issued in accordance with RCW 36.70A.215.

**Section 2.** The Lynden City Council hereby adopts the *Buildable Lands Report 2022 – Whatcom County Review and Evaluation Program* (Exhibit A); and

**Section 3.** Reasonable measures are not needed for Lynden’s Urban Growth Area (UGA) in order to accommodate projected growth to 2036.

**Section 4:** Effective Date. This ordinance shall be in full force and effect from and after its passage by the City Council and approval by the Mayor, otherwise as provided by law, five days after the date of its publication.

PASSED by the City Council this \_\_\_\_\_ day of December, 2022 and signed by the Mayor on the \_\_\_\_\_ day of December, 2022.

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SCOTT KORTHUIS, MAYOR

ATTEST:

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PAM BROWN, CITY CLERK

APPROVED AS TO FORM:

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ROBERT CARMICHAEL, CITY ATTORNEY