



City Council Agenda Bill

19957

Bill Number

Subject: Consideration of an ordinance approving the Pacific Highway Aldrich Road annexation consisting of approximately 262.5 acres located within the City's Northern Urban Growth Area.

Summary Statement: On May 13, 2013, the City Council held a public hearing on the proposed Pacific Highway Aldrich Road annexation. At the conclusion of the hearing, City Council directed staff to bring the proposal to the Committee of the Whole for a work session. On June 3, 2013, the City Council held a work session and provided direction to staff to prepare an ordinance for Council's consideration and action approving the proposed annexation on July 1, 2013.

Previous Council Action: May 13, 2013 - Public Hearing, June 3, 2013 - Work Session.

Fiscal Impact: Existing staff resources

Funding Source: General Fund for staff time

Attachments: Ordinance

Meeting Activity	Meeting Date	Staff Recommendation	Presented By	Time
Committee Briefing Council Vote Requested	01-Jul-2013	Pass Ordinance	Moshé Quinn, Associate Planner	5 min
Third & Final Ordinance	15-Jul-2013	Pass Ordinance		

Council Committee:

Committee of the Whole
Seth Fleetwood, Chair

Committee Actions:

Discussion postponed to the Regular Meeting.

Agenda Bill Contact:

Moshé Quinn, 778-8354

Reviewed By	Initials	Date
Jeff Thomas, PCD Director	JT	6-19-2013
Greg Aucutt, Asst. PCDD	GA	6/18/13
Lisa Pool, Senior Planner	LP	6/17/13
Legal	ARM	6/24/13
Mayor	KL	6-25-13

Council Action:

7/1/13 KNOTSON / LEHMAN moved approval for first and second reading. MOTION CARRIED 6-1, WEISS opposed.

ORDINANCE NO. _____

1
2
3 AN ORDINANCE RELATING TO THE ANNEXATION OF APPROXIMATELY 262.5 ACRES
4 OF UNINCORPORATED PROPERTY LOCATED ADJACENT TO THE NORTHERN
5 BOUNDARY OF THE BELLINGHAM CITY LIMITS AND COMMONLY KNOWN AS THE
6 PACIFIC HIGHWAY ALDRICH ROAD ANNEXATION; ASSIGNING CITY LAND USE AND
7 ZONING DESIGNATIONS AND ESTABLISHING AN EFFECTIVE DATE.
8

9 **WHEREAS**, on November 29, 2007, the owners of property within Bellingham's
10 Northern Urban Growth Area submitted a ten percent petition for annexation of approximately
11 262.5 acres to the City of Bellingham pursuant to RCW 35.13.125; and
12

13 **WHEREAS**, on January 28, 2008 the Bellingham City Council held a public meeting
14 and approved Resolution 2008-4, thereby initiating the review process for this annexation
15 request, subject to adopting City land use designations, zoning and assumption of existing
16 City indebtedness; and
17

18 **WHEREAS**, on March 8, 2008, the property owners within the annexation area
19 submitted a seventy-five percent petition to the City of Bellingham; and
20

21 **WHEREAS**, the City of Bellingham forwarded the petition to the Whatcom County
22 Assessor, whereby the Assessor found the petition to comply with state law and provided a
23 Certificate of Sufficiency to the City according to RCW 35.21.005; and
24

25 **WHEREAS**, on July 23, 2008, the City of Bellingham forwarded the Notice of Intention
26 to the Whatcom County Boundary Review Board for its 45-day review of the annexation
27 proposal; and
28

29 **WHEREAS**, in November, 2008, the Bellingham City Council and Whatcom County
30 Council approved Amendment #15 to the Interlocal Agreement between the City and
31 Whatcom County to include the Pacific Highway Aldrich Road Annexation; and
32

33 **WHEREAS**, on December 4, 2008, the Whatcom County Boundary Review Board
34 deemed the Notice of Intention to Annex as described in the BRB file #2008-02 approved;
35 and
36

37 **WHEREAS**, in 2009, the City of Bellingham adopted an Annexation Phasing Plan,
38 which identified the Pacific Highway Aldrich Road annexation as a near term (3-6 year
39 timeframe) annexation area; and
40

41 **WHEREAS**, on May 13, 2013, the Bellingham City Council held a public hearing and
42 directed staff to bring the annexation proposal to the Committee of the Whole for a work
43 session; and
44

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-778-8270

1 **WHEREAS**, on June 3, 2013, the Bellingham City Council held a work session on the
2 proposed annexation area and directed staff to prepare an ordinance approving the Pacific
3 Highway Aldrich Road Annexation meeting the following:
4

- 5 1. Land area for a regional stormwater facility and off-site wetland mitigation are located
6 within the annexation area;
- 7
- 8 2. The water main in Northwest Road is upgraded to meet fire flow requirements;
- 9
- 10 3. City land use and zoning designations are assigned to the annexation area; and
- 11

12 **WHEREAS**, the City of Bellingham has entered into a purchase and sales agreement
13 to acquire approximately 13 acres of land within the annexation area for a regional
14 stormwater facility and opportunity site for wetland mitigation; and
15

16 **WHEREAS**, the regional stormwater facility and off-site wetland mitigation area are
17 intended to support private and public development to maximize the development potential in
18 the area and improve the management of stormwater and protection of wetlands within this
19 region; and
20

21 **WHEREAS**, the City of Bellingham will upgrade the water transmission main in
22 Northwest Road to meet current fire flow requirements and may apply a deferred assessment
23 to the annexed property owners that are served by the upgrade to recover the cost of the
24 improvement; and
25

26 **WHEREAS**, on July 1, 2013, the Bellingham City Council considered the annexation
27 ordinance and determined the proposed annexation is consistent with the State Growth
28 Management Act (GMA), the policy direction in Whatcom County's Comprehensive Plan, the
29 Countywide Planning Policies, the Urban Fringe Subarea Plan as revised, and Bellingham's
30 Comprehensive Plan; and
31

32 **WHEREAS**, the Bellingham City Council approved the Pacific Highway Aldrich Road
33 Annexation ordinance, which assigned City land use and zoning designations to the
34 annexation area and established an annexation effective date.
35

36 **NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**
37

38 **Section 1.** The property commonly known as the Pacific Highway Aldrich Road
39 Annexation as shown and legally described in Exhibit A is hereby annexed to the City of
40 Bellingham.
41

42 **Section 2.** The area annexed herein shall assume its proportional share of the existing
43 indebtedness of the City of Bellingham.
44

45 **Section 3.** New Areas 20 and 21 are added to the Cordata Neighborhood Plan as shown
46 in Exhibit B.

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-778-8270

1
2 **Section 4.** New Areas 20 and 21 are added to Bellingham Municipal Code 20.00.045 -
3 Cordata Neighborhood Table of Zoning Regulations as shown in Exhibit C.
4

5 **Section 5.** The City of Bellingham zoning map for the Cordata Neighborhood is amended
6 to include Areas 20 and 21 as shown in Exhibit D.
7

8 **Section 6.** The Cordata Neighborhood Comprehensive Plan Land Use Map is amended
9 to include Areas 20 and 21 as shown in Exhibit E.
10

11 **Section 7.** The Cordata Neighborhood Circulation Map is amended to include the
12 annexed area as shown in Exhibit F.
13

14 **Section 8.** This ordinance shall be effective 15 days after final approval.
15

16
17 **PASSED** by the Council this _____ day of _____, 2013.
18
19

20 _____
21 Council President
22

23
24 **APPROVED** by me this _____ day of _____, 2013.
25
26

27 _____
28 Mayor
29

30
31 **ATTEST:** _____
32 Finance Director
33

34
35 **APPROVED AS TO FORM:**
36

37 _____
38 Office of the City Attorney
39

40
41 Published:
42 _____

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-778-8270

EXHIBIT A

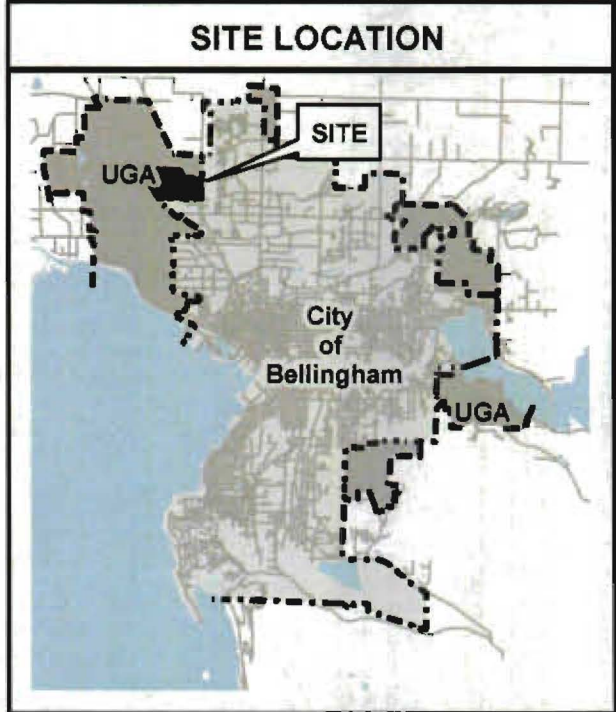
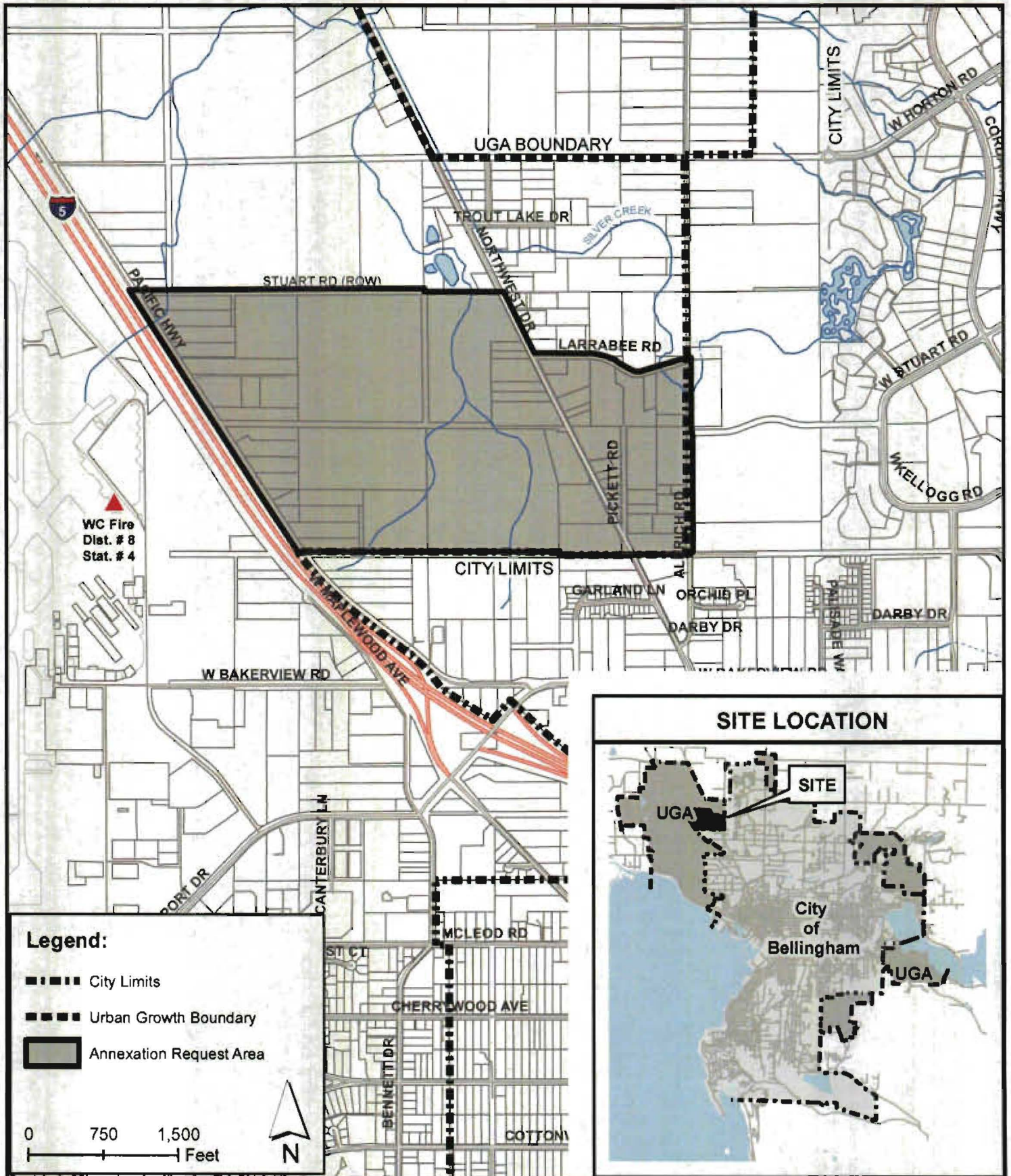
**PACIFIC HIGHWAY ALDRICH ROAD ANNEXATION
LOCATION MAP
&
LEGAL DESCRIPTION**

Pacific Hwy/Aldrich Rd. Annexation

LOCATION - MAP 1



City of Bellingham
Planning & Community
Development Department, 2010



Legend:

- City Limits
- Urban Growth Boundary
- Annexation Request Area

Legal Description

Legal Description for approximately 270 acres to be annexed to the City of Bellingham, generally located west of Aldrich Road, east of SH I-5, north of Division Road and south of the northerly right-of-way of Stuart Road and Larrabee Road, within Sections 10 and 11 of Township 38 North, Range 2 East of Willamette Meridian, in Whatcom County, WA.

Beginning at the point of intersection of the north right-of-way line of Division Road (an unimproved road) extended west with the westerly right-of-way line of County frontage road (said line also being the easterly right-of-way line of SH I-5), thence in a northwesterly direction along said westerly right-of-way line a distance of 3200 feet more or less to the intersection of the north right-of-way line extended west of Stuart Road (an unimproved road) and the County frontage road. Thence in an east direction along said north right-of-way line of Stuart Road a distance of 3000 feet, more or less, to the north/south centerline of Section 11, Twp. 38N, Ra.2E, thence south 30 feet along said Section 11 centerline to the northerly line of the 30 foot wide right-of-way north of and adjoining Block 36B of the Bakerview Addition to Bellingham. Thence east along said northerly line of unimproved right-of-way a distance of 780 feet more or less to the northeasterly right-of-way line of Northwest Drive. Thence in a southeasterly direction along the Northwest Drive right-of-way line a distance of 700 feet more or less to the north right-of-way line of Larrabee Road. Thence east along the northerly right-of-way line of Larrabee Road to the intersection with the west right-of-way line of Aldrich Road. Thence in a southerly direction along the west right-of-way line of Aldrich Road a distance of 2050 feet more or less to the north right-of-way line of Division Road, an unimproved road. Thence west a distance of 3950 feet, more or less, along the north right-of-way line of Division Road and its extension to the intersection with the west right-of-way line of the County frontage road (said line also being the easterly right-of-way line of SH I-5), and the point of beginning.

EXHIBIT B

**CORDATA NEIGHBORHOOD PLAN
AREA 20 AND AREA 21 NEIGHBORHOOD DESCRIPTIONS**

Cordata Neighborhood Plan

Area 20

This area is approximately 192 acres in size and was annexed into the City in 2013. The area is relatively flat with rolling topography characteristic of the glaciomarine drift plain north of Bellingham. This area lies within the Silver Creek watershed, and within the Bear Creek sub-basin. Several tributaries of Bear Creek traverse the area with associated forested and emergent wetlands.

Due to the extensive critical areas throughout this area, special attention should be given to street and pedestrian improvements, access, internal circulation, drainage, utility services, and preservation of streams and wetlands early in the development concept phase. Incorporation of natural features should be provided as part of site design to ensure connectivity with existing city open space/trail systems and meeting the City's adopted residential service levels of providing parks, trails, and open space. These facilities should be provided as development occurs in this area as recommended in the Parks, Recreation and Open Space Plan and North Bellingham Trail Plan.

As determined by the City, an east-west collector arterial corridor should be established generally along the Division Street right-of-way between Northwest Avenue and Pacific Highway. Public streets required by new development need to connect to existing public streets wherever possible or provisions need to be made for future connections to public streets. Cul-de-sacs and dead-end streets are not encouraged and should only be allowed if critical areas warrant. The construction of new street improvements in this area should be coordinated with Whatcom Transportation Authority to ensure that existing transit operations are enhanced or that new transit needs can be accommodated.

When development and redevelopment occur, new and existing substandard streets that would serve the property are required to meet the minimum street standards per Title 13 of the Bellingham Municipal Code (BMC). Vehicle access points on arterial streets should be limited and shared access is encouraged.

Extension of new water and sewer mains and the development of sewer pump stations will be needed to support development in this area.

This area contains a mixed "use qualifier" and "special regulations," outlined in the BMC Table of Zoning Regulations, which allows a multi-family development option. A density bonus is also an option within this area to increase residential density under the cluster subdivision provisions in Title 18 of the BMC or through the use of transfer of development rights or purchase of development rights.

AREA 20 LAND USE DESIGNATION: SINGLE FAMILY RESIDENTIAL, MEDIUM DENSITY

Area 21

This area is approximately 71 acres in size adjacent to Pacific Highway and was annexed in 2013. The area lies within the Silver Creek watershed and within Bear Creek sub-basin. The topography is relatively flat with dispersed forested areas. Some wetland areas may be located beneath the forest canopy.

The industrial land use designation for this area is intended to accommodate certain industrial uses in areas where special consideration and sensitivity must be taken for physical site conditions and their relationship to less intense surrounding uses. Currently, a mix of industrial uses are located adjacent to Pacific Hwy. Several single-family residences are also located within the industrial zone. Required land use buffers separating industrial uses from the east residential zoned properties in Area 20 should be maintained as development and redevelopment occur.

As determined by the City, an east-west collector arterial corridor should be established generally along the Division Street right-of-way between Northwest Avenue and Pacific Highway. Public streets required by new development need to connect to existing public streets wherever possible or provisions need to be made for future connections to public streets. Cul-de-sacs and dead-end streets are not encouraged and should only be allowed if critical areas warrant. The construction of new street improvements in this area should be coordinated with Whatcom Transportation Authority to ensure that existing transit operations are enhanced or that new transit needs can be accommodated.

When development and redevelopment occur, new and existing substandard streets that would serve the property are required to meet the minimum street standards per Title 13 of the Bellingham Municipal Code. Vehicle access points on arterial streets should be limited and shared access is encouraged.

Extension of new water and sewer mains and the development of sewer pump stations will be needed to support development in this area.

AREA 21 LAND USE DESIGNATION: INDUSTRIAL

EXHIBIT C

BMC 20.00.045

**CORDATA NEIGHBORHOOD TABLE OF ZONING
REGULATIONS FOR AREAS 20 AND 21**

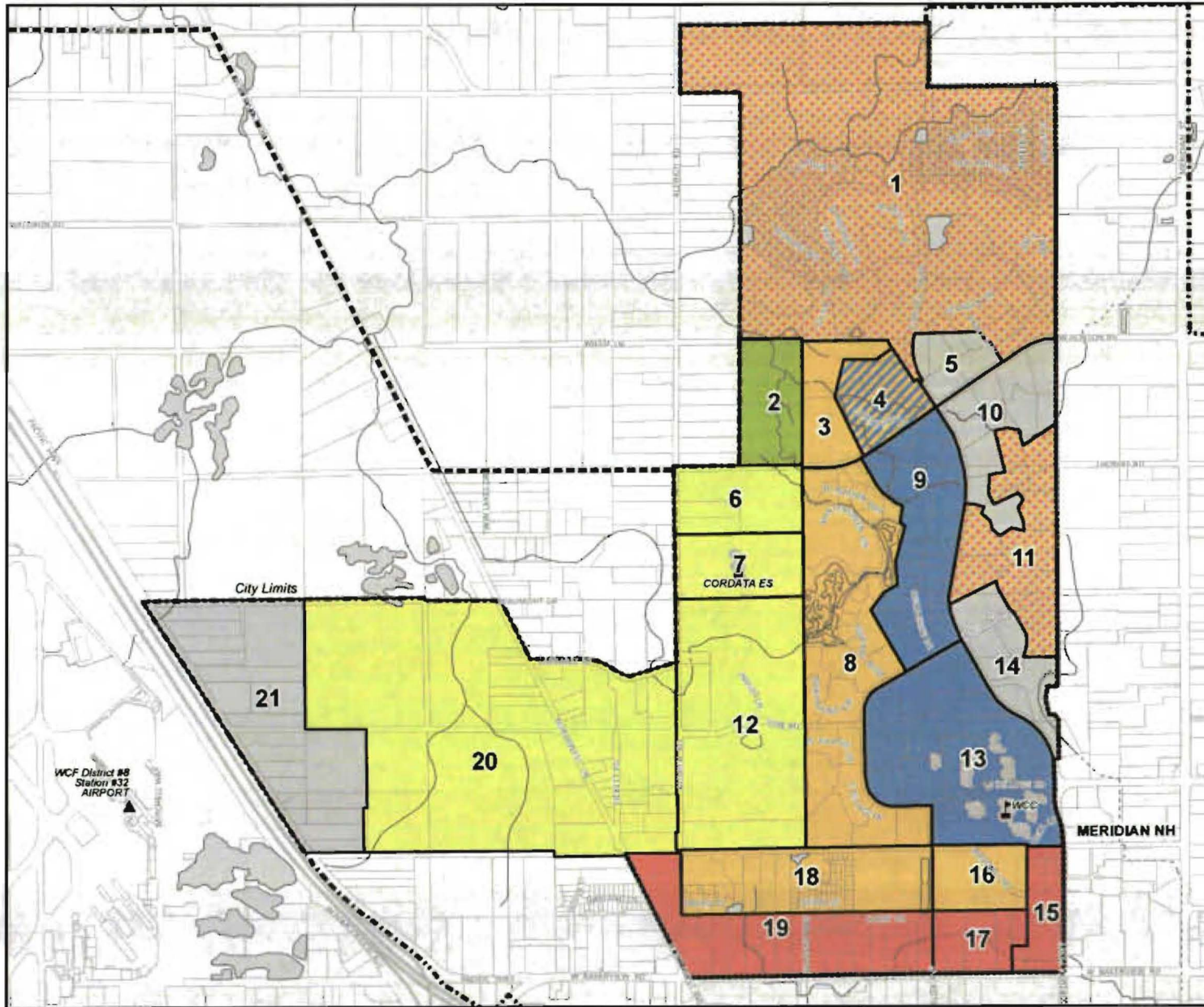
Bellingham 20.00.045 Cordata Neighborhood Table of Zoning Regulations

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
20	Residential Single	Detached: cluster, cluster attached, and cluster detached; mixed: limited duplex and multi-family (see Special Regulations)	7,200 sq. ft. per dwelling unit for detached and cluster lots up to 4,300 sq. ft. per dwelling unit using cluster bonus provisions in the BMC 18.32 or adopted City TDR program or the "fee-in-lieu-of" option. Under the fee-in-lieu-of option, a property owner / developer can purchase additional density by paying a fee to the City's Lake Whatcom Watershed Property Acquisition Program (LWWPAP). * The fee for density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.	Critical areas Neighborhood Park Provide public trails as indicated in the Bellingham Comprehensive Plan. Limit access points on arterial streets. Shared access is encouraged.	Extension of water/sewer mains, and construction of sanitary pump station. Improvement of Northwest Ave. to principal arterial standard and Aldrich Road and Larrabee Road to collector arterial standards. Construction of Division Road to collector arterial standards from Northwest Ave. to Pacific Highway.	Duplex and multi-family units shall require design review approval under BMC 20.25 and meet BMC 20.32. Duplex and multi-family units shall not exceed 25% of the total allowed dwelling units for the entire site. Duplex and multi-family building permits shall not be issued until at least 50% of the single family homes on site have been constructed. Infill housing forms per BMC 20.28. No more than 4 single family attached dwelling units allowed. The density bonus may exceed the 50% total maximum under BMC 18.32 but density shall not exceed 4,300 sq. ft. per dwelling.

			<p>An applicant's submittal for land use review shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWWPAP.</p> <p>Lots not created by cluster subdivision: 5,000 sq. ft. minimum detached lot size and a maximum density of 7,200 sq. ft. per unit.</p>			
21	Industrial	Planned	N/A	<p>Critical areas</p> <p>Buffer separating industrial uses from residential zone.</p> <p>Limit access points on arterial streets. Shared access is encouraged.</p>	<p>Extension of sewer mains and construction of sanitary pump station.</p> <p>Construction of Division Road to collector arterial standards from Northwest Ave. to Pacific Highway.</p>	<p>Expansion of any nonconforming use shall require Planned Development approval.</p>

EXHIBIT D

CORDATA NEIGHBORHOOD ZONING MAP



NEIGHBORHOOD ZONING

AREA	ZONING DESIGNATION
1	Comm./Indus./Residential - Multi, Planned
2	Public, Park
3	Residential Multi, Planned
4	Institutional/Residential - Multi, Planned
5	Industrial, Light/Planned
6	Residential Single
7	Residential Single
8	Residential Multi, Planned
9	Institutional, Planned
10	Industrial, Light/Planned
11	Comm./Indus./Residential - Multi, Mixed/Planned
12	Residential Single
13	Institutional, Planned
14	Industrial, Light/Planned
15	Commercial, Planned
16	Residential Multi, Planned
17	Commercial, Planned
18	Residential Multi, Planned
19	Commercial, Planned
20	Residential Single
21	Industrial, Planned

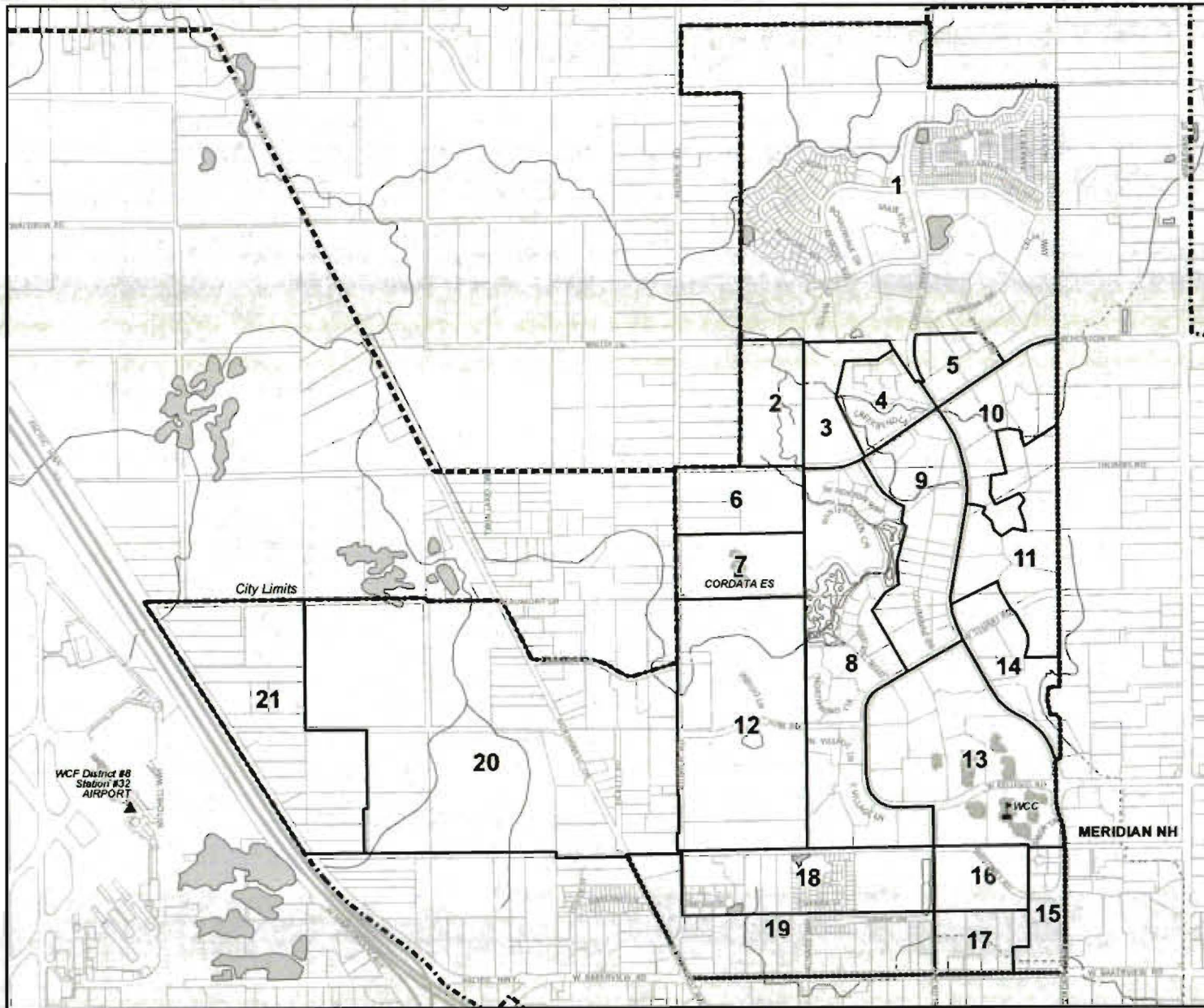


0 610 1,220 1,830 2,440 Feet

The City of Bellingham has compiled this information for its own use and is not responsible for any use of this information by others. The information found herein is provided simply as a courtesy to the public and is not intended for any third party use in any official, professional or other authoritative capacity. Persons using this information do so at their own risk and by such use agree to defend, indemnify and hold harmless the City of Bellingham as to any claims, damages, liability, losses or suits arising out of such use.

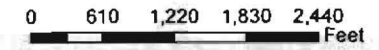
EXHIBIT E

**CORDATA NEIGHBORHOOD COMPREHENSIVE LAND USE
MAP**



NEIGHBORHOOD LAND USE

AREA	COMPREHENSIVE PLAN LAND USE DESIGNATION
1	Comm./Indus./Res.
2	Public
3	Multi-Family Res., High Density
4	Institutional/Multi-Family-Res., High Density
5	Industrial
6	Single Family Res., Med. Density
7	Single Family Res., Med. Density
8	Multi-Family Res., High Density
9	Institutional
10	Industrial
11	Comm./Indus./Res.
12	Single Family Res., Med. Density
13	Institutional
14	Industrial
15	Commercial
16	Multi-Family Res., High Density
17	Commercial
18	Multi-Family Res., High Density
19	Commercial
20	Single Family Res., Med. Density
21	Industrial



The City of Bellingham has compiled this information for its own use and is not responsible for any use of this information by others. The information found herein is provided simply as a courtesy to the public and is not intended for any third party use in any official, professional or other authoritative capacity. Persons using this information do so at their own risk and by such use agree to defend, indemnify and hold harmless the City of Bellingham as to any claims, damages, liability, losses or suits arising out of such use.

EXHIBIT F

CORDATA NEIGHBORHOOD CIRCULATION MAP

CORDATA NEIGHBORHOOD CIRCULATION



Legend:

-  City Limits
-  Urban Growth Bndy.
-  Neighborhood Bndy.
-  Growth Forum Villages




Bike Routes

-  Marked Bike Lane Routes
-  Other Bike Routes
-  Bike Friendly Trails
-  Other Trails

Transit Routes

-  Peak Frequency Route
-  Standard Routes

Arterial Street Classification

-  Primary Route ●●●● (Proposed)
-  Primary Truck Route ●● (Proposed)
-  Secondary Route ●●●● (Proposed)
-  Secondary Truck Route ●● (Proposed)
-  Collector Route ●●●● (Proposed)
-  Other Streets
-  Railroads



0 610 1,220 1,830 2,440 Feet

The City of Bellingham has compiled this information for its own use and is not responsible for any use of this information by others. The information found herein is provided simply as a courtesy to the public and is not intended for any third party use in any official, professional or other authoritative capacity. Persons using this information do so at their own risk and by such use agree to defend, indemnify and hold harmless the City of Bellingham as to any claims, damages, liability losses or suits arising out of such use.

