




CITY OF LYNDEN
Planning Department

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Information Transmittal

Date: November 23, 2009
To: David Stalheim
Fax Number: 360-738-2525
Sent by: Korene Samec

If you do not receive [4] page(s), including this cover sheet, please contact me at (360) 354-5532. Our Fax number is 354-8951.

RE: Lynden Overview – County Hearing 11/24/2009.

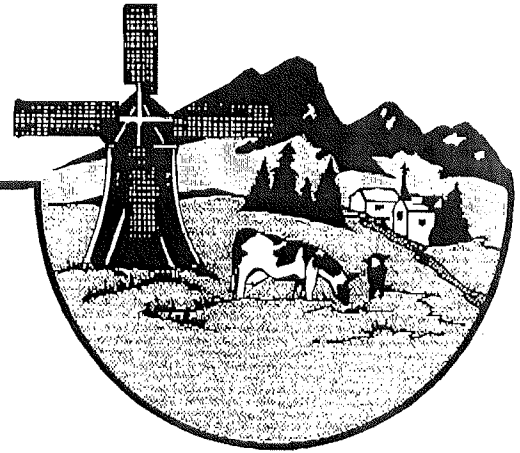
FYI. Please feel free to call with any questions.

Have a good day!

Korene

CITY OF LYNDEN

PLANNING DEPARTMENT



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November 24, 2009

Whatcom County Council
311 Grand Avenue
Bellingham, WA 98225

Dear Councilors;

The following is an overview of key points brought forward by Lynden representatives during the November 24th, 2009, County Council Hearing.

1. Mayor Louws - Overview

- a. Requesting County Council reconsider the adoption of Executive Kremen's recommendation for the City's UGA and Urban reserve areas with the population allocation based on Lynden's Comprehensive Plan.
- b. Not all farmers object to Lynden's well managed and rational growth patterns.
- c. Acting on the Planning Commission's recommendation is outside the limits established and reviewed in the EIS for future population growth and does not address the demand for housing in Lynden and surrounding area.

2. Ag Land protection –

- a. Lynden's Vision Statement specifically states that the community wants to preserve its agricultural roots and has adopted numerous policies in the Comprehensive Plan to protect surrounding agriculture.
- b. Agricultural infrastructure is within City. Darigold processes the milk from Whatcom County's dairies; Versacold stores much of Whatcom County's berry crops; fertilizer plants, feed stores and implement dealers support the farming effort throughout the County.
- c. In the area between Benson Road and Double Ditch Road, the County is working to protect land that experts **THOSE WHO ACTUALLY FARM THE LAND** say is marginal and often doesn't pay the property tax on it. The land in the area

does not meet the GMA definition of agricultural lands of long term significance. Moreover, the County has thus far failed to undertake the required analysis on this issue.

- d. Restricting land supply within the urban growth areas is certain to increase development on rural lots. Basic law of supply and demand – if land for urban growth is overly restricted, consumers will look to the closest, most similar alternative.
- e. Agricultural and rural lands will not be protected by making development in Lynden and other rural communities cost prohibitive and difficult. On the contrary, failing to accommodate future population growth within Lynden is likely to lead to the conversion of more prime farm land outside of the City.
- f. The City accommodates population that supports agricultural uses; farm workers, suppliers, mechanics, implement salespeople, fuel providers etc.

3. Comprehensive Planning and infill

- a. In the 1990's, the City annexed approximately 520 acres for residential purposes and housed more than 3,300 people. Population density of more than 17 people per acre.
- b. Housing density has increased from 3 dwelling units per acre to 5.5 dwelling units per acre.
- c. The City's Comprehensive Plan has successfully established policies for infill and increasing density. Between 1995 and 2008, the City has almost doubled the average densities for new development.
- d. New zoning designations like the Residential Mixed Density zone mixes single family homes with duplex and triplex units achieving up to 8 units per acre.
- e. Revised regulations for planned residential developments allow for more creative infill projects.

4. Capital Facilities Planning and Water Rights

- a. The City has been proactive in planning for its public facilities and completing improvements to our Sewer Treatment Plant and updating the City's Water System Plan. These plans meet the requirements of the Growth Management Act and detail the City's ability to serve the projected population.
- b. The City continues to pursue various water conservation efforts, including an aggressive conservation program resulting in a 28% decrease in use between 2002 and 2008 while the City grew by more than 2,000 people. The City has provided detailed information supporting the adequacy of its water rights and continues to operate under the MOA with the Department of Ecology on water right issues.

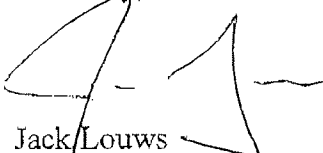
- c. As noted in earlier submittals, the Growth Management Act does not require the County to adjudicate water rights or to make determinations on contested water right issues. None of the municipalities in Whatcom County have had their water rights adjudicated. Only the courts in the State of Washington may adjudicate or make final determinations on water rights.

5. Pepin Creek Reconstruction/North Lynden Flooding

- a. In 2004, the City experienced the first “non-waterway” flooding from the north and this event caused considerable private damage.
- b. This flooding was repeated in January 2009 with even worse consequences to local infrastructure. Water flowed into Lynden across the East Badger Road at a depth of up to six inches in various locations. Culverts were damaged, transportation block and homes damaged. The City and the FEMA are spending more than \$4 million dollars to repair culverts damaged in this storm.
- c. Increased flow due to lack of ditches being cleaned and limited Canadian regulations. This information is specified in the drainage reports that have been submitted into the record.
- d. Need sidewalks and pedestrian facilities on the western edge of the City, the ditches on Benson Road and Double Ditch Road are both are “fish” streams. The City has worked with Department of Fish and Wildlife on plan to re-create Pepin Creek to accommodate flood waters and re-establish habitat.
- e. Project needs a lead – Whatcom County hasn’t shown interest, DOFW won’t facilitate. Needs Lynden to advocate. There is no incentive to property owners at all if there is not a potential for urban development.

If you have any questions or need clarification please feel free to call my office at 354-5026.

Sincerely,



Jack Louws
Lynden Mayor