



Attachment D

Planning and Community Development Department

210 Lottie Street, Bellingham, WA 98225

Phone: (360) 778-8300 Fax: (360) 778-8301 TTY: 711 (WA Relay)

Email: planning@cob.org Web: www.cob.org

TYPE II & IIIA NOTICE OF COMPLETE APPLICATION

Date of Notice: 2/6/2024
Applicant: Igor Kasko, Port of Bellingham, 360-715-7393 or igork@portofbellingham.com
Application Type: Shoreline permit and shoreline conditional use permit: SHR2023-29 & 30
Project Location: Roeder Avenue Bridge. City Center Area 5, Commercial

The application listed above has been determined to be sufficiently complete to begin review. This determination does not preclude the City from requesting additional information or studies at a future date if new information is required.

The following additional government approvals or permits may be required for the project:

- City permits / WDFW hydraulic project approval

It is your responsibility to identify and obtain all necessary permits and approvals. The information listed above is offered as assistance but does not necessarily represent all of the approvals required.

The enclosed posting notice must be posted on the site within 5 days of the date of this notice. Please return the enclosed Certificate of Posting to the staff contact listed below within 3 days of posting. Notices must be posted on signs that meet City specifications, such signs are available for purchase (\$5.50 each) at the Planning and Community Development Department. **FAILURE TO POST will cause a delay in the processing of your application.**

Please contact the staff member listed below if you have any questions.

Name: Steve Sundin, Senior Planner E-mail / Phone: ssundin@cob.org or 360-778-8359

Enclosures: Public Notice and Instructions



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TYPE II & IIIA

NOTICE OF APPLICATION & OPTIONAL DNS & PUBLIC HEARING

SHR2023-0029 / SHR2023-00030 / SEP2023-0041

Notice is hereby given that the Planning and Community Development Department (PCDD) has received applications for shoreline development and conditional use permits and a SEPA determination. **The City of Bellingham Hearing Examiner will hold a public hearing at 6:00 pm in the City Hall Council Chambers on 4/10/2024 to take testimony on:**

Project Description: Installation of power and telecommunication conduit banks on the underside of the Roeder Avenue bridge that spans the mouth of Whatcom Creek. A total of 12 conduits will be attached to the bridge ranging from 2" up to 6" in diameter. Said conduits will not hang further below the existing girders of the bridge. Wing-walls of the bridge will be cut out to allow the conduit to be trenched within the Roeder Avenue right-of-way east and west of the bridge. These are new conduits over-water and therefore require a shoreline CUP that must be approved by the Department of Ecology.

Project Location: Roeder Avenue bridge. City Center Area 5, Commercial, Aquatic shoreline designation.

Applicant: Igor Kasko, Port of Bellingham, 360-715-7393 or igork@portofbellingham.com

Comments Due By: 3/7/2024

A staff report will be available in the Planning and Community Development Department approximately one week prior to the hearing.

A site plan and associated documents are available for viewing at <http://www.cob.org/notices> or, in the Permit Center at City Hall. Anyone wishing to comment on this proposal, is invited to submit written comments by 5:00 p.m. on March 7, 2024.

Anyone wishing to comment on this proposal may do so by writing and/or by testifying at the hearing. Written comments should be submitted before the end of the comment period but will be accepted if received by **5:00 p.m. on the hearing date**. You may also request a copy of the decision and information on your appeal rights by submitting your name and address to the staff contact below.

Date Application Received:	12/18/2023
Date of Complete Application:	2/6/2024
Date of Notice of Application:	2/6/2024
Other Known Required Permits:	City permits / WDFW hydraulic project approval
Permits Applied for Include:	Shoreline development and conditional use & HPA

Send written comments and requests for information to:

Name: Steve Sundin, Senior Planner

E-mail / Phone: ssundin@cob.org or 360-778-8359

Roeder Avenue Bridge Conduit
SHR2023-0029 / SHR2023-0030 / SEP2023-0041

The Hearing Examiner will issue a decision within 10 days of the close of the record. If you want to receive notification of the action, please complete and return this section to the Planning and Community Development Department, City Hall, 210 Lottie Street, Bellingham, WA 98225.

Attn: Steve Sundin, Senior Planner **Yes, I would like to know the action taken.**

Name _____

Address _____

(including City, Zip)

POSTING NOTICE

NOTICE OF APPLICATION & PUBLIC HEARING SHR2023-0029 / SHR2023-0030 / SEP2023-0041

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Applicant: Igor Kasko, Port of Bellingham, 360-715-7393 or igork@portofbellingham.com

Comments Due By: 3/7/2024

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Date of Complete Application:	2/6/2024
Date of Notice of Application:	2/6/2024
Other Known Required Permits:	City permits / WDFW hydraulic project approval
Permits Applied for Include:	Shoreline development and conditional use & HPA

Send written comments and requests for information to:

Name: Steve Sundin, Senior Planner **E-mail / Phone: ssundin@cob.org or 360-778-8359**
Planning and Community Development Department - City Hall
210 Lottie Street - Bellingham, WA 98225 Fax: 360-778-830



Planning and Community Development Department

210 Lottie Street, Bellingham, WA 98225

Phone: (360) 778-8300 Fax: (360) 778-8301 TTY: (360) 778-8382

Email: planning@cob.org Web: www.cob.org

Certificate of Posting

Date: 2/6/2024

To Whom it May Concern,

Enclosed is/are **2** Notice(s) of **Application ODNs & Hearing** for the **Roeder Ave Bridge** project application. **A scaled site plan showing the posting location must be submitted along with this "Certificate of Posting"** and should include the location of notices, address of the project, lot lines, existing structures and streets.

It is the responsibility of the applicant to post the notices in a conspicuous location. The notices must be posted on the project site by **2/13/2024**, and they must be:

1. On posting signs that conform to Planning & Community Development Department specifications.
 - o Signs are available for purchase at the Planning & Community Development Department for \$5.50 or you may order them from a commercial firm using City design specifications.
 - o Large signs for subdivisions, rezones, and larger projects are 3' x 4' and must be backed with plywood. Small signs for variance, home occupations, and other smaller projects are 1.5' x 2'.
2. Near each road frontage, and clearly visible to road or pedestrian traffic
3. Situated so that they are easily accessible and readable

THE CERTIFICATE MUST BE RETURNED TO THIS OFFICE BY **2/16/2024**. **Failure to return the certificate by this deadline may result in postponement of hearings or other delays in processing the application.**

Although it is beyond the control of the applicant to guarantee maintenance of the posted notice, it shall be the applicant's responsibility to replace notices found to be damaged or missing. Notices shall not be removed until a final decision on the application is made by the City.

Staff Contact: Steve Sundin 360-778-8359 or ssundin@cob.org

Project #: SHR2023-0029 SHR2023-0030 SEP2023-0041 (SS) _____

I, IGOR KASKO, applicant for the above project, certify that I:

- Posted (number) 2 "Notice of APPLICATION & OPTIONAL DNS & PUBLIC HEARING" for the above referenced permit application for the development proposed at (address) ROEDER AVENUE BRIDGE.
- Submitted a site plan indicating the location of the posting sign.

The notices were posted, on the 7th day of FEBRUARY, 20 24. I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Igor Kasko

(Signature of person posting notices)

2/7/2024

(Date)

STATE OF WASHINGTON)

) ss.

WHATCOM COUNTY)

Signed and attested before me this 7th day of February, 20 24.

Susan M Baker

(Signature of notary)

Susan M Baker

(Name Printed)

(Seal or stamp)



5/14/26

My appointment expires:





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Determination of Non-Significance (DNS)

SEP2023-0041

Date of Issuance of Threshold Determination: 3/27/2024

Project Name: Roeder Avenue Bridge Conduit Hang

Project Description: Installation of power and telecommunication conduit banks on the underside of the Roeder Avenue bridge that spans the mouth of Whatcom Creek. A total of 12 conduits will be attached to the bridge ranging from 2" up to 6" in diameter. Said conduits will not hang further below the existing girders of the bridge. Wing-walls of the bridge will be cut out to allow the conduit to be trenched within the Roeder Avenue right-of-way east and west of the bridge. These are new conduits over-water and therefore require a shoreline CUP that must be approved by the Department of Ecology.

Project Location: Generally located within the Roeder Avenue right-of-way and underneath the bridge that crosses Whatcom Creek. Area 6, City Center Neighborhood and on the dividing line between the Urban Conservancy and Waterfront District shoreline designations. No parcel number – within the right-of-way.

Proponent: Susan Driver, DEA, susan.driver@deainc.com for Igor Kasko, Port of Bellingham, 360-715-7393 or igork@portofbellinham.com

Lead Agency: City of Bellingham, Planning and Community Development Department (PCDD)

Environmental Information Considered: SEPA Checklist dated 12/1/2023, Applicant's justification for SCUP dated 12/1/2023, Habitat Conservation Area Memo and JARPA dated 12/1/2023 by DEA, Inc., project plan set by POB dated NOV, 2023, Structural Bridge Rating Report dated 2/2/2024 by TranTech Engineering.

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter [36.70A](#) RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW [43.21C.240](#) and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. This decision was made after review of the environmental information considered on file with the lead agency. This information is available to the public at <http://www.cob.org/notices> or upon request.

- This DNS is issued after using the optional DNS process in WAC 197-11-355. A notice of Application and Optional DNS was issued on **2/6/2024**, there is no further comment period on the DNS.

Appeal Rights: Pursuant to BMC 16.20.210(D), there is no administrative appeal of this environmental determination.

Staff Contact: Steve Sundin, Senior Planner - Planning and Community Development Department
210 Lottie Street - Bellingham, WA 98225 - Email / Phone: ssundin@cob.org or 360-778-8359

Responsible Official: Kurt Nabbefeld, Development Services Manager - Planning and Community Development Department - 210 Lottie Street, Bellingham, WA 98225



Planning and Community

Development Department

City of Bellingham

NOTICE OF HYBRID PUBLIC HEARING

The City of Bellingham Hearing Examiner will hold an **in-person and virtual Zoom** public hearing at **6:00 p.m.** on **Wednesday, April 10, 2024**, in City Council Chambers, City Hall, 210 Lottie Street, to take testimony on the following proposal:

SHR2023-0029 / SHR2023-0030: Request for a Shoreline Permit and a Shoreline Conditional Use Permit for the installation of power and telecommunication conduit banks on the underside of the Roeder Avenue bridge that spans the mouth of Whatcom Creek. A total of 12 conduits will be attached to the bridge ranging from 2” up to 6” in diameter. Said conduits will not hang further below the existing girders of the bridge. Wing-walls of the bridge will be cut out to allow the conduit to be trenched within the Roeder Avenue right-of-way east and west of the bridge. These are new conduits over-water and therefore require a shoreline substantial development permit and a shoreline conditional use permit. The applicant requested that the Hearing Examiner rule on both permits per the consolidation rule in 21.10.060. The Hearing Examiner will issue decisions on both permits after the public hearing. The shoreline conditional use permit will be forwarded to the Department of Ecology for a final decision. The property is generally located within the Roeder Avenue right-of-way and specifically underneath the bridge that spans Whatcom Creek. Susan Driver, David Evans & Associates, applicant; Port of Bellingham, owner. Residential Aquatic Shoreline, Marine Reaches 5 and 6 land use designation. City Center, Area 6.

HOW TO PARTICIPATE

All interested persons are invited to comment on the above applications. Written comments by mail and email are accepted and strongly encouraged.

**Send comments and requests for information to: Planning & Community Dev. Dept.
City Hall, 210 Lottie Street
Bellingham, WA 98225
Attn: Steven Sundin, Senior Planner
E-mail: ssundin@cob.org**

Written comments received prior to 5:00 p.m., Monday, April 1, 2024, will be included in the online published packet. Comments received after that will be distributed to the Hearing Examiner for consideration but may not be included in the online published packet. All written comments should be submitted before the close of the comment period but will be accepted if

Planning
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www.cob.org/planning

Community Development
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Phone: (360) 778-8300
Fax: (360) 778-8302
TTY: (360) 778-8382
Email: cd@cob.org
www.cob.org/planning

Building and Development Services
210 Lottie Street
Bellingham, WA 98225
Phone: (360) 778-8300
Fax: (360) 778-8301
TTY: (360) 778-8382
Email: permits@cob.org
www.cob.org/permits

received by 5:00 p.m. on the hearing date. You may also request a copy of the Hearing Examiner's decision and your appeal rights.

Attend in-person at City Hall, or virtually at the live Zoom webinar:

Anyone wishing to testify live during the Zoom webinar can do so by registering at the following link: <https://www.cob.org/he041024>

This link can be used before the meeting to pre-register or during the meeting to register and immediately join the meeting. Pre-registration is strongly encouraged. Once you are registered, you will receive an email with a link to the meeting.

Those who would like to listen in by phone can do so using any of the following phone numbers:

- (253) 215-8782
 - (346) 248-7799
 - (669) 900-6833
 - (301) 715-8592
 - (312) 626-6799
 - (929) 205-6099
- Meeting ID: 876-8606-2316
Password: 9

The record will be held open for two business days to accept post-hearing written public comment from anyone who had technology issues that prevented them from testifying at the hearing.

The application materials and staff reports will be available on-line at www.cob.org/gov/dept/hearing/pages/hearing-examiner-materials.aspx approximately one week before the virtual public hearing.

A Citizen's Guide to Remote Hearing's is available on-line at: www.cob.org/zoomguide
The City of Bellingham will provide a variety of accommodations and services for access and communications. Individuals with disabilities who wish to participate in City programs, services or activities and need an accommodation can submit a request for accommodation to the City by completing the online Request for Accommodation form (available at www.cob.org/ADA). As always, elevator access to the 2nd floor is available at City Hall's west entrance.

Note: This hearing will be video and audio recorded. The City of Bellingham issued this notice on March 26, 2024.

SHR2023-0029/SHR2023-0030: Roeder Avenue Bridge

If you want to receive notification of the Hearing Examiner's decision, **please complete and return this section** to the department listed above.

Yes, I would like to know the action taken.

Name: _____ Address: _____

Email: _____