

City of Ferndale Public Participation Plan
for the
Periodic Update of the Comprehensive
Plan and Development Code
2025



Revised April 2024

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Chapter 1 – Introduction:

The City of Ferndale, coordinating with Whatcom County and other local jurisdictions including the Ferndale School District, Whatcom County Fire District 7, and the various cities of Whatcom County, has initiated a multi-year project to update its Comprehensive Plan. The Washington State Growth Management Act (GMA) requires that counties and cities review, and if needed, revise their comprehensive plan and development regulations periodically [RCW 36.70A.130(1)].

“...Except as otherwise provided, a county or city shall take legislative action to review and, if needed, revise its comprehensive land use plan and development regulations to ensure the plan and regulations comply with the requirements of this chapter...The review and evaluation required by this subsection shall include, but is not limited to, consideration of critical area ordinances and, if planning under RCW 36.70A.040, an analysis of the population allocated to a city or county from the most recent ten-year population forecast by the office of financial management.”

The GMA requires that Whatcom County, acting as the lead agency, coordinate with cities within its political boundaries on these reviews - particularly with respect to the designation of Urban Growth Areas (UGAs). RCW 36.70A.130(3) states:

“(a) Each county that designates urban growth areas under RCW 36.70A.110 shall review, according to the schedules established in subsection (5) of this section, its designated urban growth area or areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area. In conjunction with this review by the county, each city located within an urban growth area shall review the densities permitted within its boundaries, and the extent to which the urban growth occurring within the county has located within each city and the unincorporated portions of the urban growth areas.

(b) The county comprehensive plan designating urban growth areas, and the densities permitted in the urban growth areas by the comprehensive plans of the county and each city located within the urban growth areas, shall be revised to accommodate the urban growth projected to occur in the county for the succeeding twenty-year period.”

The County and its cities are required to complete reviews and adopt any necessary changes by December 31, 2025. These reviews will include updated twenty-year vision statements, capital facilities plans, development regulations (zoning, critical areas ordinance, etc.) and more. The combined interjurisdictional coordination, technical analysis, and policy decisions represent one of the more complex processes that local jurisdictions are required to undertake.

The process requires early and consistent public participation. This Public Participation Plan (PPP) is intended to guide the City in completing the comprehensive plan update,

as well as other amendments related to the update. Ferndale’s plan is designed to reflect Whatcom County’s own public participation plan and to acknowledge existing participation requirements as described in the Ferndale Municipal Code. The Public Participation Plan is required by state law (RCW 36.70A.140):

“Comprehensive plans – Ensure public participation. Each county and city that is required or chooses to plan under RCW 36.70A.040 shall establish and broadly disseminate to the public a public participation program identifying procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans. The procedures shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, communication programs, information services, and consideration of and response to public comments. . . .”

The plan anticipates utilizing a combination of traditional print media, the City website, hybrid meetings, and social media to effectively and consistently reach a variety of audiences. The scope of work anticipated by the Comprehensive Plan Update includes elements that will affect all citizens of Ferndale, present and future, in different ways. The plan anticipates that while the City may be able to identify individuals and specific interest groups proactively, it is just as important that individuals and interest groups be given the opportunity to “self select” based on their interests. This means that the City must endeavor to provide information and the ability to comment in a manner that matches the reasonable expectations and abilities of the public, to the greatest extent practical. This participation plan outlines the general approach to public participation for all issues.

As discussed previously, there are additional planning issues that require and accept public participation that may not be specifically addressed. These include standard map and text amendments to the Ferndale Municipal Code that may occur prior to, during, and after the Comprehensive Plan Update. It is not the intent of this plan, or the Comprehensive Plan Update, to delay such amendments – provided that such amendments are not inconsistent with the Comprehensive Plan as it currently exists.

Objectives

The following objectives have been identified as an essential component of this Public Participation Plan:

1. Provide the public with a clear and transparent public process that will allow early and continuous public participation prior to and throughout the Comprehensive Plan update.
2. Describe the public process in such a way that encourages early public comment to the greatest extent practical in order to ensure that such comments may be reviewed and if possible incorporated into a well-considered, internally consistent document.

3. Establish a plan that distinguishes between public comment opportunities at the County vs. the City level, and to share public comments between the City and County, where appropriate.
4. Ensure that input is sought from a broad range of public participants, with additional efforts to include groups that do not traditionally participate.
5. Provide opportunities for local appointed and elected officials to receive updates, to discuss the process, and to provide guidance.

Chapter 2 – The Issues:

There are three types of issues described in this plan: Statutory Requirements (those issues that must be addressed, as per the Washington State Growth Management Act), Docketed Amendments (those issues that are or could be initiated by the City or proposed by the public or other public agencies), and Future Issues that the community desires to address, but are not required to address at this time.

The primary focus of this process will be to address Statutory Requirements, those issues that must be addressed. During the process it is likely that the community may identify desirable changes (Future Issues), and we can document those issues during the process so they can be addressed at a time in the future prior to our next periodic review. This provides the City the ability to focus on what needs to be accomplished during this update.

Statutory Requirements

The GMA requires the City of Ferndale to update our comprehensive plan and development regulations to address specific issues. These items will be updated regularly to reflect required revisions as the City moves through the process. Below is the current list of identified statutory requirements:

S-1 2025 Comprehensive Plan

The City is required to review and, if needed, revise the City of Ferndale Comprehensive Plan by December 31, 2025, to ensure compliance with RCW 36.70A. The City is required to adopt population projections in coordination with the County and other Cities for the next 20 year planning horizon.

S-2 2025 Urban Growth Area (UGA) Update

Using the new 20 year growth projections, the City, in coordination with Whatcom County, is required to review the City's UGA and the densities permitted within the City to ensure there is adequate land to accommodate the projected growth, and if necessary, revise the UGA and/or associated development regulations to accommodate the projected growth.

S-3 Critical Areas Updates

The City is required to review and, if needed, revise the City of Ferndale Critical Areas regulations ([FMC 16.08](#)) to ensure compliance with RCW 36.70A.

S-4 Development Regulations Updates

The City is required to review and, if needed, revise the Ferndale Municipal Code (FMC) to ensure compliance with RCW 36.70A. At a minimum, the City will need

to review [Title 18](#) (Zoning) and [Title 17](#) (Subdivisions) to remove barriers to development of housing.

Docketed Amendment Requests

The items in this section are identified and requested by individuals through the City's annual docketing process. Every year the City allows individuals to apply for changes to the City's Comprehensive Plan (text and map changes). There are currently no docketed items. This list will be updated annually at the beginning of May to reflect applications that the City receives.

Future Issues

The items in this section are intended to document changes to the comprehensive plan and/or development regulations that are not required (Statutory) or requested (Docketed). There are currently no future issues identified. This list will be updated regularly to reflect issues as they are identified.

Chapter 3 – Project Participants:

The City's Public Participation Plan is designed to enable all audiences to effectively participate in updates to the Comprehensive Plan as well as related Development Regulation updates. In some cases, these audiences have already organized themselves and are well-versed in the planning process, but in most cases, individuals are unaware of the process. Plus, many individuals and groups have low expectations of their ability to participate, let alone influence a public process. While this plan may not change these viewpoints, it is the expectation of the City that this process will not be the reason why these viewpoints exist.

The Public

The public includes all elements of society. There are no minimum threshold requirements (age, race, citizenship, gender, sexual orientation, language, etc.) that would prevent an individual from participating in this process. This plan must reflect this basic understanding, as should the outreach programs created from this process. In addition, the City must understand that individuals may include themselves in multiple interest groups, and may respond accordingly (such as an individual who comments as a taxpayer, a business owner, a parent, a student, a park user, a motorist, and more).

Interested Property Owners and Developers

Within the broad definition of the general public, interested property owners and developers are two groups that are typically involved in the comprehensive plan/development regulation/ City government process already. Property owners may attend City meetings on a regular basis, may volunteer on a board or commission, or may have a specific interest that they are already positioned to comment on. Developers depend on land use regulations for their livelihood and are also well-positioned for comment. In both cases, it may be relatively easy to oversimplify the concerns of these individuals and groups by assuming that they are each focused on one or two specific objectives, or that vocal members of either group speak for the entire group.

Community Organizations

"Community Organizations" is another broad classification describing groups, associations or committees that come together for a common interest or cause. Examples of these groups may include but are not limited to:

service groups, labor unions, church or religious organizations, advocacy groups, non-profit organizations, chambers of commerce, neighborhood associations, social service organizations, granges, community councils, parent-teacher organizations and more.

These groups may not have any direct interest in the comprehensive plan process, but may find that the comprehensive plan itself has an impact on themselves as individuals or as a collective group. Staff intend to engage many of these groups directly to better understand their vision for the community.

Governmental/ Quasi-Governmental Groups

These groups typically consist of elected officials, local special purpose districts, area tribes, councils of government, and advisory boards and commissions. Many of these groups will already participate in the 2025 update at the County level, but may also participate in the City's update itself.

Planning Commission(s)

The City of Ferndale and Whatcom County Planning Commissions are important groups that are required to play a primary role in this plan. RCW 36.70, The Planning Enabling Act requires the following:

- Notice of time, place, and purpose of any public hearing shall be given by one publication in a newspaper of general circulation in the City (for the City) and County (for the County) at least ten days before a public hearing.
- A recommendation of approval of a comprehensive plan or official control (zoning regulation) amendments shall be by affirmative vote of not less than a majority of the total members of the planning commission. Such approval shall incorporate the findings of fact of the planning commission and the reasons for its actions.

The Planning Commission is a group of appointed citizens that work directly with staff from the City (Ferndale Planning Commission) and County (Whatcom Planning Commission) to review and develop legislation that amends the development code and comprehensive plan for each jurisdiction. The Planning Commissions engage the public via public hearings and written comment periods to collect and weigh community concerns as part of the legislative process. The Planning Commissions make formal recommendations to the Ferndale City Council (City) and Whatcom County Council (County) regarding proposed legislation.

Currently, the Whatcom County Planning Commission hears from the public primarily during public hearings and through written correspondence. The City of Ferndale Planning Commission provides a public comment period at the beginning of each meeting where community members can voice concerns regarding issues that are not scheduled for public hearing. The Ferndale Planning Commission host public hearings and receives written testimony prior to deliberating and making formal recommendations to the City Council.

Members of the Planning Commission(s) are encouraged to, and often do, attend public engagement meetings (open houses, etc). Staff also regularly update the Planning Commission(s) on engagement meetings and activities so they are aware of public

sentiment early. The public is encouraged to communicate with both the City of Ferndale and Whatcom County Planning Commissions via the email and mailing addresses provided in Chapter 5.

Whatcom County Cities

The City of Ferndale will continue to participate in monthly meetings with the planning directors (or designees) from other cities and Whatcom County. When appropriate, City representatives may also discuss and share issues with other jurisdictions. These meetings are intended to provide coordination between the various jurisdictions on a variety of issues, including technical analysis of the UGA and Growth Projections and Allocations.

Chapter 4 – The Approach:

Overall Approach

The Comprehensive Plan Update process is complex. It requires making periodic updates to the development code as well as the comprehensive plan. The City Council typically makes a final decision on land use issues; however, the City Council finds itself in advisory role to the Whatcom County Planning Commission and Council on decisions related to the Urban Growth Area, as well as population and employment allocation issues. The City Council will continue to have the final decision-making authority on updates to the text of the City's Comprehensive Plan, the zoning map, and development code.

During the process, the Ferndale Planning Commission will continue to act as the initial reviewing body, hosting public hearings before making formal recommendations to the City Council. The Planning Commission is responsible for guiding proposed regulations and text changes from "rough drafts" to "ready to approve." The majority of public workshops will be hosted by the Planning Commission, and this public participation plan is intended to guide public comment to the Planning Commission to the greatest extent possible.

General Methods

The methods described below are those outreach efforts that go beyond the regulatory requirements already in place for the Planning Commission and City Council. The goal is to provide more notice and information ahead of the regulatory meetings to enable the community to participate in the process and ensure the decision makers hear the voices of the community.

Web Site

The City will develop and maintain a website that chronologically documents the process as it unfolds within the community. The City will document meetings, feedback and the process so that community members can engage and understand the work that has been completed and is planned to be completed in the future. The City will provide a link to the Whatcom County web page as well.

Community Newsletters

The City distributes a community newsletter entitled *Living by the Nooksack* quarterly to all of the residents within city limits and to community members outside city limits who are connected to our public infrastructure. The City also maintains the newsletters [online](#). Staff will be using the newsletter to educate the community about the periodic update process and communicate opportunities for interested people to engage in the process. The first article within the newsletter introduced the comprehensive plan and the process, subsequent stories will address specific topics like Urban Growth Areas (U

GAs), critical areas, and different elements of the comprehensive plan and update process.

Public Events

Staff will table events throughout the update process to be present where the community is and provide a conduit for people to ask questions about the process and learn more about how they can engage in the process. Throughout the year a number of community events are hosted in the City. Staff intends to be present at many of these events, including but not limited to: Parks and Recreation Events, Community Open House, Old Settlers, City of Ferndale Open House, and the Community Block Party.

Community Meetings

Staff will host a series of meetings both physically within the community, as well as virtually on-line. Each meeting may differ in topic, though all meetings will include an overview of the process. These meetings may be general in nature or may be more focused on specific topics such as development regulations, or comprehensive plan map and zoning map amendments to meet state housing requirements.

Decision Process

The following sections describe the review procedures for a variety of issue-types that are directly or loosely related to the Comprehensive Plan Update. This description will allow the public to anticipate the public process and to coordinate the timing of their comments to the greatest effect.

Level 1 Issues

In general, Level 1 Issues are less complicated and generally consist of Zoning Text or Zoning Map Amendments. In some cases, the issues may have been vetted through other public processes, they may be required by state or federal law, or they may include the clarification or update to existing regulations, without substantial changes to policy. For the purpose of this plan and the process in general, amendments to Ferndale Municipal Code Titles 16 (Environment), 17 (Subdivisions), and 18 (Zoning) will follow this process:

1. Staff will develop a proposal and post it on the web page. Interested parties will be notified.
2. Staff will provide notice to the State of Washington.
3. Issuance and distribution of notice of public hearing, if appropriate mailed notice will be provided.

4. Open record public hearing by Planning Commission.
5. Recommendation by Planning Commission, forwarded to City Council.
6. City Council holds second open record public hearing, if applicable, considers Planning Commission recommendation, and makes final decision.
7. Issuance and distribution of notice of decision to parties of record.

Level 1 Issues include Zoning Text amendments (FMC Titles 16, 17, and 18), and Zoning Map Amendments.

Level 2 Issues

Level 2 Issues do not require Planning Commission review, but are not necessarily less complex than the issues contained in Level 1. Level 2 issues include amendments to Chapters 1-15 of the Ferndale Municipal Code as well as the Unified Fee Schedule. The process for Level 2 Issues is as follows:

1. Initiation of text change, as evidenced by SEPA determination (when applicable), Department of Commerce notification (when applicable), and introduction to City Council Committee. Information will also be placed on the website.
2. City Council Committee review.
3. Consideration of amendment by full City Council at a public hearing (when applicable), or as a City Council agenda item, following required public and/or agency comment/review periods, when applicable.

Level 2 Issues Include Miscellaneous Municipal Code Amendments (FMC Titles 1-15 and 19).

Level 3 Issues

Level 3 issues are those issues that are directly related to the 2025 Comprehensive Plan Update. These issues are reasonably expected to affect a broad cross-section of the public, and additional public outreach is expected. These issues will require both Planning Commission and City Council review (as detailed within the Level 1 decision above), and will generally depend upon close coordination with Whatcom County due to population projections and allocation, and UGA sizing considerations. In some cases, several issues may be combined within the process, particularly in the event of early engagement meetings prior to formal work sessions or public hearings before the Planning Commission. The process for Level 3 Issues is as follows:

1. Staff generates alternative approaches to the issue, when appropriate.
2. Alternatives are posted to the website and announced through email list.
3. The alternatives will be submitted to the appropriate advisory committee, department, or agency for review and comment.
4. A town hall style meeting(s) may be held to seek public input on the issue and the proposed alternatives. When appropriate, the meeting is held in a location that is reasonably located near an area affected by the issue. In some instances, these meetings will be hosted virtually to reach a broader audience and reduce barriers to participation. Planning Commission members and City Council members may be in attendance at this town hall meeting. Announcements of town hall meetings will be done through the website, email list, media releases, and local postings as appropriate.
5. Proposal: Staff generates a proposal considering feedback received on the alternatives, including feedback heard at the town hall meeting.
6. Proposal posted: Proposal is posted to the website and announced through email list. Legal notice will be given as required and as appropriate. Public may make comment to the Planning Commission via email, other electronic file transfer protocols set up by the City, and/or US mail.
7. Public hearing: Planning Commission holds public hearing on issue.
8. Work session: Planning Commission will deliberate on the issue and recommends action to the City Council. The Public may make comment to the City Council via email, and/or US mail.
9. City Council: City Council will review the recommendation of the Planning Commission and hold a public hearing. The Council will either approve the recommendation, modify it, remand it to the Planning Commission, or deny it¹.

Appeals of Decisions

This Public Participation Plan is intended in part to provide ample time for the City and County to identify, research, and discuss issues in an open and transparent manner. While the final documents adopted by the City and/or County are expected to appropriately address topics facing the community, it is acknowledged that groups or individuals may disagree with the process or its conclusions, and may wish to appeal the final decisions.

¹ For decisions related to Population Projections, Housing Allocations, and UGA sizing, the City Council will provide a recommendation to Whatcom County, following the public hearing. For all other issues the City Council decision will constitute the final legislative action, unless appealed.

In general, final actions by the Ferndale City Council or Hearings Examiner may be appealed to Whatcom County Superior Court within 21 days of the date the notice of decision or action became final, subject to [FMC 14.11.080](#). These actions typically relate to non-land use code changes or appeals of administrative decisions, following Hearings Examiner review. This process also includes Land Use Petition Act (LUPA) appeals subject to RCW 36.70c.

The Washington State Growth Management Hearings Board (GMHB) considers appeals of land use regulations, subject to RCW 36.70A.280. The majority of actions envisioned in the 2025 Comprehensive Plan Update may be appealed to the GMHB.

In the event that the City of Ferndale Comprehensive Plan is appealed, the City of Ferndale will be responsible for defending such an appeal; however, if the Whatcom County Comprehensive Plan is appealed, the City of Ferndale is not obligated to participate in such a defense. If the Whatcom County Comprehensive Plan is appealed based on elements related to the City of Ferndale, the City may choose to coordinate with Whatcom County to share the costs and legal expertise in such an appeal, or may independently pursue defense.

The City of Ferndale may also choose to appeal a final decision of the Whatcom County Council to the GMHB. In such an event, the City, as an appellant would be responsible for its legal fees, while Whatcom County would be responsible for its defense.

Chapter 5 – Conclusion:

This public participation plan was developed early in the comprehensive planning process. The document should be updated throughout the course of the process, in order to reflect new information, schedules, and methods. This public participation plan meets the requirements of the RCW and the requirements of the Washington Administrative Code (WAC). The Ferndale Community Development Department hopes that this public participation program will “involve a broad cross-section of the community, so groups not previously involved in planning become involved,” as WAC 365-196-600(4) suggests it should.

To provide written feedback on this public participation plan, please contact the Ferndale Community Development Department at michaelcerbone@cityofferndale.org. If you wish to provide comment on any issue, please utilize the following addresses:

Planning Commission
c/o Secretary
PO Box 936
Ferndale, WA 98248
comment@cityofferndale.org

City Council
c/o Greg Hansen
PO Box 936
Ferndale, WA 98248
greghansen@cityofferndale.org

General Planning Questions
Michael Cerbone, AICP
Community Development Director
PO Box 936
Ferndale, WA 98248
michaelcerbone@cityofferndale.org

If you wish to provide comment to the Whatcom County Directly, please use the following contact information:

Planning and Development Services Staff at:
pds@co.whatcom.wa.us.

Whatcom County Planning Commission:
c/o Secretary
5280 Northwest Drive
Bellingham, WA 98226
PDS_Planning_Commission@co.whatcom.wa.us

County Council
311 Grand Ave
Bellingham, WA 98225
council@co.whatcom.wa.us