ZON2013-00006: South Neighborhood Plan Amendment.

The City's Parks and Recreation Department submitted a docketing request for a neighborhood plan amendment to change the land use designation (rezone) of approximately 111 acres of City-owned land from Residential Multi (RM), Planned, to Public, Open Space. The properties are located in Area 4 of the South Neighborhood and include all the Fairhaven Highlands (Chuckanut Ridge) properties purchased by the City in 2011 and two adjacent properties acquired in 2001 and 2002.

Applicant's Statement:

In summary, the applicant states that the proposal meets the docking criteria outlined in BMC 20.20.030 and is consistent with the City's adopted comprehensive plan and Parks, Recreation, and Open Space Plan. The purpose of this proposal is to preserve and protect the City's natural environment, provide open space linkages and corridors, conserve wildlife habitat areas, and offer recreational opportunities and access to the natural environment. The proposal serves a public interest and meets the City's commitment to protecting the environment and providing recreational opportunities for the community under the Public, Open Space zoning designation.

Staff Review:

The Public general use type is intended to apply to major parcels of land within the City that are owned by public agencies and used for public purposes. City-owned properties are typically rezoned to a Public designation to serve the public, provide for a graphic record of public lands, and accommodate government-related uses.

Staff finds that the proposal meets the docking criteria outlined in BMC 20.20.030 A. and BMC 20.20.030 B.2. through B.4., and should be placed on the 2013-2014 docket. Docketing this proposal serves a public interest and provides the opportunity for the City to evaluate the merits of the proposal to establish the appropriate zoning for this area. City resources are available to review the proposal within the time frame of the annual review process.

Staff Recommendation: Docket this proposal for review in 2013-2014.
MAP 5 - PROPOSAL ZON2013-00006

SOUTH NEIGHBORHOOD PLAN
South Neighborhood
Area 4

Change From Residential Multi, Planned,
(5,000 sf/unit single family & 3,000 sf/unit multi family)
to Public

2013 Rezone Process

City of Bellingham
Planning & Community Development
2013
COMPREHENSIVE PLAN AMENDMENT PROPOSAL ZON2013-00006
SOUTH NEIGHBORHOOD PLAN
DOCKETING APPLICATION MATERIALS
COMPREHENSIVE / NEIGHBORHOOD PLAN AMENDMENT
DOCKET APPLICATION FORM

TO BE COMPLETED BY STAFF
Date Received: 4-1-13
Case Number: 2642013-00006

Use this form to request docketing of a proposed Comprehensive Plan and or Neighborhood Plan amendment(s). Applications may be submitted at any time but must be received by April 1 of each year for review during the following year. Please complete the following and attach additional pages as needed. Incomplete applications will not be accepted.

1. An application must include the following materials:
   □ Docket Application Form.
   □ Fee payment calculated at 10% of the total comprehensive plan amendment fee.* The fee is not refunded if the proposal is not docketed. The fee is calculated as follows:

   (a) Non-site specific Comprehensive / Neighborhood Plan amendments:
       $1,594 base fee + $255 notice fee x 0.1 = $185 due at docket application.

   OR

   (b) Site specific Comprehensive / Neighborhood Plan amendments:
       $1,594 base fee + $255 notice fee + $213 per acre over first acre ($12,750 max.) x 0.1 = fee due at docket application. Final fees will be calculated at the time the application is submitted.

   *Recognized Neighborhood Associations are exempt from this fee.

2. Applicant: Bellingham Parks and Recreation Department Phone: (360) 778-7000
   Address: 3424 Meridian Street
   City/State/Zip: Bellingham, WA 98225
   Email: lbryson@cob.org Fax:
   Name of contact if applicant is a group: Leslie Bryson

I have read the application materials and acknowledge that if the proposed amendment is approved by the City Council for inclusion in the annual docket, a complete Comprehensive / Neighborhood Plan Application must be submitted within 30 days of the Council's docket decision or a date approved by the Planning and Community Development Director in order to continue to final review. Failure to submit a complete application prior to the deadline may result in removal from the docket.

Applicant signature: [Signature] Date: 3/28/13

CPA Docket Application 1/4/2012
3. Provide an explanation of how the proposed Comprehensive or Neighborhood Plan amendment meets one or more of the docking criteria listed in **Bellingham Municipal Code 20.20.030 A. (2)**. (Docking criteria - page 4 attached)

4. If the proposal includes general Comprehensive Plan or Neighborhood Plan amendments that are not site-specific, please describe your amendment proposal as specifically as possible and attach it to this form. If specific wording changes are proposed, show the changes in strikethrough and underline format. Reference the location in the Plan where the change is proposed.

**Complete the following sections if the proposal includes a site-specific amendment to a comprehensive plan land use designation.**

**Property Owner**

Name: City of Bellingham

Phone: (360) 778-8300

Address: 210 Lottie Street

City/State/Zip: Bellingham, WA 98225

Email: mquinn@cob.org

Fax: 

**Owner's Authorized Agent/Contact**

Name: 

Phone: 

Address: 

City/State/Zip: Bellingham, WA 98225

Email: 

Fax: 

**Property Information**

1. Assessor Parcel Numbers: 376312, 356393, 359326, 364267, 478145, 447323, 477313, 500214

2. Attach a map (8.5" x 11") identifying the property included in the proposed amendment and showing parcels and streets located within and adjacent to the site.

3. Neighborhood Name: South

   Current Comprehensive Plan Land Use Designation: Multi-family Residential

4. Proposed Comprehensive Plan Land Use Designation: Public

5. Current Zoning: Residential Multi, Planned

6. Proposed Zoning: Public, Open Space
Property Owner(s)

I am the owner of the property described above or am authorized by the owner to sign and submit this application. I grant permission for the City staff and agents to enter onto the subject property at any reasonable time to consider the merits of the application and post public notice. I certify under penalty of perjury of the laws of the State of Washington that the information on this application and all information submitted herewith is true, complete and correct.

I also acknowledge that by signing this application I am the responsible party to receive all correspondence from the City regarding this project including, but not limited to, expiration notifications. If I, at any point during the review or process, am no longer the Applicant for this project, it is my responsibility to update this information with the City in writing in a timely manner.

Signature by Owner/Applicant/Agent: [signature] Date: 4/1/13

City and State where this application is signed: ________________________________

BELLINGHAM MUNICIPAL CODE

20.20.030 ANNUAL DOCKETING CRITERIA

A. The City shall use the following criteria in selecting proposals for inclusion in the annual docket of comprehensive plan/neighborhood plan amendments. In order to be included on the annual docket, a proposal must meet the following criteria:

(1) The City has the resources, including staff and budget, necessary to adequately and comprehensively review the proposal within the timeframe of the annual review process; and

(2) The proposal meets one or more of the following criteria:

a. The proposed amendment represents an issue appropriately addressed in the comprehensive plan or in a neighborhood plan;

b. The proposal demonstrates strong potential to serve the public interest by implementing specifically identified goals and policies of the comprehensive plan;

c. The public interest would be best served by considering the proposal in the next amendment cycle, rather than delaying consideration to a future plan update process;

d. The amendment addresses changing circumstances, changing community values, or corrects or updates information in the comprehensive plan or a neighborhood plan; or

e. State law requires, or a decision of a court or administrative agency has directed a change to the comprehensive plan or a neighborhood plan.
2013-2014 Comprehensive/Neighborhood Plan Amendment Docket Request

The City of Bellingham Parks and Recreation Department is submitting a docketing request for a Comprehensive and Neighborhood Plan amendment to rezone approximately 111.29 acres in Area 4 of the South Neighborhood from Residential Multi, Planned to Public.

The proposal includes rezoning several properties acquired by the City in 2011, known as the Fairhaven Highlands (Chuckanut Ridge) properties. As part of this proposal, staff is also requesting to include two other City owned properties that were acquired in 2001 and 2002 that are located within the same sub-area and are adjacent to the Fairhaven Highlands properties.

Parcels included in the rezone request include:

370212356393 = 13.46 acres
370212359328 = 20.00 acres
370212364207 = 42.00 acres
370212478165 = 15.90 acres
370212447323 = 1.11 acres
370212477313 = 2.36 acres
370212500214 = 16.46 acres

Total = 111.29 acres

The rezone proposal meets the docking criteria outlined in Bellingham Municipal Code 20.20.30 A. 2. and is consistent with the City's adopted Comprehensive Plan and Parks, Recreation, and Open Space Plan. The over-all purpose of this proposal is to preserve and protect the City's natural environmental resources, provide open spaces linkages and corridors, conserves wildlife habitat areas, and offer recreational opportunities and access to the natural environment. The proposal serves a public interest and meets the City's commitment to protecting the environment and providing recreational opportunities for the community under the Public, Open Space zoning designation.
ZON2013-00007: Cornwall Park Plan Amendment.

City planning staff submitted a docketing request to amend the Cornwall Park Neighborhood Plan (CPNP), Areas 2 and 3.

Applicant's Statement:

The City has received inquiries for the development of multiple industrial properties under common ownership in the Cornwall Park Neighborhood. The properties are located east of Meridian Street between Baker Street and Orchard Drive in Area 3 of the Cornwall Park Neighborhood. Through these inquiries, staff has determined that a requirement to extend a public street, Orchard Place, through private property exists in both the CPNP and Bellingham Municipal Code (BMC 20.00.050), Areas 2 and 3. If confirmed to be unnecessary, references to the Orchard Place extension will need to be removed from the neighborhood plan and zoning table in the BMC.

Staff Review:

On May 13, 2013, the City Council voted to add this proposal to the list of comprehensive plan amendments to be considered for the 2013-2014 docket. Staff finds that the proposal meets the docketing criteria outlined in BMC 20.20.030 A., BMC 20.20.030 B.3. and BMC 20.20.030 B.4., and should be placed on the 2013-2014 docket. The proposal specifically "...addresses changing circumstances, changing community values, or corrects or updates information in the comprehensive plan or neighborhood plan..." (BMC 20.20.030 B.4.). Docketing this proposal serves a public interest and provides the opportunity for the City to evaluate the merits of the proposal in the next amendment cycle. City resources are available to review the proposal within the time frame of the annual review process.

Staff Recommendation: Docket this proposal for review in 2013-2014.
MAP 6 - PROPOSAL ZON2013-00007

CORNWALL PARK NEIGHBORHOOD PLAN
Cornwall Park Neighborhood, Areas 2 & 3

Text amendment repealing language regarding extension of Orchard Place to Baker St

City of Bellingham
Planning & Community Development
2013
COMPREHENSIVE PLAN AMENDMENT PROPOSAL ZON2013-00007
CORNWALL PARK NEIGHBORHOOD PLAN

DOCKETING APPLICATION MATERIALS
COMPREHENSIVE / NEIGHBORHOOD PLAN AMENDMENT
DOCKET APPLICATION FORM

Use this form to request docketing of a proposed Comprehensive Plan and or Neighborhood Plan amendment(s). Applications may be submitted at any time but must be received by April 1 of each year for review during the following year. Please complete the following and attach additional pages as needed. Incomplete applications will not be accepted.

1. An application must include the following materials:
   - Docket Application Form.
   - Fee payment calculated at 10% of the total comprehensive plan amendment fee.* The fee is not refunded if the proposal is not docketed. The fee is calculated as follows:
     - (a) Non-site specific Comprehensive / Neighborhood Plan amendments:
       $1,594 base fee + $255 notice fee x 0.1 = $185 due at docket application.
     - OR
     - (b) Site specific Comprehensive / Neighborhood Plan amendments:
       $1,594 base fee + $255 notice fee + $213 per acre over first acre ($12,750 max.) x 0.1 = fee due at docket application. Final fees will be calculated at the time the application is submitted.

   *Recognized Neighborhood Associations are exempt from this fee.

2. Applicant: Planning and Community Development Dept.
   Phone: 360-778-8300
   Address: 210 Lottie Street
   City/State/Zip: Bellingham, Washington 98225
   Email: lapool@cob.org
   Fax: 360-778-8302
   Name of contact if applicant is a group: Lisa Pool, Senior Planner

I have read the application materials and acknowledge that if the proposed amendment is approved by the City Council for inclusion in the annual docket, a complete Comprehensive / Neighborhood Plan Application must be submitted within 30 days of the Council's docket decision or a date approved by the Planning and Community Development Director in order to continue to final review. Failure to submit a complete application prior to the deadline may result in removal from the docket.

Applicant signature: Lisa Pool
Date: 5-14-13
3. Provide an explanation of how the proposed Comprehensive or Neighborhood Plan amendment meets one or more of the docking criteria listed in Bellingham Municipal Code 20.20.030 A. (2). (Docketing criteria - page 4 attached)

4. If the proposal includes general Comprehensive Plan or Neighborhood Plan amendments that are not site-specific, please describe your amendment proposal as specifically as possible and attach it to this form. If specific wording changes are proposed, show the changes in strikethrough and underline format. Reference the location in the Plan where the change is proposed.

Complete the following sections if the proposal includes a site-specific amendment to a comprehensive plan land use designation.

**Property Owner**

Name: N/A  
Phone: ____________________________

Address: ______________________________________________________

City/State/Zip: Bellingham, Washington 98225

Email: ____________________________  Fax: ____________________________

**Owner’s Authorized Agent/Contact**

Name: N/A  
Phone: ____________________________

Address: ______________________________________________________

City/State/Zip: Bellingham, Washington 98225

Email: ____________________________  Fax: ____________________________

**Property Information**

1. Assessor Parcel Numbers: N/A

2. Attach a map (8.5" x 11") identifying the property included in the proposed amendment and showing parcels and streets located within and adjacent to the site.

3. Neighborhood Name: Cornwall Park  
Area Number: 2 and 3

   Current Comprehensive Plan Land Use Designation: ____________________________

4. Proposed Comprehensive Plan Land Use Designation: ____________________________

5. Current Zoning: ____________________________

6. Proposed Zoning: ____________________________

CPA Docket Application 1/4/2012
Property Owner(s)

I am the owner of the property described above or am authorized by the owner to sign and submit this application. I grant permission for the City staff and agents to enter onto the subject property at any reasonable time to consider the merits of the application and post public notice. I certify under penalty of perjury of the laws of the State of Washington that the information on this application and all information submitted herewith is true, complete and correct.

I also acknowledge that by signing this application I am the responsible party to receive all correspondence from the City regarding this project including, but not limited to, expiration notifications. If I, at any point during the review or process, am no longer the Applicant for this project, it is my responsibility to update this information with the City in writing in a timely manner.

Signature by Owner/Applicant/Agent: [Signature] Date: 5-14-13

City and State where this application is signed: Bellingham, WA

BELLINGHAM MUNICIPAL CODE

20.20.030 ANNUAL DOCKETING CRITERIA

A. The City shall use the following criteria in selecting proposals for inclusion in the annual docket of comprehensive plan/neighborhood plan amendments. In order to be included on the annual docket, a proposal must meet the following criteria:

(1) The City has the resources, including staff and budget, necessary to adequately and comprehensively review the proposal within the timeframe of the annual review process; and

(2) The proposal meets one or more of the following criteria:

a. The proposed amendment represents an issue appropriately addressed in the comprehensive plan or in a neighborhood plan;

b. The proposal demonstrates strong potential to serve the public interest by implementing specifically identified goals and policies of the comprehensive plan;

c. The public interest would be best served by considering the proposal in the next amendment cycle, rather than delaying consideration to a future plan update process;

d. The amendment addresses changing circumstances, changing community values, or corrects or updates information in the comprehensive plan or a neighborhood plan; or

e. State law requires, or a decision of a court or administrative agency has directed a change to the comprehensive plan or a neighborhood plan.
May 14, 2013

RE: 2013-2014 Comprehensive/Neighborhood Plan Amendment Docket Application

City staff requests a proposal to amend the Cornwall Park Neighborhood Plan and Bellingham Municipal Code (BMC 20.00.050) be included in the 2013-2014 docket. The City has received inquiries for the development of multiple properties designated for industrial uses under common ownership located east of Meridian Street between Baker Street and Orchard Drive in Area 3 of the Cornwall Park Neighborhood. Through these inquiries, staff has determined that an unnecessary requirement to extend a public street, Orchard Place, through private property exists in both the Cornwall Park Neighborhood Plan, Areas 2 and 3, as well as the development regulations in the Bellingham Municipal Code (BMC 20.00.050).

The plan and code amendments would remove an outdated requirement to extend a roadway that is no longer needed. The proposal meets the Annual Docketing Criteria as stipulated in the BMC and "...corrects or updates information in the comprehensive plan or neighborhood plan..." (BMC 20.20.030.B.4).

On May 13, 2013, City Council voted to add the proposal to the list of comprehensive plan amendments to be considered for the 2013-2014 docket.
BELLINGHAM PLANNING COMMISSION
FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS

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

2013-2014 Comprehensive Plan Amendment Docketing
PC Finding of Fact, Conclusions, and Recommendation
DRAFT FOR REVIEW
Note: The following Findings of Fact, Conclusions and Recommendations were prepared in draft form to support the staff recommendation. The findings can be adopted as written, or modified to support the final Planning Commission recommendation.

Summary
Following the public hearing and deliberation on the amendments to the Bellingham Comprehensive Plan for docketing in 2013-3014, the Planning Commission has determined that the submitted proposals meet the docketing criteria outlined in Bellingham Municipal Code (BMC) 20.20.030.

I. FINDINGS OF FACT

1. Proposal Description

The City received five docketing requests for potential inclusion in the 2013-2014 docket. Of the five proposals, four were submitted by the City and one was submitted by a private landowner. The proposals range in scope from neighborhood plan amendments to site-specific land use changes.

2. Background Information/Procedural History

Under the rules of the state Growth Management Act, the Bellingham Comprehensive Plan, which includes the neighborhood plans, can be amended only once a year. The Planning Department conducts the annual amendment process. The first step in the process is to establish the "docket" of amendments that will be reviewed during the year. Only the City Council can place a proposal on the docket after review by staff and the Planning Commission.

Once the docket is established, staff takes the various proposals through the Type VI legislative review process, which includes public hearings before the Planning Commission and City Council. The Council ultimately decides if an amendment is approved.
On May 13, 2013, the City Council voted to add the Cornwall Neighborhood Plan amendments for Areas 2 and 3 to the list of comprehensive plan amendments to be considered for the 2013-2014 docket.

The Planning and Community Development Department received five docketing applications for inclusions in the 2013-2014 comprehensive plan amendment review.

On June 27, 2013, the Planning Commission held a public hearing regarding the 2013-2014 docketing requests and recommended to City Council that all five proposals be placed on the list of comprehensive plan amendments for review in 2013-2014.

3. Public Comment

To date, no public comment has been received regarding the proposed 2013-2014 docketing requests.

Notice of the Planning Commission hearing was mailed to neighborhood representatives, neighborhood associations, and other parties with an interest in this topic. The notice was also published the Bellingham Herald.

[Summary of public comment will be inserted.]


The City shall use the following criteria in selecting proposals for inclusion in the annual docket of comprehensive plan/neighborhood plan amendments. To be included on the annual docket, a proposal must meet the following criteria:


A. The City has the resources, including staff and budget, necessary to adequately and comprehensively review the proposal within the time frame of the annual review process; and

B. The proposal meets one or more of the following criteria:

1. The proposed amendment represents an issue appropriately addressed in the comprehensive plan or in a neighborhood plan;
2. The proposal demonstrates strong potential to serve the public interest by implementing specifically identified goals and policies of the comprehensive plan;
3. The public interest would be best served by considering the proposal in the next amendment cycle, rather than delaying consideration to a future plan update process;
4. The amendment addresses changing circumstances, changing community values, or corrects or updates information in the comprehensive plan or a neighborhood plan; or

5. State law requires, or a decision of a court or administrative agency has directed a change to the comprehensive plan or a neighborhood plan.

The Planning Commission finds that the proposed 2013-2014 docket applications meet the docketing criteria outlined in BMC 20.20.030 as follows:

**ZON2013-00002** Parks, Recreation and Open Space (PRO) Plan Amendment.

The Planning Commission finds that the City Parks and Recreation Department's request to update the PRO Plan meets docketing criteria BMC 20.20.030 A. and 20.20.030 B.1. through B.4. City resources are available to review the proposal within the time frame of the annual review process, and the public interest would be served by providing updated information in the PRO Plan (Chapter 7, Comprehensive Plan).

**ZON2013-00003** Meridian Neighborhood Plan Amendment.

The Planning Commission finds that the property owner's request to rezone properties in Area 35 of the Meridian Neighborhood from Industrial, Planned, to Residential Multi, Planned meets docketing criteria BMC 20.20.030 A. and BMC 20.20.030 B.2. through B.4. City resources are available to review the proposal within the time frame of the annual review process, and the public interest would be served by evaluating the proposal to address changing circumstances in the area.

**ZON2013-00005** Samish, Happy Valley and Cordata Neighborhood Plan Amendments.

The Planning Commission finds that the City planning staff's request to amend the neighborhood plans and comprehensive plan land use designation maps to correspond with the land use development code meets docketing criteria BMC 20.20.030 A., BMC 20.20.030 B.3. and BMC 20.20.030 B.4. City resources are available to review the proposal within the time frame of the annual review process, and the public interest would be served by providing correct/updated information in the neighborhood plans and comprehensive plan land use designation maps.

**ZON2013-00006** South Neighborhood Plan Amendment.

The Planning Commission finds that the City Parks and Recreation Department's request to rezone properties within Area 4 of the South Neighborhood from Residential Multi, Planned, to Public, Open Space meets docketing criteria BMC 20.20.030 A. and BMC 20.20.030 B.2. through B.4. City resources are available to review the proposal within the time frame of the annual review process, and the public interest would be served by evaluating the proposal and determining the appropriate zoning for this area.

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-778-8270
ZON2013-00007 Cornwall Park Neighborhood Plan Amendment.

The Planning Commission finds that the City planning staff's request to remove the requirement to extend Orchard Place to Baker Street within the neighborhood plan and Cornwall Park table of zoning regulations for Areas 2 and 3 meets docketing criteria BMC 20.20.030 A., BMC 20.20.030 B.3. and BMC 20.20.030 B.4. City resources are available to review the proposal within the time frame of the annual review process, and the public interest would be served by providing correct/updated information in the neighborhood plan and land use development code.

II. CONCLUSIONS

Based on the staff report, the submittals from the applicants, and the information presented at the public hearing, the Planning Commission concludes:

The proposed 2013-2014 docketing applications meet the minimum docketing criteria for inclusion in the annual 2013-2014 comprehensive plan amendment.

III. RECOMMENDATION

Based on the findings and conclusion, the Bellingham Planning Commission recommends that the City Council add the following proposals to the list of comprehensive plan amendments for review in 2013-2014:

Planning Commission and Staff Recommendations for the 2013-2014 Docket

<table>
<thead>
<tr>
<th>Proposals</th>
<th>Docket for 2013-2014?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. ZON2013-00002 Parks, Recreation and Open Space (PRO) Plan Amendment.</td>
<td>Yes</td>
</tr>
<tr>
<td>2. ZON2013-00003 Meridian Neighborhood Plan Amendment.</td>
<td>Yes</td>
</tr>
<tr>
<td>3. ZON2013-00005 Samish, Happy Valley and Cordata Neighborhood Plan Amendments.</td>
<td>Yes</td>
</tr>
<tr>
<td>4. ZON2013-00006 South Neighborhood Plan Amendment.</td>
<td>Yes</td>
</tr>
<tr>
<td>5. ZON2013-00007 Cornwall Park Neighborhood Plan Amendment.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
ADMITTED this _____ day of June, 2013.

______________________________
Planning Commission Chairperson

______________________________
Recording Secretary

ATTEST:________________________

APPROVED AS TO FORM:

______________________________
City Attorney