



City Council Agenda Bill

20214
Bill Number

Subject: Consideration of an ordinance to amend the Comprehensive Plan to add narratives and modify the land use designation maps for the Samish, Happy Valley, and Cordata Neighborhoods, and amend the zoning table for Area 17A of Cordata.

Summary Statement: The City Council approved three quasi-judicial rezones that created the following new areas in the development code: Samish Area 5A, Happy Valley Area 5A, and Cordata Area 17A. To ensure consistency between the comprehensive plan and development code, staff is proposing to add the above mentioned sub-areas to the neighborhood plans and land use designation maps. Planning Commission held a public hearing on 10/17/2013, and voted 6-0 to recommend approval of the changes. They also added an additional code change for Area 17A of the Cordata Neighborhood that removed the Cordata Pkwy dedication special condition.

Previous Council Action: Resolution #2013-10 establishing the docket of proposed Comprehensive Plan Amendments to be reviewed in 2013-2014.

Fiscal Impact: Proposal included as part of the 2013-14 work program for PCDD.

Funding Source: General fund for staff time

Attachments: A- Draft Ordinance
B- Planning Commission Staff Report
C- Comprehensive Plan Goals and Policies
D- Planning Commission Meeting Minutes

Public Hearing Notice
(No written comment was received by City Council.)

Meeting Activity	Meeting Date	Staff Recommendation	Presented By	Time
Public Hearing Council Vote Requested	09-Dec-2013	Pass Ordinance	Lindsay Kershner, Planner I	5 min

Council Committee:

Agenda Bill Contact:
Lindsay Kershner, Planner I, 778-8369

Reviewed By
Jeff Thomas, PCD Director

Initials **Date**
[Signature] 11-27-2013

Committee Actions:

Legal
Mayor

Initials **Date**
[Signature] 11/27/13
KL 12.3.13

Council Action:

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BELLINGHAM RELATING TO BELLINGHAM'S COMPREHENSIVE PLAN, ADDING NEW SUB-AREAS TO THE SAMISH, HAPPY VALLEY, CORDATA NEIGHBORHOOD PLANS, AMENDING EACH COMPREHENSIVE PLAN LAND USE DESIGNATION MAP, AND AMENDING BMC 20.00.045 CORDATA NEIGHBORHOOD TABLE OF ZONING REGULATIONS.

WHEREAS, the City of Bellingham has adopted 25 neighborhood plans as a component of the Bellingham Comprehensive Plan, including the Samish, Happy Valley, and Cordata Neighborhood Plans; and

WHEREAS, the City has a process to amend the comprehensive plan and the neighborhood plans once per year in accordance with BMC 20.20 and BMC 21.10.150; and

WHEREAS, the proposed neighborhood plan amendments to add narratives for Samish Area 5A, Happy Valley Area 5A, and Cordata Area 17A and modify the Comprehensive Plan Land Use Designation maps, will provide consistency between the Bellingham Municipal Code and the Bellingham Comprehensive Plan; and

WHEREAS, on June 27, 2013, the Planning Commission held a public hearing regarding the 2013-2014 docketing requests and recommended to City Council that the subject neighborhood plan amendments be placed on the annual 2013-2014 Docket; and

WHEREAS, the City Council conducted a public hearing on July 15, 2013 and placed the subject proposal on the annual 2013-2014 comprehensive plan amendment Docket; and

WHEREAS, the responsible official reviewed the proposed amendments under the procedures of the State Environmental Policy Act, and existing environmental documents were adopted on September 24, 2013; and

WHEREAS, required by RCW 36.70A.106 notice of the City's intent to adopt the proposed comprehensive plan amendments was sent to the Department of Commerce on October 4, 2013; and

WHEREAS, after mailed and published notice as required by BMC Chapter 21.10, the Planning Commission held a public hearing on the proposed neighborhood plan amendments on October 17, 2013; and

WHEREAS, the Planning Commission determined that the proposed amendments to the neighborhood plans and land use designation maps for the Samish Neighborhood Area 5A, Happy Valley Neighborhood Area 5A, and Cordata Neighborhood Area 17A comply

1 with, and will implement the goals and policies of the Bellingham Comprehensive Plan;
2 and

3 **WHEREAS**, the Planning Commission recommended to remove a special condition
4 regarding the dedication of Cordata Parkway in the zoning table for Area 17A of the
5 Cordata Neighborhood, BMC 20.00.045, due to the property not abutting Cordata
6 Parkway; and

7
8 **WHEREAS**, the Planning Commission considered the staff report and thereafter made
9 Findings, Conclusions and voted 6-0 to recommend the City Council adopt the proposed
10 amendments; and

11
12 **WHEREAS**, after mail and published notice as required by BMC 21.10, the City Council
13 held a public hearing on the proposed neighborhood plan amendments and modification
14 to the zoning table on December 9, 2013; and

15
16 **WHEREAS**, the City Council considered the recommendation of the Planning
17 Commission and the staff report, and hereby adopts the Findings of Fact, Conclusions
18 and Recommendations of the Planning Commission; and

19
20 **WHEREAS**, the City Council finds that the proposed amendments to the neighborhood
21 plans and land use designation maps for the Samish Neighborhood Area 5A, Happy
22 Valley Neighborhood Area 5A, and Cordata Neighborhood Area 17A, meet the
23 Comprehensive/Neighborhood Plan review criteria in BMC 20.20.040 A.

24
25 **NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**

26
27 **Section 1.** The City Council adopts the Findings and Conclusions of the Planning
28 Commission as attached as Exhibit A and incorporated by reference.

29
30 **Section 2.** The Samish Neighborhood Plan is hereby amended as shown in EXHIBIT
31 B.

32
33 **Section 3.** The Samish Neighborhood Comprehensive Plan Land Use Map is
34 amended as shown in EXHIBIT C.

35
36 **Section 4.** The Happy Valley Neighborhood Plan is hereby amended as shown in
37 EXHIBIT D.

38
39 **Section 5.** The Happy Valley Neighborhood Comprehensive Plan Land Use Map is
40 amended as shown in EXHIBIT E.

41
42 **Section 6.** The Cordata Neighborhood Plan is hereby amended as shown in EXHIBIT
43 F.

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45 **Section 7.** The Cordata Neighborhood Comprehensive Plan Land Use Map is
46 amended as shown in EXHIBIT G.

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Section 8. The Cordata Neighborhood Zoning Table (BMC 20.00.045) is hereby amended to remove a special condition from Area 17A as shown in EXHIBIT H.

PASSED by the Council this _____ day of _____, 2014

Council President

APPROVED by me this _____ day of _____, 2014

Mayor

ATTEST: _____
Finance Director

APPROVED AS TO FORM:

Office of the City Attorney

Published: _____

EXHIBIT A

BELLINGHAM PLANNING COMMISSION FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS

OCTOBER 17, 2013

SUMMARY

Following the public hearing and deliberation on the proposed amendments to the Samish, Happy Valley, and Cordata Neighborhood plans, the Planning Commission has determined that the proposed changes comply with and implement the goals and policies of the Bellingham Comprehensive Plan, and meets the criteria in BMC 20.20.040 A. As part of this proposal the Planning Commission recommended changes to Area 17A in the Cordata Neighborhood table of zoning regulations to remove an outdated condition that required the dedication of 10 feet of right-of-way along Cordata Pkwy.

I. FINDINGS OF FACT

1. Proposal Description

Consideration of neighborhood plan amendments to add narratives for recently rezoned areas in three neighborhood plans and amend the corresponding comprehensive plan land use designation maps. Also proposed is a minor change to the zoning table for the Cordata Neighborhood to remove a special condition in Area 17A. The requested amendments to the Samish, Happy Valley, and Cordata Neighborhood plans and the Cordata Neighborhood zoning table, are minor changes that will ensure consistency between the neighborhood plans and land use development code.

The proposed amendments are shown in the draft ordinance (**Attachment A**).

2. Background Information/Procedural History

1. Samish Neighborhood – In June, 2007, the City Council approved a rezone that created a new Area, Area 5A, on the Samish Neighborhood zoning map and in the zoning table. Ordinance #2007-06-044
2. Happy Valley Neighborhood – In March, 2010, the City Council approved a rezone that created a new Area, Area 5A, on the Happy Valley Neighborhood zoning map and in the zoning table. Ordinance #2010-03-016
3. Cordata Neighborhood – On April 25, 2013, the City Council approved a rezone that created a new Area, Area 17A, on the Cordata Neighborhood zoning map and in the zoning table. Ordinance #2013-07-052
4. On June 27, 2013, the Bellingham Planning Commission held a public hearing regarding the 2013-2014 docketing requests and recommended to City Council that the proposed neighborhood plan amendments be placed on the annual 2013-2014 docket.

5. The City Council conducted a public hearing on July 15, 2013 and placed the proposed neighborhood plan amendments on the annual 2013-2014 docket for the Samish, Happy Valley, and Cordata Neighborhoods.

3. Public Comment

A Public Hearing Notice was mailed to property owners, neighborhood representatives and Associations, and other interested parties. Notice also published in the Bellingham Herald. No public comments were received.

4. State Environmental Policy Act (SEPA) Determination

The City adopted existing environmental documents on September 24, 2013. Notice of the adoption was published in the Bellingham Herald.

5. Consistency with the Comprehensive Plan Amendment Decision Criteria

BMC 20.20.040 requires the Planning Commission to consider the following decision criteria when reviewing Comprehensive Plan amendments:

- A. *There exists an error, omission or inconsistency in the pertinent comprehensive plan or neighborhood plan provision;*

The amendments to the neighborhood plans are minor and will ensure consistency between the associated neighborhood plans and the land use development code sections. The proposal will create a narrative for each area in the neighborhood plan and amend the neighborhood comprehensive land use designation maps to show these areas.

The narratives need to be added to the neighborhood plans for each area because they help define the character of the area and provide guidance for discretionary permits. The maps need to be modified to show that the land use designation for the areas has changed.

II. CONCLUSIONS

The Planning Commission concludes:

1. The proposal to add narratives for each area to the corresponding neighborhood plans is needed to provide consistency between the Bellingham Municipal Code and the Bellingham Comprehensive Plan.
2. The proposal to modify the comprehensive plan land use designation maps will provide consistency between the zoning and comprehensive plan maps.
3. The proposal to remove the requirement, "dedication of 10 feet of right-of-way along Cordata Pkwy," in the special conditions column of the zoning table for Area 17A of the Cordata Neighborhood, BMC 20.00.045, is necessary because the area does not abut Cordata Parkway.
4. The proposed amendments to Cordata Area 17A, Happy Valley Area 5A, and Samish Area 5A are consistent with, and will help implement, the goals and policies of the Bellingham Comprehensive Plan, and meet the Comprehensive Plan and Neighborhood Plan amendment criteria in BMC 20.20.040 A.

III. RECOMMENDATION

Based on the foregoing findings of fact and conclusions, the Bellingham Planning Commission recommends that the City Council approve the amendments to the Comprehensive Plan to add narratives to the neighborhood plans and modify the land use designation maps for Cordata Area 17A, Happy Valley Area 5A, and Samish Area 5A as shown in the attached documents. The Bellingham Planning Commission also recommends that the City Council approve the amendment to the special conditions section of the zoning table for Area 17A of the Cordata Neighborhood, BMC 20.00.045, to remove the condition requiring dedication of Cordata Parkway..

ADOPTED this 17TH day of October, 2013.

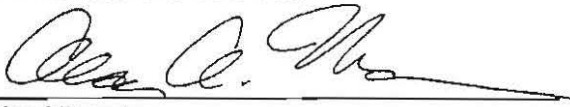


Planning Commission Chair

ATTEST: 

Recording Secretary

APPROVED AS TO FORM:



City Attorney

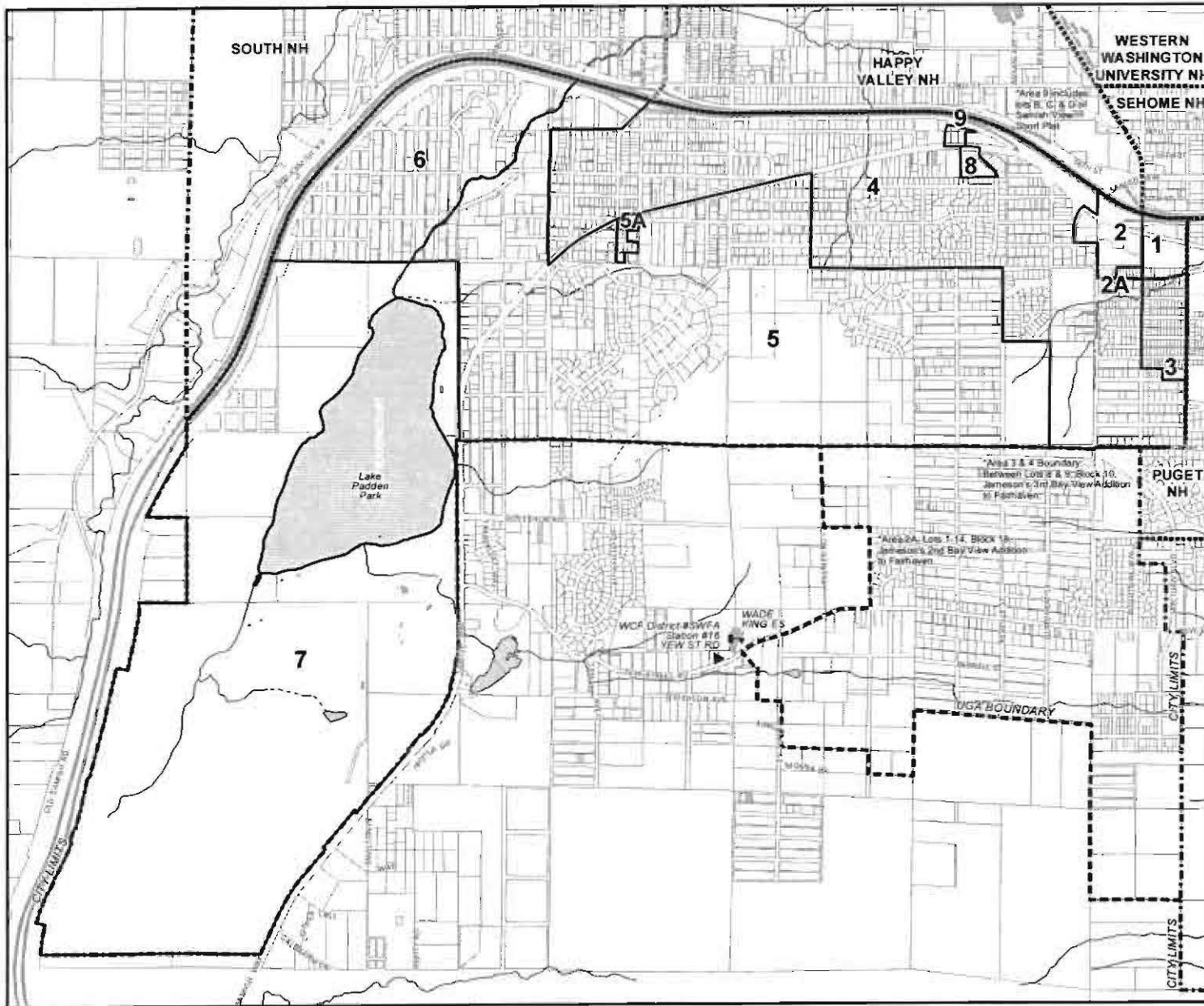
Samish Neighborhood

AREA 5A

This area is approximately 2.19 acres in size and is bordered by Lindsay Avenue to the north, Connelly Avenue to the south, and Samish Way to the west. The area was rezoned in 2007 from 20,000 square feet per detached single family residence to 7,201 square feet per detached single family residence.

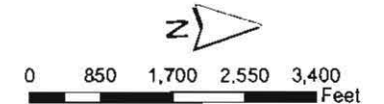
The area is characterized as forested with the potential for views of Bellingham Bay. Tree retention and/or preservation language should be considered for the zoning table to help maintain the area's wooded atmosphere and important natural qualities.

Area 5A Land Use Designation: Single Family Residential, Low Density



SAMISH NEIGHBORHOOD LAND USE

AREA	COMPREHENSIVE PLAN LAND USE DESIGNATION
1	Commercial
2	Commercial
2A	Multi-Family Res., Med. to-High Density
3	Multi-Family Res., Med. Density
4	Single Family Res., Low Density
5	Single Family Res., Low Density
5A	Single Family Res., Med. Density
6	Single Family Res., Low Density
7	Public
8	Multi-Family Res., Low Density
9	Commercial



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Happy Valley Neighborhood

Area 5A

This is an 1.19 acre area that is bounded by Wilson Avenue to the north, 20th Street to the east, and Old Fairhaven Parkway to the south. The area was rezoned in 2010. The rezone effectively maintained the existing single family zoning and density (twelve dwelling units), but allowed houses to be clustered on smaller lots for purposes of consolidating open space on the south side of the area. The zoning table outlines special conditions and regulations concerning development and protection/enhancement for the south side of the property.

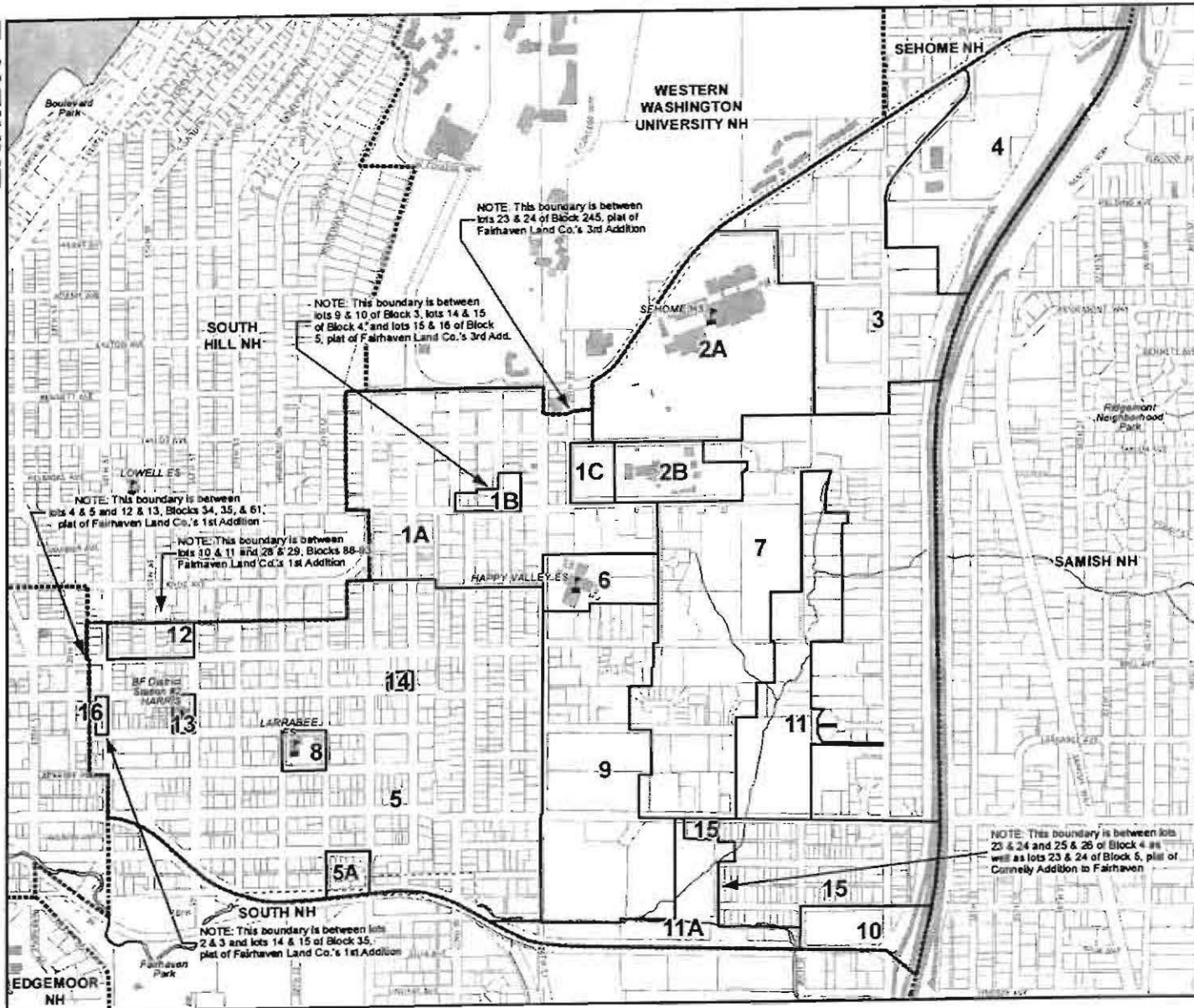
On March 2, 2010, the City and the property owner signed a development agreement that indicates development and design standards to construct attached and detached single family residences.

AREA 5A LAND USE DESIGNATION: SINGLE FAMILY RESIDENTIAL, MEDIUM DENSITY

INDEX
Happy Valley Neighborhood Plan

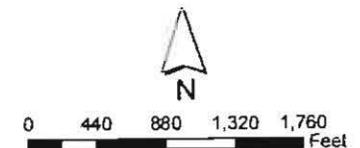
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HAPPY VALLEY NEIGHBORHOOD LAND USE

AREA	COMPREHENSIVE PLAN LAND USE DESIGNATION
1A	Multi-Family Res., High Density
1B	Commercial
1C	Institutional
2A	Public
2B	Public/Institutional
3	Multi-Family Res., High Density
4	Commercial
5	Single Family Res., Med. D-density
5A	Single Family Res., Med. D-density
6	Public
7	Single Family Res., Low Density
8	Public
9	Single Family Res., Med. D-density
10	Commercial
11	Public
11A	Public
12	Single Family Res., Med. D-density
13	Public
14	Commercial
15	Single Family Res., Med. D-density
16	Single Family Res., Med. D-density



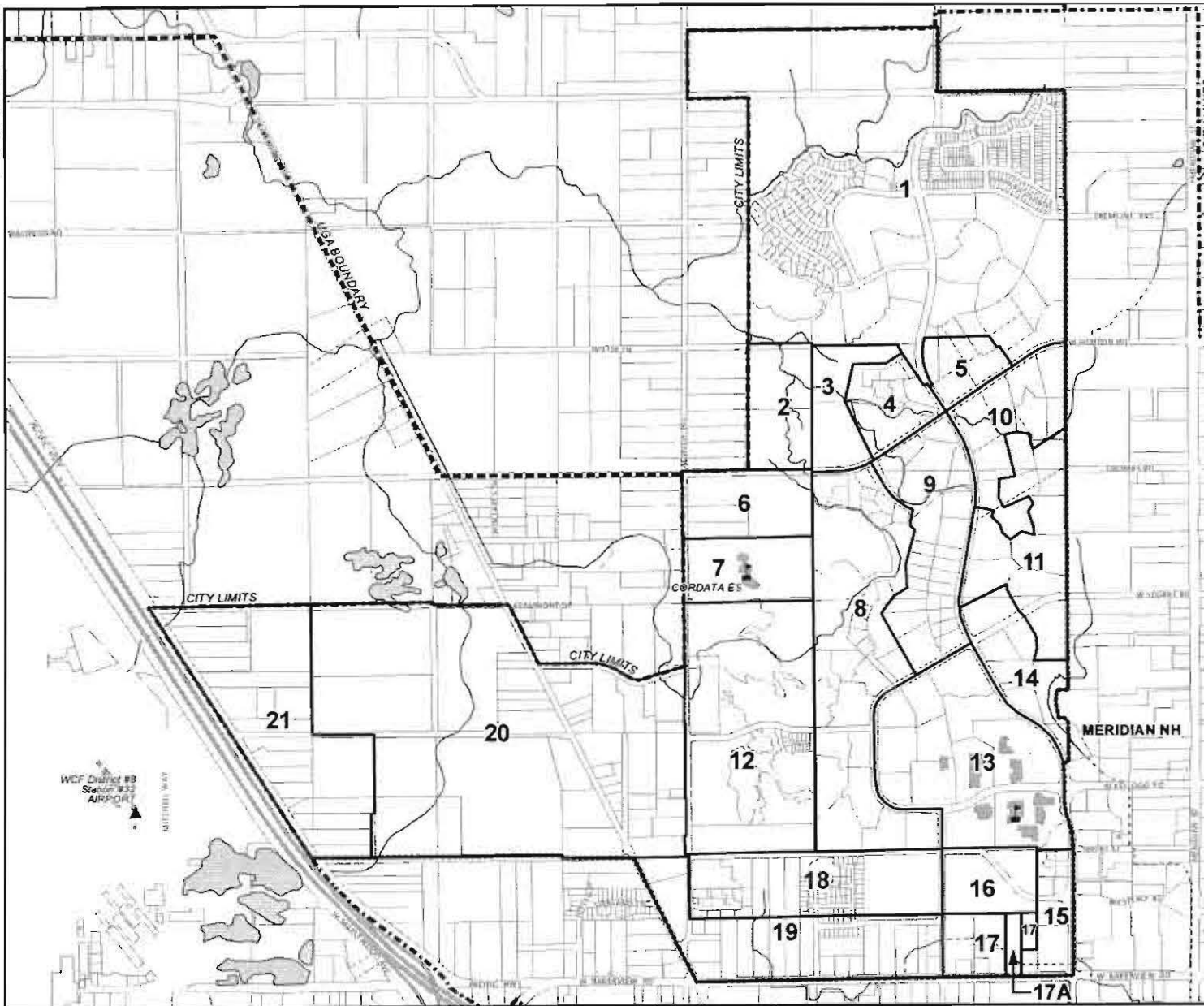
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Cordata Neighborhood

Area 17A

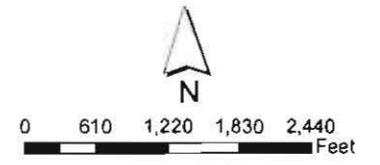
This 2.4-acre area, is located on West Bakerview Road and is surrounded by commercial development to the east and west and residential development to the north. The area was rezoned in 2013 to remove the minimum planned contract site plan area for commercial and residential development. Silver Creek bisects the site in an underground culvert. Necessary easements and maintenance provisions for this section of Silver Creek should be provided as development occurs. Given the proximity of Area 17A to existing residential and commercial development, either commercial or a mix of commercial and residential development, would be compatible for the site and neighborhood.

AREA 17A LAND USE DESIGNATION: COMMERCIAL



CORDATA 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
17A	Commercial
18	Multi-Family Res., High Density
19	Commercial
20	Single Family Res., Med. Density
21	Industrial



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EXHIBIT H

20.00.045 Cordata neighborhood table of zoning regulations.

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
17A	Commercial	Planned, residential units allowed; small scale office, 2,500 sq. ft. or less per building	Establish residential density through planned review process; density greater than RM 2,500 will require underground parking or an alternative approved through the planned process.	Buffers; internal and pedestrian circulation; dedication of 10 feet of right of way along Cordata Pkwy.	Land or fee contribution to combined park/trail system for W. Bakerview area between Cordata Pkwy. and Northwest (see 1993 Tate Plan).	None

CITY OF BELLINGHAM PLANNING STAFF REPORT

Agenda Topic:	Comprehensive Plan Amendments to add narratives and modify the land use designation maps for the following areas: Samish Neighborhood Area 5A, Happy Valley Area 5A, and Cordata Area 17A.
For:	October 17, 2013 - Planning Commission Public Hearing
Staff Contact:	Lindsay Kershner, Planner I

I. Proposal Summary

Consideration of neighborhood plan amendments to add narratives for recently rezoned areas in three neighborhood plans and amend the corresponding comprehensive plan land use designation maps to show the new areas. The three requested amendments to the Samish, Happy Valley, and Cordata Neighborhoods are minor changes that will ensure consistency between the neighborhood plans and land use development code.

II. Role of the Planning Commission

The proposal before the Commission are legislative neighborhood plan amendments requiring a Type VI process. The Planning Commission must hold a public hearing and issue findings of fact and conclusions along with a recommendation to the City Council. The Council will also hold a public hearing and consider the proposed neighborhood plan amendments. Comprehensive plan amendments can only be approved once a year, therefore the Council will adopt a package of plan amendments that have been reviewed throughout the 2013-2014 comprehensive review cycle.

Staff has provided draft Findings of Fact, Conclusions and Recommendations (**Attachment 2**). [Removed see Attachments in the City Council Packet] The Planning Commission should adopt or modify the findings as necessary to support their final recommendations.

III. Background

Samish Neighborhood – In June, 2007, the City Council approved a rezone that created a new Area, Area 5A, on the Samish Neighborhood zoning map and in the zoning table.

Happy Valley Neighborhood – In March, 2010, the City Council approved a rezone that created a new Area, Area 5A, on the Happy Valley Neighborhood zoning map and in the zoning table.

Cordata Neighborhood – On April 25, 2013, the City Council approved a rezone that created a new Area, Area 17A, on the Cordata Neighborhood zoning map and in the zoning table.

On June 27, 2013, the Bellingham Planning Commission held a public hearing regarding the 2013-2014 docketing requests and recommended to City Council that the proposed neighborhood plan amendments be placed on the annual 2013-2014 docket.

1 The City Council conducted a public hearing on July 15, 2013 and placed the proposed
2 neighborhood plan amendments on the annual 2013-2014 docket for the Samish, Happy Valley,
3 and Cordata Neighborhoods.

4
5 The zoning tables and maps of the approved rezones are shown in **Exhibit A**.

6
7 **IV. Comprehensive Plan Goals and Policies**

8
9 The proposal is consistent with and carries out the goals and policies of the City's
10 Comprehensive Plan. The City's Comprehensive Plan identifies that neighborhood plans should
11 be periodically updated to ensure that the plans are consistent with and implement the
12 Comprehensive Plan. The proposed amendments to the neighborhood plan will result in a clear
13 public benefit by providing updated information to the community.

14
15 Relevant Comprehensive Plan goals and policies are listed in **Exhibit B**. *[Removed see*
16 *Attachments in the City Council Packet]*

17
18 **V. Issue**

19
20 The proposed neighborhood plan amendments are the result of quasi-judicial rezones that were
21 approved by the City Council, whereby new areas were created in the development code, but
22 not in the neighborhood plans. To ensure consistency with the land use development code the
23 Samish, Happy Valley and Cordata Neighborhood Plans need to be amended to include
24 narratives for the areas and the comprehensive land use designation maps also need to be
25 updated.

26
27 **VI. Analysis**

28
29 The following decision criteria in Bellingham Municipal Code (BMC) 20.20.040A will be used by
30 the Planning Commission and City Council to evaluate amendment requests:

- 31
32 **1.** *There exists an error, omission or inconsistency in the pertinent comprehensive plan or*
33 *neighborhood plan provision;*

34
35 City Council previously approved rezones that created Area 5A of the Samish
36 Neighborhood, Area 5A of the Happy Valley Neighborhood, and Area 17A of the Cordata
37 Neighborhood in the land use development code. The zoning maps and tables were
38 revised to show the boundaries of these areas. The approved rezones were consistent
39 with the Bellingham Comprehensive Plan. The neighborhood plans were not amended
40 when these rezones were approved because comprehensive plan amendments can only
41 occur once a year. The proposed amendments to the neighborhood plans are minor and
42 will ensure consistency between the associated neighborhood plans and the land use
43 development code sections. The proposal will create a narrative for each area in the
44 neighborhood plan and amend the neighborhood comprehensive land use designation
45 map to show these areas.

46
47 The narratives need to be added to the neighborhood plans for each area because they
48 help define the character of the area and provide guidance for discretionary permits. The
49 maps need to be modified to show that the land use designation for the areas has
50 changed.

1 The new narratives for each neighborhood sub-area are listed below and correspond to the
2 existing zoning tables in BMC 20.00. The new land use designation maps for each
3 neighborhood also correspond to the zoning tables in BMC 20.00 by showing the rezoned areas
4 (**Attachment 3**). *[Removed see Ordinance in the City Council packet]*

5
6 Samish Area 5A

7
8 This area is approximately 2.19 acres in size and is bordered by Lindsay Avenue to the north,
9 Connelly Avenue to the south, and Samish Way to the west. The area was rezoned in 2007
10 from 20,000 square feet per detached single family residence to 7,201 square feet per detached
11 single family residence.

12
13 The area is characterized as forested with the potential for views of Bellingham Bay. Tree
14 retention and/or preservation language should be considered for the zoning table to help
15 maintain the area's wooded atmosphere and important natural qualities.

16
17 Happy Valley Area 5A

18
19 This is an 1.19 acre area that is bounded by Wilson Avenue to the north, 20th Street to the east,
20 and Old Fairhaven Parkway to the south. The area was rezoned in 2010. The rezone
21 effectively maintained the existing single family zoning and density (twelve dwelling units), but
22 allowed houses to be clustered on smaller lots for purposes of consolidating open space on the
23 south side of the area. The zoning table outlines special conditions and regulations concerning
24 development and protection/enhancement for the south side of the property.

25
26 On March 2, 2010, the City and the property owner signed a development agreement that
27 indicates development and design standards to construct attached and detached single family
28 residences.

29
30 Cordata Area 17A

31
32 This 2.4-acre area, is located on West Bakerview Road and is surrounded by commercial
33 development to the east and west and residential development to the north. The area was
34 rezoned in 2013 to remove the minimum planned contract site plan area for commercial and
35 residential development. Silver Creek bisects the site in an underground culvert. Necessary
36 easements and maintenance provisions for this section of Silver Creek should be provided as
37 development occurs. Given the proximity of Area 17A to existing residential and commercial
38 development, either commercial or a mix of commercial and residential development, would be
39 compatible for the site and neighborhood.

40
41 **VII. Public Comment**

42
43 Notice of the Planning Commission hearing was mailed to land owners within 500 feet of Area
44 17A of the Cordata Neighborhood, and the Neighborhood presidents and Mayor's
45 Neighborhood Advisory Commission members of the Cordata, Happy Valley, and Samish
46 Neighborhoods. Notice was also posted onsite and published in the Bellingham Herald.

47
48 At the time of this staff report, staff has received no comments.

1 **VIII. State Environmental Policy Act (SEPA)**

2

3 The City adopted existing environmental documents on September 24, 2013. Notice of the
4 adoption was published in the Bellingham Herald.

5

6 **IX. Staff Recommendation**

7

8 Staff hereby recommends approval of the proposed amendments as shown in the Draft
9 Findings of Fact, Conclusions, and Recommendations.

10

11 **X. Exhibits:**

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A. Zoning tables and maps of the approved rezones

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~~B. Comprehensive Plan goals and policies~~ *[see Attachments in the City Council
14 packet]*

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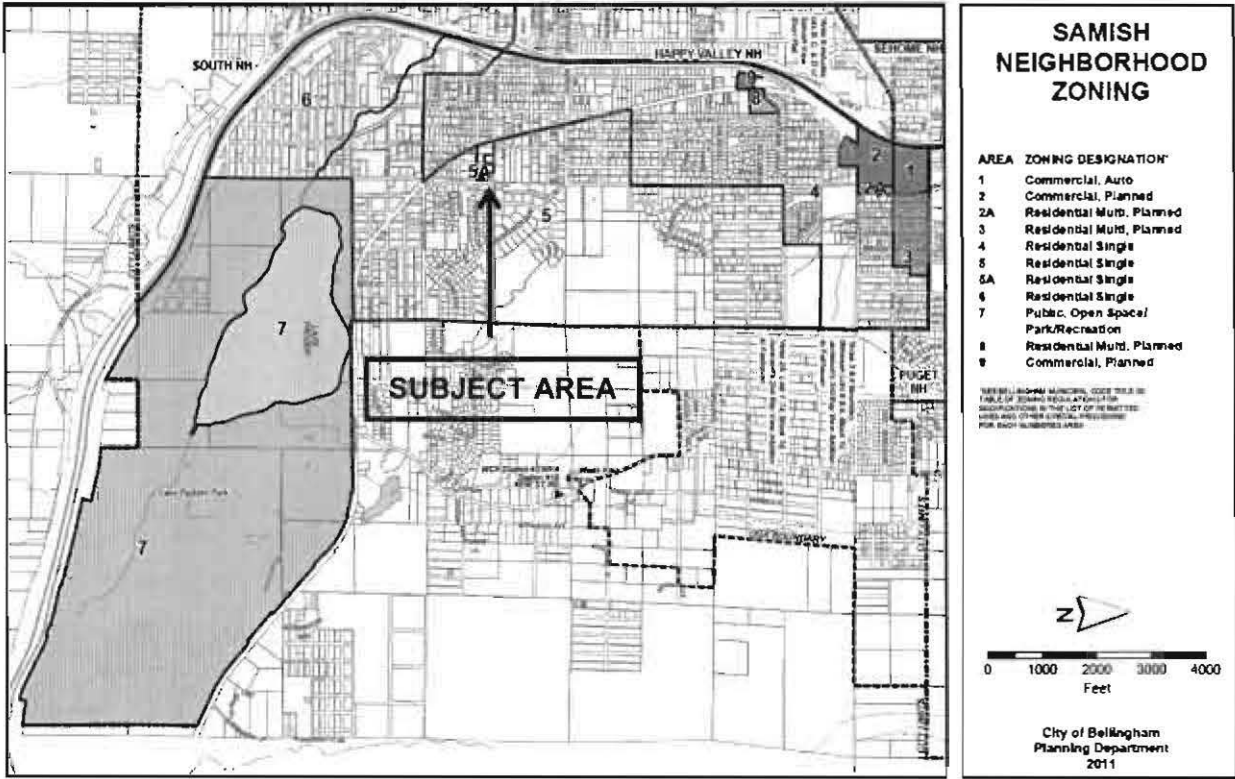
1
2 Neighborhood zoning tables and maps

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4 1. Samish Neighborhood Area 5A, Rezoned July 2007, Ordinance #2007-06-044

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Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
5A	Residential Single	Detached	7,201 sq. ft. minimum detached lot size.	Clearing, view, minimize impervious surfaces, traffic.	None	All lots developed in this area shall be required to submit a tree/vegetation preservation and replacement plan. The plan shall minimize clearing, address tree/vegetation removal, building footprint and a replacement plan for those trees/vegetation to be removed.

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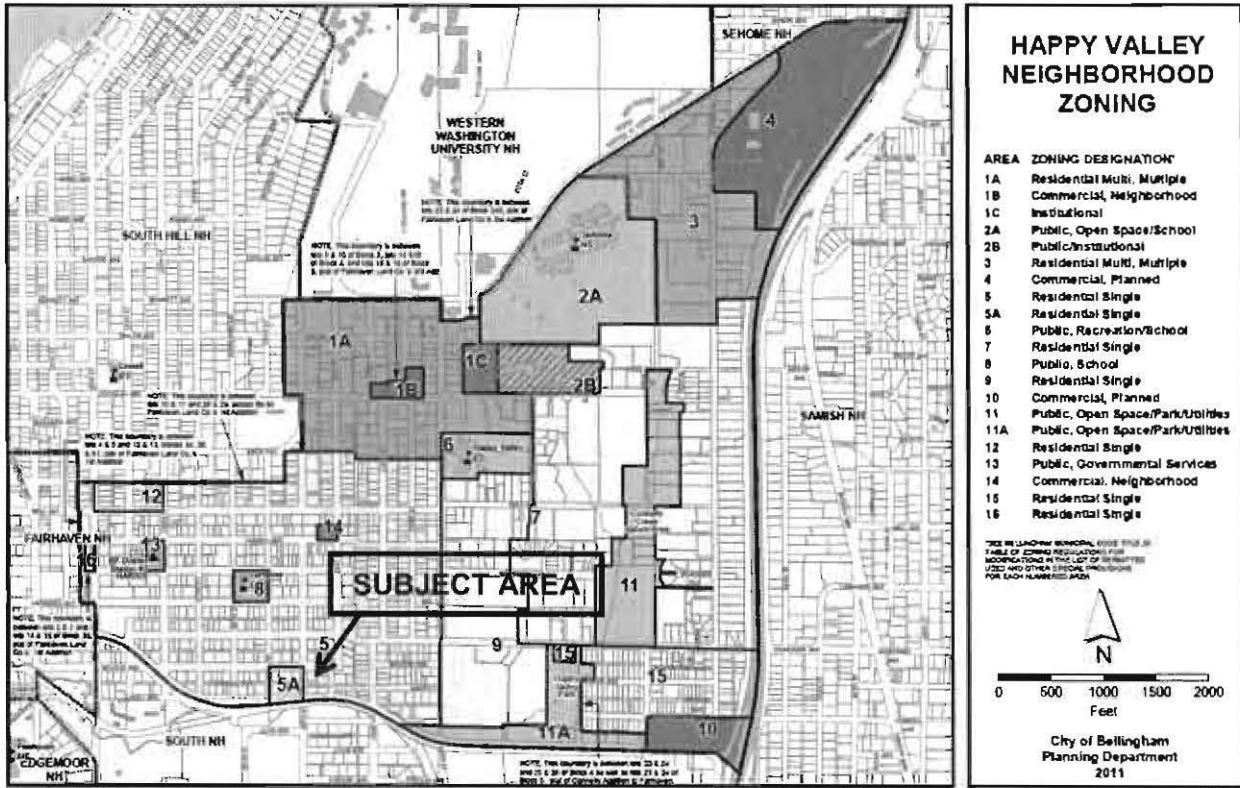
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2. Happy Valley Neighborhood Area 5A, Rezoned March 2010, Ordinance #2010-03-016

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
5A	Residential Single	<p>With Development Agreement as outlined in Special Regulations: Cluster Detached</p> <p>Without Development Agreement as outlined in Special Regulations: Detached, Cluster Attached (use attached single-family duplex regulations for cluster attached projects; standard cluster plat regulations shall not apply).</p>	<p>With Development Agreement as outlined in Special Regulations: Maximum of 12 dwelling units; 3,000 sf minimum cluster detached lot size.</p> <p>Without Development Agreement as outlined in Special Regulations: Single-family detached 5,000 sf min. detached lot size. Cluster attached 3,750 sf min. per unit attached lot size, maximum of two units attached for cluster development, one bedroom max. per 1,000 sf of land.</p>	<p>Drainage; Floodplain; Stream setbacks; Clearing</p> <p>Open space should be consolidated on the south side of the block for future daylighting of Padden Creek, floodway management, habitat enhancement, buffering Old Fairhaven Pkwy., and incorporation of low impact development practices.</p>	None	<p>With Development Agreement: Development shall comply with the Development Agreement approved by Ordinance No. <u>2010-03-016</u> unless the agreement expires or terminates.</p> <p>In order to meet the objectives outlined in the Area 5A Special Conditions, the following modifications to Chapter <u>20.30 BMC</u> apply to the Development Agreement:</p> <ol style="list-style-type: none"> 1. The designated "front yard" of those lots that abut the open space tract on the south side of the block shall be the common property line with said open space tract. 2. Setbacks (minimum): <ol style="list-style-type: none"> a. Primary Residence: 10 feet from property lines abutting the open space tract; five feet from all other property lines. b. Detached Accessory Buildings: 10 feet from all front and side flanking property lines; 0 feet on all internal side and rear property lines. c. A garage (attached or detached), the vehicular entrance of which faces the private alley, shall be set back from the private alley to provide 22 feet of vehicular maneuvering. The width of the improved alley may be included in the calculation of maneuvering. 3. BMC <u>20.30.050</u>

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
						(Optional development regulations) shall not apply.

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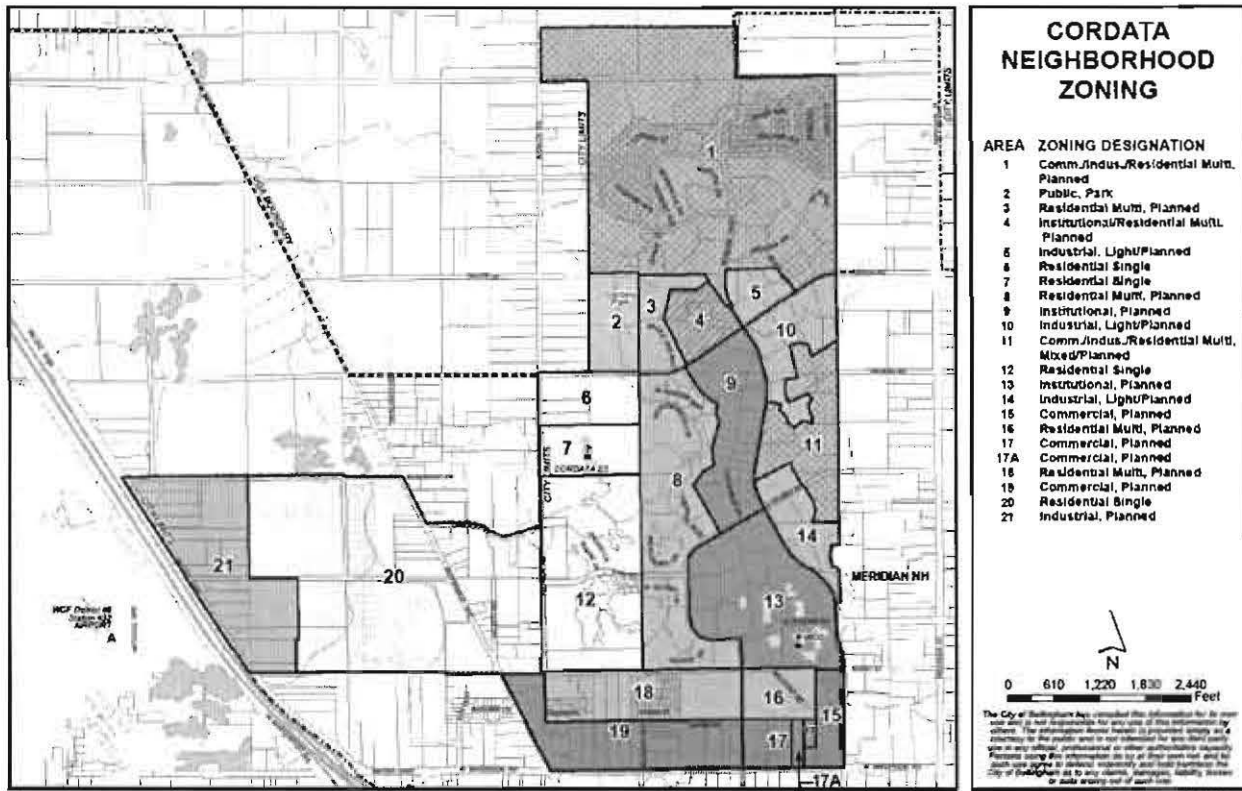
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3. Cordata Neighborhood Area 17A, Rezoned March 2010, Ordinance #2010-03-016

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
17A	Commercial	Planned, residential units allowed; small scale office, 2,500 sq. ft. or less per building	Establish residential density through planned review process; density greater than RM 2,500 will require underground parking or an alternative approved through the planned process.	Buffers; internal and pedestrian circulation; dedication of 10 feet of right-of-way along Cordata Pkwy.	Land or fee contribution to combined park/trail system for W. Bakerview area between Cordata Pkwy. and Northwest (see 1993 Tate Plan).	None

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SUBJECT AREA

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Attachment C

Comprehensive Plan Goals and Policies:

Part 9 - Land Use Policies: Framework Land Use Policies

FLU-1 It is the City's overall goal to preserve and protect the unique character and qualities of the existing neighborhoods. All policies, proposed development code and zoning changes should be reviewed with this goal in mind.

FLU-2 Bellingham's land use pattern should accommodate carefully planned levels of development that promotes efficient use of land, reduces sprawl, encourages alternative modes of transportation, safeguards the environment, promotes healthy neighborhoods, protects existing neighborhood character, and maintains Bellingham's sense of community.

FLU-12 Encourage active participation by all Bellingham residents in planning for the future.

FLU-14 Establish a collaborative neighborhood planning process that reflects the City's commitment to neighborhood planning. Updating neighborhood plans should be guided by the goals and policies in this plan to ensure that:

- Neighborhood character is maintained as new development occurs;
- Both neighborhood specific and city-wide goals and policies are considered; and
- Representatives of the City and the neighborhoods are working together in partnership.

ATTACHMENT D

RECORD OF PROCEEDINGS OF THE PLANNING COMMISSION CITY OF BELLINGHAM, WASHINGTON PUBLIC HEARING

THURSDAY
October 17, 2013
Video-taped & Audio-recorded

7:00 P.M.
CITY COUNCIL CHAMBERS
www.cob.org

CALL TO ORDER:

The meeting was called to order by Tom Grinstad, Chairman of the Planning Commission.

ROLL CALL:

Tom Grinstad, Jeff Brown, Danne Neill, Garrett O'Brien, Ali Taysi, Phyllis McKee and Steve Crooks

Present: Tom Grinstad, Jeff Brown, Danne Neill, Garrett O'Brien, Ali Taysi and Steve Crooks

Absent: Phyllis McKee

Staff Present: Lisa Pool, *Senior Planner*; Lindsay Kershner, *Planner I*; Kathy Bell, *Planner II*; and Heather Aven, *Recording Secretary*.

Applicants:

APPROVAL OF MINUTES:

The minutes from October 10, 2013 were submitted to the Commission for approval.

MOTION: Danne Neill moved to approve the minutes from October 10, 2013 as amended.

SECONDED. VOTE: 5-0-1 (*Motion Passes – BROWN ABSTAINED*)

15 MINUTE PUBLIC COMMENT PERIOD:

No testimony given.

PUBLIC HEARING #1:

Adding new narratives to the neighborhood plans and amend the Comprehensive Plan Land Use Designation maps for the following neighborhoods: Cordata Neighborhood, Area 17A; Happy Valley Neighborhood, Area 5A; and Samish Neighborhood, Area 5A. City Council previously approved rezones in these areas and the neighborhood plans and Comprehensive Plan Land Use Designation maps were never amended to reflect the changes.

STAFF PRESENTATION

Lindsay Kershner explained that the proposed amendments are simply minor clean-ups of previously approved rezones that were never reflected in the Comprehensive Plan. She noted that the proposed amendments would add narratives to three neighborhood plans (Cordata Neighborhood, Area 17A; Happy Valley Neighborhood, Area 5A; and Samish Neighborhood, Area 5A.), as well as, the associated land use designation maps. She pointed out that the decision criteria applicable in this situation is: an error, omission or inconsistency in the Comprehensive Plan or Neighborhood Plan provisions exists. She stated that it is staff's opinion that the proposed amendments meet the decision criteria, given that they will ensure consistency between the development code and the neighborhood plans.

Lindsay Kershner pointed out that there was an additional inconsistency in the special conditions section of the zoning table for Area 17A of the Cordata Neighborhood (third condition) related to the property

abutting Cordata Parkway. She stated that due to the fact that the property does not abut Cordata Parkway, that language should also be stricken as part of the "clean-up" being done to the plans. She noted that no public comment was received and recommended approval of the amendments.

PUBLIC HEARING OPENED

No public testimony given.

PUBLIC HEARING CLOSED

MOTION: Jeff Brown moved to approve the Findings of Fact, Conclusions and Recommendations included in the October 17, 2013 staff report, including the removal of the third condition from the special conditions section of Area 17A in the Cordata Neighborhood zoning table; and forward a recommendation of approval to the City Council. SECONDED.

VOTE: ALL AYES (*Motion Passes 6-0*)

PUBLIC HEARING #2:

The proposed amendments to the Bellingham Municipal Code (BMC) are to clarify the density bonus provisions currently allowed through residential proposals reviewed under BMC 20.38 Planned Development and as referenced in BMC 20.00 Table of Zoning Regulations. The proposed amendments are minor in nature and are intended to clarify and help alleviate confusion regarding how density bonuses may be applied through the planned development process.

STAFF PRESENTATION

Kathy Bell noted that inquiries have been received from the public related to Areas 8, 9, 10 and 13 of the King Mountain Neighborhood regarding the process for incorporating density bonuses into development proposals. She stated that the proposed text amendment are necessary to fix current errors in the code, clarify the process for administering density bonus requests in the above mentioned areas, and to modify the cluster bonus options to be more adaptable to multifamily development. She stated that no public comment was received, and staff recommends approval of the amendments.

There was a conversation about what the public inquiries were regarding and what infrastructure currently exists in Areas 8, 9, 10 and 13.

Jeff Brown wanted to know if these amendments affected the development that previously came before the Commission as the King Mountain Urban Village in any way.

Kathy Bell clarified that the King Mountain Urban Village proposal was denied by City Council and stated that these amendments do not change the opportunities the developer has for density. She pointed out that they provide clarity for the use of cluster bonus provisions in multi-family development as well as the single family development.

PUBLIC HEARING OPENED

No public testimony given.

PUBLIC HEARING CLOSED

MOTION: Garrett O'Brien moved to approve the Findings of Fact, Conclusions and Recommendations included in the October 17, 2013 staff report and forward a recommendation of approval to the City Council. SECONDED.

VOTE: ALL AYES (*Motion Passes 6-0*)

GENERAL BUSINESS:

Planning Director's Report
No Report.

Staff / Commissioner Discussion

ADJOURNED: 7:20 p.m.

NEXT MEETING: November 7

Minutes prepared by:

Heather Aven, Recording Secretary

Minutes edited by Planning Commission members and various Planning Staff.



BELLINGHAM CITY COUNCIL

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BELLINGHAM CITY COUNCIL NOTICE OF PUBLIC HEARING

Notice is hereby given that the Bellingham City Council will hold a public hearing on **Monday, December 9, 2013, @ 7:00 PM**, or as soon thereafter as possible, in the **City Council Chambers, City Hall, 210 Lottie Street, Bellingham, Washington**, to take public comment on the following:

AMENDMENTS TO THE COMPREHENSIVE PLAN TO ADD NEW NARRATIVES TO THE NEIGHBORHOOD PLANS AND AMEND THE COMPREHENSIVE PLAN LAND USE DESIGNATION MAPS FOR THE FOLLOWING NEIGHBORHOODS: CORDATA NEIGHBORHOOD, AREA 17A; HAPPY VALLEY NEIGHBORHOOD, AREA 5A; AND SAMISH NEIGHBORHOOD, AREA 5A, TO REFLECT MAP AND ZONING CHANGES PREVIOUSLY APPROVED.

Detailed information can be found at: <http://www.cob.org/government/public/boards-commissions/planning-materials.aspx> (June 27, 2013)

Staff Contact: Lindsay Kershner, Planning and Community Development Department (360) 778-8369 or lkershner@cob.org

Anyone wishing to comment on this topic is invited to attend; or if unable to attend, to send your comments, in writing to the Council Office, 210 Lottie Street, or email to cemail@cob.org, or fax to 778-8101, to be received prior to 10:00 a.m., Wednesday, December 4th, to be included in the agenda packet. Comment received after that time will be distributed to Council but not included in the published meeting materials.

FOR OUR CITIZENS WITH SPECIAL NEEDS, the Council Chambers is fully accessible. Elevator access to the second floor is available at City Hall's west entrance. Hearing assistance is available and a receiver may be checked out through the clerk prior to the evening session. For additional accommodations, persons are asked to contact the Legislative Assistant at 778-8200 in advance of the meeting. Thank you.

Publication date: Friday, November 8, 2013

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