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## M E M O R A N D U M

**TO:** Whatcom County Planning Commission

**FROM:** David Stalheim, Planning and Development Services Director

**DATE:** October 9, 2009

**SUBJECT:** Birch Bay Urban Growth Area Sizing and Zoning

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### Introduction

This memo includes two issues requiring deliberation and recommendation by the planning commission. The first issue is urban growth area (UGA) sizing as discussed at the October 1, 2009 meeting. The second issue involves the provisional rezone around the intersection of Blaine and Alderson Roads.

### Issue 1: Birch Bay Urban Growth Area (UGA) Sizing

On October 1<sup>st</sup>, the planning commission directed staff to bring the commission some options, removing land from the Birch Bay urban growth area (UGA) to bring the land supply in Birch Bay closer to the amount of land needed for the next 20 years of growth. The UGA has a surplus capacity of about 69 acres or 631 people<sup>1</sup> (see land capacity analysis dated 10/8/2009). The commission directed staff to consider a number of criteria in crafting these options and selected the 2029 population of 8,529.

This memo and the attached maps identify four study areas and analyze each study area per the instruction of the planning commission. These study areas were selected because they are located at the fringes of the Birch Bay UGA and removal of any of these areas would maintain contiguous UGA boundaries. They were also selected because the specific geography or features of the property were mentioned by planning commissioners during the October 1<sup>st</sup> meeting.

Staff is not recommending removal of all of these study areas or any specific study area. In fact, staff would request the planning commission to reconsider whether reductions are warranted at all. Unlike other Urban Growth Areas associated with most small cities where the population allocation was increased over the historic share, Birch Bay's allocation is at the low end of the Environmental Impact Statement. Thus, a surplus of capacity in the context of Birch Bay is significantly

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<sup>1</sup> This population is assuming a build out of 12 dwelling units per acre in the provisional URM(24) zone surrounding the intersection at Blaine and Alderson roads in Area C.

different than a surplus in other urban areas (Blaine, Everson, Ferndale, Nooksack) where the high historic growth share was selected, and then increased by 50%.

If the Planning Commission feels that reduction is warranted, we have provided you with four study areas to consider. Removal of any one of the study areas would bring the land supply closer to a balance in the UGA. The Planning Commission could also consider reduction of a portion of the study area, rather than the entire area.

Each study area has strengths and weaknesses regarding future urbanization. The planning commission requested planning staff study the following issues specifically:

- Critical Areas
- Traffic/Transportation
- Birch Bay watershed characterization study
- Long term planning areas/short term planning areas

In addition to these criteria, the planning staff included analysis of the Birch Bay Community Plan and community input throughout the UGA update process. Our analysis also identifies some vested projects in the study areas so commissioners may be aware of those projects as part of the decision-making process.

### **Study Areas and Analysis**

The commission directed staff to show options to decrease the size of the UGA so that it is more closely sized to the land required for the population that is expected to live in Birch Bay in 2029. A land capacity analysis was conducted for each of the four study areas. The results for residential lands are in Table 1.

**Table 1: Land capacity analysis results by study area.**

	<b>Area A</b>	<b>Area B</b>	<b>Area C</b>	<b>Area D</b>
<i>Net Developable Acres</i>	109.5	14.6	28.9	22.9
<i>Dwelling Unit Capacity</i>	427	80	407	91
<i>Population Capacity</i>	663	125	633	142
<i>% Oversized w/ Area Removal (by population)</i>	-0.4%	5.9%	0.0%	5.7%

Table 2 shows an analysis of each study area based on the criteria. This analysis is meant to give commissioners a general idea of what issues exist in each area in order to aid in making a recommendation to the county council.

**Table 2: Criteria analysis by study area for residential lands.**

	<b>Area A: Anderson/Lincoln</b>	<b>Area B: Lincoln</b>	<b>Area C: Alderson/Blaine</b>	<b>Area D: Pt Whitehorn</b>
<i>Critical Areas<sup>2</sup></i>	16.0% coverage	59.6% coverage	40.8% coverage	4.7% coverage
<i>Transportation/Traffic</i>	<p>Lincoln Road connection to Blaine Road is a future roadway connection designed to improve circulation and relieve congestion. Improvements to Lincoln Road on the 6-year TIP. Served by Anderson Road which connects to Blaine Road, likely moving more traffic off of the waterfront. According to the 2009 update to the Birch Bay Community Plan's transportation chapter, traffic along Lincoln Road at both Harborview and Shintaffer has a Level of Service (LOS) of "B".</p>	<p>Lincoln Road connection to Blaine Road is a future roadway connection designed to improve circulation and relieve congestion. Disconnected from transportation by incomplete roadway on Lincoln. Currently low traffic due to incomplete roadway. Preliminary plat approved on portion of the incomplete part of Lincoln would require road improvements.</p>	<p>Three way intersection with section of completed roadway extending east of the intersection. Blaine Road is a state highway (SR 548) with relatively narrow lanes and little or no shoulder area. According to the 2009 revision to the Birch Bay Community Plan's transportation chapter, this intersection is operating at a Level of Service (LOS) "B" but would require mitigation improvements by the developers.</p>	<p>There are only two ways out of this portion of the UGA: Grandview Road and Birch Bay Drive. The community wishes to remove traffic from Birch Bay Drive, placing more emphasis on Grandview as a route. This road is already heavily used for traffic to and from Cherry Point.</p>

<sup>2</sup> Coverage calculation based on acres of critical areas in the study area's residential lands divided by gross developable acres.

	<b>Area A: Anderson/Lincoln</b>	<b>Area B: Lincoln</b>	<b>Area C: Alderson/Blaine</b>	<b>Area D: Pt Whitehorn</b>
<i>Birch Bay Watershed Characterization Study</i>	<p>Area A has relatively low coverage of wetlands and streams. Forested area of the east half of Area A is important for water flow processes, but the area has a low wildlife value due to the proximity of development and road network.</p> <p><b>Development is a priority in this watershed.</b></p>	<p>Outside study area</p>	<p>Generally the watershed ranks high for the restoration of water flow processes due to the coverage of impaired wetlands and its perched location above the floodplain. Important groundwater discharge zones exist in lower parts of the watershed. High density of wetlands makes this an important area for pathogen (fecal coliform) removal, with wildlife value low to moderate. The SE quadrant of Area D contains ditched wetlands that have been grazed/cleared since at least 1950. NE quadrant of Area D contains</p>	<p>Not an important area for water flow and water quality process, but important for habitat because of proximity to nearshore resources. Important source of sediment for alongshore drift that maintains nearshore habitats all through Birch Bay. Large forested wetland east of Pt. Whitehorn Rd.</p> <p><b>Development is a priority in much of the area with special protection of the marine nearshore.</b></p>

	<b>Area A: Anderson/Lincoln</b>	<b>Area B: Lincoln</b>	<b>Area C: Alderson/Blaine</b>	<b>Area D: Pt Whitehorn</b>
			trees that are part of a larger forest stand. East quadrants partially drain to an important bog wetland. <b>Restoration is a high priority in this watershed.</b>	
<i>Long-Term Planning Areas (LTPA), Short-Term Planning Areas (STPA)</i>	All LTPA	All STPA	Some LTPA on SE corner of intersection	All STPA
<i>Land Capacity Analysis</i>	Mostly vacant land with some partially developed parcels.	Only three parcels. Two are vacant, on parcel contains a preliminarily approved plat (see notes).	Mostly vacant land. Two preliminarily approved projects. Northeast corner of Blaine/Alderson intersection is a conditional use permit for a	Mostly fully developed parcels. Capacity exists due to parcels already subdivided but currently vacant. Eastern-most parcel is publicly owned.

	<b>Area A: Anderson/Lincoln</b>	<b>Area B: Lincoln</b>	<b>Area C: Alderson/Blaine</b>	<b>Area D: Pt Whitehorn</b>
			convenience store and other uses. The southwestern-most corner of the study area is a single-family housing project with 64 lots.	
<i>Community Input</i>	Ranked #1 in public meeting. Logical location for future growth, contiguous to existing development.	Included in area ranked #2 in public meeting.	Part of area ranked #3 in public meeting. But, upon proposed removal from UGA, community requested re-inclusion to provide a larger land base for economic development and to provide services to the southern end of the UGA.	Not ranked in public meeting. Mentioned as an area for possible exclusion by residents of area and others in attendance at meeting.
<i>Community Plan</i>	Planned low density residential development.	Planned low density residential development.	Planned general commercial development and multi-family residential.	Planned low density residential development.
<i>Other</i>		Preliminary approval on eastern-most parcel for 45 lots.	Preliminary approval on southwestern-most parcels for 64 lots.	

### **Discussion/Decision Items on Issue 1**

1. Should the UGA be reduced beyond the recommendation of the County Executive?
2. If further reduction is recommended, what areas should be removed from the UGA?

### **Issue 2: Provisional Rezone Area (Ord. 2004-049)**

*Note: Planning commission consideration of this item would only apply if the commission did not recommend removal of Area C from the UGA.*

Concurrent with the adoption of the 2004 Birch Bay Community Plan, the county council adopted Ordinance 2004-049 which established a provisional rezone area around the intersection of Blaine and Alderson Roads (see map "Birch Bay Provisional Rezone Area – Executive Proposed UGA and Zoning"). The area on the top section of the map shows the UGA as it is today. The area on the bottom section of the map shows the UGA as it would be if the Executive proposal is adopted by the county council. The area in the Executive Proposal map is smaller than the total area provisionally rezoned by Ord. 2004-049.

If this area, as proposed by the County Executive, is recommended for continued inclusion in the UGA, language will have to be inserted into the adopting ordinance to also amend Ord. 2004-049 for the purposes of consistency. The language would make Ord. 2004-049 no longer applicable in the areas removed from UGA status. The extent of the provisional rezone area would be limited to the boundaries of Area C.

### **Provisions in Ord. 2004-049**

In analysis covered in Issue 1, Area C was analyzed at 12 dwelling units per acre (du/acre). As the commission discussed at the October 1<sup>st</sup> meeting, the County Executive recommended removal of the provisions in Ord. 2004-049 to help implement the vision of the community plan. The property owners have commented that the provisions established for reaching URM(24) and General Commercial (GC) in this area makes it very difficult to achieve the provisional zones. Specifically they cite the requirement for a coordinated site plan as a problem and the requirement to purchase transferrable development rights (TDRs). Those property owners who identify the TDR provision as a problem state that the requirement makes it difficult to build affordable housing. If the provisions were removed from this area and it is zoned out-right URM(24) and GC, TDRs would still be required to achieve a 24 DU/acre density. Removing the provisions established by Ord. 2004-049 would not remove this requirement (see "Zoning for Multi-Family Area around Blaine and Alderson Roads").

**Zoning for Multi-Family Area around Blaine and Alderson Roads.**

With the removal of the provisions, the concern from property owners about TDRs persists. URM(24) requires TDRs to achieve these higher densities (see WCC 20.24.252). The Birch Bay Community Plan identifies a need for multi-family housing. The plan defines multi-family housing as having a minimum density of 10 DU/acre. In order to achieve multi-family housing without the requirement for TDRs, the residentially zoned areas would have to be zoned a URM zone that does not require TDRs. URM(12), which allows a maximum density of 12 DU/acre, is the zoning closest to the zone described in the community plan.

**Discussion/Decision: What zoning should be applied in the URM(24) area around the intersection of Blaine and Alderson roads?**

**Option 1:** Maintain URM(24) zoning as codified, requiring TDRs to achieve densities higher than 10 DU/acre.

**Option 2:** Rezone the area to URM(12).