

PLANNING COMMISSION AGENDA ITEM COVER SHEET

Meeting Date		Staff Contact	
7/14/2011		KATIE FRANKS	
Subject:			
Review of an update to the Sehome Neighborhood Plan component of the Bellingham Comprehensive Plan. The proposed was submitted by the Sehome Neighborhood Association and includes updated text, and new goals and policies.			
Attachments:			
1. Staff Report			
2. Draft Findings of Fact, Conclusions and Recommendations			
3. Draft Ordinance			
4.			
5.			
Meeting Type		Category	
<input checked="" type="checkbox"/> Public Hearing		<input checked="" type="checkbox"/> Legislative	
<input type="checkbox"/> Public Meeting		<input type="checkbox"/> Quasi-judicial	
<input type="checkbox"/> Work Session		<input type="checkbox"/> Information Only	
<input type="checkbox"/> Briefing			
Clearances		initials	Date
Jeff Thomas, Planning Director		JST	6-30-2011
Alan Marriner, Legal		AMM	6/30/11
Greg Aucutt, Senior Planner		GA	6/30/11
Katie Franks, Dev Specialist II		KF	6/29/11
Previous Commission Meeting or Action:			
Recommended Action:			
Staff recommends approval of the proposed amendments.			

1 **PLANNING COMMISSION STAFF REPORT**
2

3 **Agenda Topic:** Amendments to the Sehome Neighborhood Plan (SNP), a rezone, and
4 other associated amendments to Bellingham Municipal Code (BMC)
5 20.00.160 Sehome Neighborhood Table of Zoning Regulations
6

7 **Date:** July 14, 2011 Planning Commission Public Hearing
8

9 **Staff Contact:** Katie Franks, Development Specialist II
10

11 **I. SUMMARY OF PROPOSAL**
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13 The Sehome Neighborhood Association (SNA) submitted a request for a Comprehensive Plan
14 amendment for a full update of the Sehome Neighborhood Plan (SNP). As part of this
15 neighborhood plan update, staff is proposing a rezone (to correct a zoning boundary) and other
16 associated text amendments to the BMC 20.00.160 Sehome Neighborhood Table of Zoning
17 Regulations. The proposal includes the following elements:
18

- 19 1. A full update to the SNP, which includes eliminating outdated information, incorporating
20 a new format, adding new neighborhood information, and identifying relevant
21 neighborhood goals and policies. The proposed changes were made by the SNA and
22 edited by City staff (**EXHIBIT A**).
23
- 24 2. A Comprehensive Plan amendment and rezone to correct the zoning boundary between
25 Area 9 and 12. Area 12 is proposed to be expanded to the northeast by approximately
26 25' and zoned Residential Multi, Multiple. This proposal would only require changes to
27 the Sehome Neighborhood Comprehensive Plan Land Use Map and Zoning Map.
28
- 29 3. The following text amendments to BMC 20.00.160 Sehome Neighborhood Table of
30 Zoning Regulations:
31
 - 32 ▪ Clarifying the zoning classification under the Residential Multi general use type of
33 Area 9 to clearly identify the "use qualifier" concerning Residential Multi, Multiple
34 and Residential Multi, Planned permitted uses. Proposal also includes adding
35 Medical Care Facility as a Planned permitted use within this area and eliminating
36 Medical Office as this use is already permitted under the Office definition;
37
 - 38 ▪ Deleting "*See neighborhood plan" under Special Regulations in Area 7 and 9
39 and adding special regulations from the SNP to the Sehome Neighborhood Table
40 of Zoning Regulations; and
41
 - 42 ▪ Minor text clean up of Area 7 and 9, which includes removing certain Special
43 Conditions already outlined in proposed Special Regulations, and removing old
44 resolution citations from Area 9.
45

1 Proposed text amendments to BMC 20.00.160 - Sehome Neighborhood Table of Zoning
 2 Regulations:
 3

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
7	Residential Multi	Multiple Planned for higher density	2,000 sq. ft. per unit; 1,000 sq. ft. per unit planned.	Clearing, historic, view, curb cuts, alley access- flexible parking requirements, increased parking for increase in units and rooming and boarding houses, Residential Multi setbacks.*	None	* See neighborhood plan. <u>See Attachment A</u>

Attachment A: Area 7 Special Regulations

1. Boarding and rooming houses: One parking space per bedroom is required.

2. Planned Development:

- a. Multi-family development occurring at a density between 1,000 and 2,000 square feet is subject to the Residential Multi Planned development standards.
- b. Curb cut restriction when alley access available per BMC 20.12.010 D.
- c. Existing curb cuts should be closed when possible.
- d. An existing building that does not meet current parking requirements should provide additional parking for the entire building whenever an increase in the number of units is requested.
- e. Given the ownership patterns, lot sizes, and design review standards, administrative flexibility should be granted to utilize the Residential Multi Multiple setbacks in place of the Residential Planned setback requirements.
- f. Building heights should be limited to 35' for height definition #1 and 20' for height definition #2.

8	Public	Park	N/A	None	None	None
9	Residential Multi	<u>Multiple Mixed</u> Planned for Mixed Multiple, (Offices, <u>Medical Care Facility, and Medical Offices</u>) (Resolution Nos. 65-83, 56-85, 64 85, 66-85).	1,000 sq. ft. per residential unit.	View, access*, buffer residential, parking allowed only as accessory to office or residential use.	None	* See neighborhood plan. <u>See Attachment B</u>

Attachment B: Area 9 Special Regulations

- 1. Curb cut restriction when alley access available per BMC 20.12.010 D.
- 2. Existing curb cuts should be closed on Maple Street when possible.
- 3. Access to Commercial and Multi-family developments should be consolidated.
- 4. Parking areas shall be accessory to a permitted use.
- 5. No structure shall exceed 35' under height definition #1 when within 200' of a Residential Single general use type.

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1 **II. PLANNING COMMISSION ROLE**

2
3 The proposal before the Commission is a legislative Comprehensive Plan Neighborhood Plan
4 amendment requiring a Type VI process. The Planning Commission must hold a public hearing
5 and issue findings of fact and conclusions along with a recommendation to the City Council.
6 Draft Findings and Conclusions are included in the staff report as **ATTACHMENT A**. The
7 Commission should adopt or modify these, as needed, to support their recommendation.
8
9

10 **III. BACKGROUND**

11 On December 3, 2007, the Planning and Community Development Department received a letter
12 from the Sehome Neighborhood Association requesting amendments to the Sehome
13 Neighborhood Plan (SNP). The proposal was a substantial rewrite of the 1980 Neighborhood
14 Plan, which after almost 30 years was out of date and overlooked many relevant issues.

15 The Planning and Community Development Director included the proposal on the City's 2008
16 docket. However, due to lack of staff resources the SNP update was put on hold until 2010.

17 In June 2010, the SNP amendment proposal was assigned resources for completion. A staff
18 team worked with a sub-committee of the SNA to bring the plan up to date.
19

20 On Tuesday April 5, 2011 a SNA public meeting was held at the WECU Education Center, 511
21 E. Holly Street to present the Draft SNP updates, and to solicit comment.
22

23 Comments from the April 5th meeting were incorporated into a revised draft, which was
24 presented by the SNA sub-committee at a SNA meeting on May 24, 2011. A vote was taken,
25 with 28 voting in support of the plan and three abstaining.
26
27

28 **III. ISSUES**

- 29
- 30 1. The SNP has not been fully updated since the original version was adopted in 1980.
31 Several sections of the neighborhood plan contain outdated information, which no longer
32 apply due to changes that have occurred in the neighborhood since 1980. Referenced
33 information and associated plans have expired or are no longer valid.
34
 - 35 2. Currently, the zoning boundary between Area 9 and 12 of the Sehome Neighborhood
36 divides two properties and runs through an existing duplex building. In order to correct this
37 zoning boundary, a rezone is needed.
38
 - 39 3. Bellingham Municipal Code 20.00.106 Sehome Neighborhood Table of Zoning Regulations
40 currently reference special regulations in the SNP for Area 7 and 9. As part of the
41 neighborhood plan update, this information is proposed to be removed from the
42 neighborhood plan and added to the Sehome Table of Zoning Regulations as Special
43 Regulations for Area 7 and 9.
44
 - 45 4. Bellingham Municipal Code 20.00.106 Sehome Neighborhood Table of Zoning Regulations
46 currently identifies two "Use Qualifiers" for Area 9, consisting of Planned and Multiple under
47 the Residential Multi zoning designation. The original SNP as well as the zoning table do
48 not specifically address which qualifiers or development standard apply for multi-family

1 development, which is confusing for staff and the public. Staff has developed text changes
2 to clarify the regulations.

- 3
4 5. Other minor text amendments to the Bellingham Municipal Code (BMC) 20.00.106 Sehome
5 Neighborhood Table of Zoning Regulations are needed to remove certain Special
6 Conditions which are already outlined in the proposed Special Regulations for Area 7 and 9
7 (Issue item #3 above). Additionally, staff is proposing to remove resolution references from
8 Area 9, to prevent the need for a text amendment if a property owner ever wished to amend
9 these documents.

10
11
12 **IV. COMPREHENSIVE PLAN GOALS AND POLICIES**

13
14 The updated neighborhood plan is consistent with and carries out the goals and policies of the
15 City's Comprehensive Plan. The Comprehensive Plan identifies that neighborhood plans and
16 the land use development code should be periodically updated to ensure that the plans and
17 regulations are consistent with and implement the Comprehensive Plan. The proposed
18 amendments to the SNP, rezone, and associated text amendments to the Sehome
19 Neighborhood Table of Zoning Regulations will result in a clear public benefit by providing
20 updated plan and regulatory requirement information for the neighborhood.

21
22 Relevant Comprehensive Plan Goals and Policies are listed in **APPENDIX 1**.

23
24 **V. ANALYSIS**

25
26 **Comprehensive Plan Amendment Review Factors**

27
28 The following factors should be considered when reviewing Comprehensive Plan and
29 neighborhood plan amendment proposals:

- 30
31 **1) Is the proposed amendment to the plan supported by or consistent with the existing**
32 **goals and policies of the comprehensive plan and the State Growth Management Act?**

33
34 **Staff Comment:** Staff finds that the proposed update to the SNP, the rezone, and
35 associated text amendments to BMC 20.00160 Sehome Neighborhood Table of Zoning
36 Regulations are consistent with the Comprehensive Plan Goals and Policies listed in
37 **APPENDIX 1**. The update is consistent with and will implement the goals and policies –
38 protect and enhance neighborhood character, promote alternative forms of transportation,
39 encourage affordable housing, etc. – identified in the appendix.

- 40 **2) Have circumstances changed sufficiently since the adoption of the comprehensive**
41 **plan and/or neighborhood plan to justify the proposed change? If so, the**
42 **circumstances that have changed should be described in sufficient detail so that a**
43 **finding of changed circumstances can be made and a decision as to appropriateness**
44 **of the proposed neighborhood plan amendment can be reached based on information**
45 **in the record.**

46
47 **Staff Comment:** Yes, the current version of the SNP contains outdated information and a
48 majority of the information remains unchanged from its inception in 1980. Since 1980,
49 changes have occurred within the neighborhood and the City has adopted a 2006
50 Comprehensive Plan, which established the goals and policies that guide the City's

1 development for the next 20 years. In 2006, specific development regulations were
2 removed from the City's neighborhood plans and placed into Title 20 of the BMC. Individual
3 zoning tables were created to identify the zoning regulations and individual areas for each
4 City neighborhood. Unfortunately, some development standards remained within SNP due
5 to that removing this information might have required additional analysis. Therefore, in
6 combination with the SNP update, the development standards for Area 7 and 9 are
7 proposed to be removed from the plan and added to the Sehome Neighborhood Table of
8 Zoning Regulations as Special Regulations. As some of these development standards from
9 the SNP were outdated and certain standards had to be eliminated or amended to be
10 consistent with the BMC. Other associated amendments with the SNP update include a
11 rezone and associated text amendments to correct an inappropriate zoning boundary,
12 correct code inconsistencies, and simplify development regulations to provide clear and
13 concise zoning and development information to the public.

- 14
15 **3 Have the underlying assumptions found in the comprehensive plan and/or**
16 **neighborhood plan upon which the land use designation, density or other provisions**
17 **are based changed, or is new information available, which was not considered at the**
18 **time the plan was adopted? If so, the changed assumptions or new information**
19 **should be described in sufficient detail to enable the Planning Commission and City**
20 **Council to find that the land use designation or other sections of the plan should be**
21 **changed. Examples of the underlying assumptions include expected population**
22 **growth, utility or roadway capacities, available land supply, or demand for land with**
23 **the existing or proposed land use designation.**

24
25 **Staff Comment:** Yes, as mentioned above, the SNP was created in 1980 and was
26 influenced in part by the 1980 "Bellingham Plan". The SNP currently contains outdated
27 information in several sections of the plan and identifies reports or programs that no longer
28 apply. Additionally, the zoning boundary between Area 9 and 12 was inappropriately
29 created when the neighborhood plan was established in 1980. This zone boundary
30 currently splits two properties and runs through an existing duplex building . The proposed
31 rezone would add approximately 2,750 square feet of land into Area 12 with a zoning
32 designation of Residential Multi, Multiple. The density for this area would change from
33 1,000 square feet to 2,000 square feet per unit.

- 34
35
36 **4 Does the proposed amendment promote a more desirable land use pattern for the**
37 **community as stated in the goals and policies in the comprehensive plan? Are there**
38 **environmental constraints (such as wetlands, steep slopes, significant stands of**
39 **trees, etc.) present on the site to such a degree that development of the site is**
40 **economically or physically unfeasible under the existing land use designation? If so,**
41 **a description of the qualities of the proposed plan amendment that would make the**
42 **land use pattern more desirable and/or would result in less environmental impact**
43 **should be provided in sufficient detail to enable the Planning Commission and City**
44 **Council to find that the proposed neighborhood plan amendment is in the**
45 **community's long term best interest.**

46
47 **Staff Comment:** Yes, the proposed rezone to change the zoning boundary between Area 9
48 and 12 would promote a more desirable land use pattern and correct a zone line that
49 currently splits two properties and bisects a duplex building. There are no environmental
50 constraints present on the site.

1 **5 What impacts would the proposed amendment to the plan have on the current use of**
2 **other properties in the vicinity? What measures should be taken to ensure**
3 **compatibility with the uses of other property in the area?**
4

5 **Staff Comment:** The proposed changes to the SNP will not have an effect on current use
6 of other properties in the vicinity. The proposed amendment to the Sehome Neighborhood
7 Table of Zoning Regulations provides updated zoning requirements and Special Regulations
8 to ensure compatibility with the surrounding uses. The proposed rezone only corrects a
9 zoning boundary and does not affect other properties in the vicinity. Additionally, in 2001
10 the City adopted Multi-family Design Guidelines to ensure that new multi-family development
11 was compatible with the character of the neighborhood in respect to building design, scale,
12 and architecture. Multi-family design review is a discretionary permit requiring public notice,
13 administrative review, and decision by the Planning and Community Development Director.
14 Furthermore, the Residential Multi, Planned (RMP) designation for Area 9 still requires a
15 discretionary review process allowing for public participation and involvement in the project
16 review for any proposed office or medical care facility uses. The proposed amendments to
17 the SNP and BMC were developed to ensure that new development maintains, enhances,
18 and is compatible with the uses of other properties in the neighborhood.
19

20 **VI. CRITERIA**
21

22 The City may amend the Comprehensive and/or Neighborhood Plan only if it finds that:
23

- 24 (1) The proposed amendment bears a substantial relation to public health, safety, and
25 welfare;
- 26 (2) The proposed amendment is consistent with the Growth Management Act;
- 27 (3) The proposed amendment is consistent with the county-wide planning policies;
- 28 (4) The Comprehensive Plan will be internally consistent; and
- 29 (5) The proposed amendment will result in long-term benefits to the community as a
30 whole and is in the best interest of the community.

31
32 **Staff Comment:** The proposed amendments to the SNP are consistent with the City's
33 Comprehensive Plan, Growth Management Act and County-wide Planning Policies. The
34 proposed amendments would remove inaccurate and outdated information and add new text
35 information to the SNP, correct a zoning boundary, and provide clear zoning regulations in the
36 BMC 20.00.160 Sehome Neighborhood Table of Zoning Regulations. These changes to the
37 SNP and the BMC would result in a public benefit and are in the best interest of the community.
38 The proposal is supported by the SNA and does not raise significant planning issues or create
39 neighborhood-wide impacts.
40

41 **REZONE CRITERIA**

42 **BMC 20.19.030 A**

43 In evaluating proposed rezones, the Planning Commission and City Council should consider the
44 following criteria:
45

1 **1. It is consistent with the Comprehensive Plan or corresponds to a concurrent**
2 **Comprehensive Plan amendment application.**

3 **Staff Comment:** The proposed rezone to correct the zoning boundary between Area 9
4 and 12 is consistent with the Comprehensive Plan and the proposed SNP update.

5 **2. The proposed rezone will not adversely affect the public health, safety and general**
6 **welfare.**

7 **Staff Comment:** The proposal will not adversely affect the public health, safety, and
8 general welfare.

9 **3. It is in the best interests of the residents of Bellingham.**

10 **Staff Comment:** The proposed rezone promotes a more desirable land use pattern and
11 corrects a zone line that currently splits two properties and bisects a duplex building.
12 The zone line between Area 9 and 12 was incorrectly established in 1980 and correcting
13 this error is in the best interest of the property owners.

14 **4. The subject property is suitable for development in general conformance with**
15 **zoning standards under the proposed zoning district.**

16 **Staff Comment:** The proposal only corrects a zoning boundary. Currently, both
17 properties have been developed with permitted uses, consisting of a single-family
18 residence and a duplex.

19 **5. Adequate public facilities and services are, or would be, available to serve the**
20 **development allowed by the proposed zone.**

21 **Staff Comment:** Adequate public facilities and services including water, sewer,
22 transportation and private utilities are available serve the area.

23 **6. It will not be materially detrimental to uses or property in the immediate vicinity of**
24 **the subject property; and**

25 **It is appropriate because either:**

- 26
- 27 a. **Conditions in the immediate vicinity have changed sufficiently since the**
28 **property was classified under the current zoning that a rezone is in the public**
29 **interest; or**
 - 30 b. **The rezone will correct a zone classification or zone boundary that was**
31 **inappropriate when established; or**
 - 32 c. **The rezone will implement the policies of the Comprehensive Plan.**
- 33

34 **Staff Comment:** The proposed rezone will correct a zone boundary that was
35 inappropriate when the neighborhood plan was originally established in 1980. The
36 existing duplex building was constructed in 1925 and the lot containing a single-family
37 residence was built in early 1900.
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2 **VII. PUBLIC COMMENT**
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4 A neighborhood meeting for the proposal was held on April 5, 2011 at the WECU Education
5 Center, 511 E. Holly Street to present the Draft SNP updates, and to solicit comment. City staff
6 and neighborhood representatives gave an overview of the proposed amendments to an
7 audience of approximately 40 individuals. The public responded positively to the presentation
8 and no negative comment was received regarding the proposed amendments.
9

10 Comments from the April 5th meeting were incorporated into the draft, which was presented by
11 the SNA sub-committee at the Association's quarterly meeting on May 24, 2011. A vote was
12 taken, with 28 voting in support of the plan and three abstaining.
13

14 Staff presented the Transportation Chapter of the Draft SNP to the Transportation Commission
15 on April 12, 2011. The Commission provided comments that were incorporated into the draft
16 (**see APPENDIX 2**). On June 15, 2011, staff presented the draft SNP to the Mayor's
17 Neighborhood Advisory Commission, who submitted a letter in support of the plan (**see**
18 **APPENDIX 3**).
19

20 Notice of the Planning Commission hearing was mailed to neighborhood representatives and
21 associations and other interested parties. The notice was also published the Bellingham
22 Herald, posted on the City website, and signs were posted in key locations in the neighborhood.
23 All notices were issued at least 30 days prior to the hearing date.
24
25

26 **VIII. STATE ENVIRONMENTAL POLICY ACT (SEPA)**
27

28 A non-project SEPA Determination of Non-Significance was issued by the City of Bellingham on
29 June 9th, 2011. **See APPENDIX 4.**
30
31

32 **IX. STAFF RECOMMENDATION**
33

34 Staff recommends approval of the proposed update to the SNP (**EXHIBIT A**), the rezone, and
35 associated text amendments to Bellingham Municipal Code 20.00.160 Sehome Neighborhood
36 Table of Zoning Regulations.
37
38

39 **X. LIST OF ATTACHMENTS**
40
41

- | | | |
|----|---------------------|--|
| 42 | Attachment 1 | Draft Planning Commission Findings of Fact |
| 43 | | |
| 44 | Attachment 2 | Draft Ordinance |
| 45 | | EXHIBIT A: Draft Sehome Neighborhood Plan |
| 46 | | EXHIBIT B: Draft Sehome Neighborhood Zoning Map |
| 47 | | EXHIBIT C: Draft Sehome Neighborhood Land Use Map |
| 48 | | |
| 49 | | |

Applicable Comprehensive Plan Goals and 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-5 The character of single family neighborhoods should be protected as higher intensity land uses are located in designated urban villages and corridors.

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

FLU-13 Establish and support a culture of dialogue and partnership among City officials, residents, property owners, the business community and other governmental agencies.

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

Section E. Residential Development Policies

LU-26 Preserve and protect established residential area where a definite density, housing type and character prevail.

LU-27 In developed single family areas of Bellingham, residential zoning shall be applied in a manner that is consistent with the neighborhood's existing character, building style and height, density, and development pattern. Any efforts to increase the allowed density in existing neighborhoods will be focused on remaining undeveloped areas.

LU-35 Develop clear land use and environmental permitting procedures which provide a balance between accommodating development and protecting the public health, safety and welfare.

Policy Section K, General Land Use

LU - 101 Development regulations should provide for an appropriate level of flexibility while balancing community goals, neighborhood character issues and the need for predictability in decision making. Measures that could be used to provide flexibility include:

- planned unit development provisions,
- clustering provisions,
- floating zones or overlay zones
- administrative variances for minor variations in dimensional requirements such as building setback or parking requirements (not density).

Part 3 Land Use Regulation System

The proposed code amendments are consistent with the City's 2006 Comprehensive Plan, which identifies nine guiding principles to make changes to the City's regulatory system as identified in Chapter 2 of the Land Use section. Within this section, the principles are outlined in Part 3-Land Use Regulatory System, titled "The New System". The specific principles particularly applicable to the proposed amendments are as follows:

- Ensure that new development maintains and enhances the unique character of Bellingham neighborhoods.
- Ensure citizen involvement in land use planning and project review.
- Assure fair and predictable results and avoid unnecessary delays.
- Organize, consolidate and simplify development regulations and permitting procedures.
- Develop a system that is easier and more cost effective to administer.

General Transportation Goals

TG-1 Enhance the function, safety, and appearance of Bellingham's streets.

TG-10 Emphasize, accommodate, and provide facilities for multiple transportation modes on Bellingham streets wherever possible.

TG-12 Provide safe and functional residential streets while retaining those elements of the right-of-way which are valued aspects of the character of the area.

TG-16 Identify and commit to connecting 'missing links' within the land-based transportation network for all modes of transportation, including pedestrian, bicycle, transit, and motor vehicles.

TG-18 Identify and analyze low-cost opportunities to increase street Bellingham Comprehensive Plan, Transportation Chapter T-74 connectivity to create better traffic circulation within neighborhoods and throughout the city.

TG-19 Increase mode share of bicycle and pedestrian trips by providing a safe, well-connected, and convenient bicycle and pedestrian circulation network throughout the City.

General Transportation Policies

TP-17 Transportation funding for public roads should be directed primarily toward multi-modal improvements that will enhance safety and circulation within and between urban villages, infill areas, schools, and employment centers within City limits.

TP-21 Coordinate efforts between Public Works, Planning and Community Development, and the Police Department to protect pedestrians and bicyclists on public streets.

TP-66 Develop appropriate bicycle treatments on those arterial streets designated as bicycle routes.

TP-69 Maintain bicycle and pedestrian facility surfaces for comfort and safety.

TP-72 Continue to pursue the repair and construction of sidewalks and pedestrian ways, with an emphasis on areas with greater pedestrian use. Some of those areas of the City which deserve priority for sidewalk work include:

- Sidewalks which serve as routes to City schools and parks.
- Neighborhoods adjacent to Western Washington University and the CBD.
- Urban villages, neighborhood centers, and infill areas
- The more densely populated areas, especially developing multi-residential areas.
- Along and within ¼ mile of WTA Primary Transit Corridors

Housing Goals

HG-7 Create and maintain sound, viable neighborhoods, and revitalize those that are declining.

HG-9 Enact clear land use and development procedures for the development of housing while ensuring that the public welfare is protected.

Housing Policies

HP-2 Promote housing development that is compatible with the overall style and character of the established neighborhood

HP-3 Encourage the rehabilitation of historically and architecturally significant homes in deteriorated condition.

HP-4 Promote the maintenance and improvement of existing housing stock and neighborhoods in the City. Older neighborhoods contribute to Bellingham's unique character.

HP-38 Encourage renovation and conversion of existing buildings to residential uses, particularly in the downtown.

General Community Design Goals

CDG-1 Promote improvement in the quality of public, residential, commercial and industrial development and maintain a high quality environment by ensuring that new construction and site development meets high standards.

Multi-family Design Goals

CDG-12 Improve the living environment and design characteristics of Bellingham's multi-family housing.

CDG-13 Increase awareness of what constitutes good multi-family design.

CDG-14 The multifamily design standards and design review process reflect the City's commitment to good design and respect for the scale of existing neighborhoods so that community acceptance of new multi-family residential developments and infill housing is achieved.

Street Design Goals

CDG-23 City streets encourage pedestrian activity. Livelier street edges that include traditional landscaping, bike lanes, rain gardens and setback sidewalks are inviting places for people and make for safer streets.

Community Design Policies – Street Design

CDP-59 Pedestrian and bicycle transportation should be given proper consideration in the design of neighborhood streets.

CPD-61 Provide traffic diversion and speed reduction techniques on neighborhood streets where appropriate.

Sehome Plan - Transportation Commission comments

Staff Report
APPENDIX 2

Therese Kelliher to: Katie Franks 05/21/2011 02:24 PM

Cc: Ted Carlson, Brent Baldwin, Chris Comeau, Kim Brown, frank.ordway, jimg, hosnw, theresekelliher, mccabejr, dburwell, wfrysztacki, Richard Sale

Katie,

At the May 10, 2011 Transportation Commission meeting commissioners unanimously approved the following comments regarding the update for the Sehome Neighborhood Plan. (There are no changes from the draft sent to you previously.)

Thank you for all your good work.
Therese Kelliher

May 10, 2011

The Transportation Commission commends the residents and Board members of the Sehome neighborhood, and City Staff for your work in updating the Sehome Neighborhood Plan.

Most transportation comments, policies and proposals contained within the revised plan recognize the importance of travel within and through the neighborhood on foot or on bike. We support these efforts.

Outside of the transportation chapter, we affirm several policies that promote development conducive to the human scale, thereby encouraging walking and biking:

- Area 9 (p. 12) "New development in Area 9 should include street front residential uses that are compatible in form, height, scale and style to the single-family historic houses south of Maple Street.
- Policy (p.19) "Encourage replacement and/or renovation of older...buildings...through use of pedestrian-friendly landscaping, well-defined & street-facing entrances, no blank walls"
- Area 7 (p.11) recommends: "Existing curb cuts should be closed when possible."

Within the transportation chapter, we recognize efforts to increase the safety and connectivity for non-motorized transportation through various traffic calming measures and collaborative efforts with both the Police and Public Works Departments. These measures can benefit all residents, no matter how they travel.

Regarding discussions of designated bike boulevards, the Transportation Commission reiterates its comments made for the Fountain District Urban Village Plan. The Transportation Commission:

- Supports the concept of Bike Boulevards
- Recommends development of applicable policies and guidelines for the City of Bellingham
- Requests Transportation Commission participation in development of those policies and guidelines

Additionally, the Sehome Neighborhood has identified locations to improve neighborhood footpath/trail connectivity & signage. In our preparations for the 2011 Transportation Benefits District (TBD) funding, we noted similar projects in several neighborhoods. The Transportation Commission reiterates this recommendation made to the TBD Board:

"Many of these involve the upgrading of footpaths or informal trails to improve neighborhood connectivity. In the past, neighborhood volunteer projects have been organized to improve/clear paths. Public Works and Parks have indicated that there are now barriers to such volunteer projects. However, the **Transportation Commission recommends** the matter be further reviewed as a possible mechanism to extend limited TBD funds."

SEHOME NEIGHBORHOOD PLAN

ZON2011-002

To the members of the City of Bellingham Planning Commission:

The Mayor's Neighborhood Advisory Commission (MNAC) recommends the Planning Commission approve the SEHOME NEIGHBORHOOD PLAN Amendment Proposal for docketing.

The SNA Plan was brought forward to MNAC sub-committee and on June 15th all MNAC representatives were given a rundown by the Planning Department's Katie Franks with video and audio comments Plus a member of the SNA Board of Directors, Charles Dyer. After reading, the MNAC sub-committee representatives had an opportunity to also view and listen to the Plan amendment. Everyone who attended the MNAC meeting fully agree that the SNA Plan should be docketed.

Sincerely,

Adrienne Lederer, Jimmy Kelsey, John Erickson, Nick Sund, Kirsti Charlton -
MNAC Sub-committee

Copies to: Katie Franks, Charles Dyer, HAven@cob.org Linda Stewart

June 16, 2011

Determination of Nonsignificance

Description of proposal: File No. SEP2011-00018

Consideration of the following: ZON2011-00002: Amendments to the Sehome Neighborhood Plan component of the Bellingham Comprehensive Plan, Bellingham Municipal Code (BMC) 20.00.160 Sehome Neighborhood Zoning Table, and other associated amendments to BMC Title 20, Land Use Development Code.

Proponent: City of Bellingham, Planning & Community Development Department

Location of proposal: Proposed code amendments apply city-wide

Lead agency: City of Bellingham, Planning & Community Development Department

Environmental Information Considered:

1. SEPA Environmental Checklist, June 3, 2011

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed **environmental checklist** and other information on file with the lead agency. This information is available to the public on request.

- (X) This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the signature date below.
() There is no comment period required for this proposal.

Comments must be submitted by: **June 24, 2011**

Responsible official: **Jeff Thomas**
Title: **Director, Planning & Community Development Department**
Address: **210 Lottie Street, Bellingham, WA 98225**
Phone: **360-778-8350**

Signature  Date 6-6-2011

Additional information is available from Jackie Lynch at (360) 778-8349 or e-mail jlynch@cob.org. The City of Bellingham complies with the Americans with Disabilities Act. If you need special accommodations, please call (360) 778-8300 (voice) or (360) 676-6883 (TDD).

Appeal Rights: Pursuant to BMC 16.20.210 (D) there is no administrative appeal of this environmental determination. An appeal to the Growth Management Hearings Board shall be of the governmental action together with its accompanying environmental determination as required by RCW 43.21C.075 (2)(a) and RCW 36.70A.280 (1)(a). Please contact Jackie Lynch for additional information.

DRAFT

BELLINGHAM PLANNING COMMISSION FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS

July 14, 2011

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 proposed Sehome Neighborhood Plan amendments, rezone, and associated text amendments to Bellingham Municipal Code (BMC) 20.00.160 Sehome Neighborhood Table of Zoning Regulations, the Bellingham Planning Commission has determined that the proposed amendments comply with, and will implement the goals and policies of the Bellingham Comprehensive Plan and should be adopted.

I. Findings of Fact

1. Proposal Description

The Sehome Neighborhood Association (SNA) submitted a request for a Comprehensive Plan amendment for a full update of the Sehome Neighborhood Plan (SNP). As part of this neighborhood plan update, staff is proposing a rezone (to correct a zoning boundary) and associated text amendments to the BMC 20.00.160 Sehome Neighborhood Table of Zoning Regulations. The entire proposal includes the following amendments:

- 1 A full update to the SNP, which includes eliminating outdated information, incorporating a new format, adding new neighborhood information, identifying relevant neighborhood goals and policies. The proposed changes were made by the SNA and edited by City staff (see EXHIBIT A).
2 Comprehensive Plan amendment and rezone to correct the zoning boundary between Area 9 and 12. Area 12 is proposed to be expanded to the northeast by approximately 25' and zoned Residential Multi, Multiple. This proposal would only require changes to the Sehome Neighborhood Comprehensive Plan Land Use Map and Zoning Map.
3 Text amendments to BMC 20.00.160 Sehome Neighborhood Table of Zoning Regulations include:
- Clarifying the zoning classification under the Residential Multi general use type of Area 9 to clearly identify the "use qualifier" concerning Residential Multi, Multiple and Residential Multi, Planned permitted uses. Proposal also includes adding Medical Care Facility as a Planned permitted use within this area and eliminating Medical Office as this use is already permitted under the Office definition;

- 1 • Deleting “*See neighborhood plan” under Special Regulations in Area 7 and 9
2 and adding special regulations from the SNP as attachments to the Sehome
3 Neighborhood Table of Zoning Regulations; and
4
- 5 • Minor general text clean up of Area 7 and 9, which includes removing certain
6 Special Conditions already, outlined in proposed Special Regulations and
7 removing resolution citations from Area 9.
8

9 **2. Background Information/Procedural History**

10 On December 3, 2007, the Planning and Community Development Department received a letter
11 from the Sehome Neighborhood Association requesting amendments to the Sehome
12 Neighborhood Plan (SNP). The proposal was a substantial rewrite of the 1980 Neighborhood
13 Plan, which after almost 30 years was out of date and overlooked many relevant issues.

14 The Planning and Community Development Director included the proposal on the City’s 2008
15 docket. However, due to lack of staff resources the SNP amendment was put on hold until 2010.

16 In June 2010, the SNP amendment proposal was assigned resources for completion. A staff
17 team worked with a sub-committee of the SNA to bring the plan up to date.
18

19 On Tuesday April 5, 2011 City staff attended a SNA public meeting was held at the WECU
20 Education Center, 511 E. Holly Street to present the Draft SNP updates, and to solicit comment.
21

22 Comments from the April 5th meeting were incorporated into the draft, which was presented by
23 the SNA sub-committee at a SNA meeting on May 24, 2011. A vote was taken, with 28 voting
24 in support of the plan and three abstaining.
25

26 **3. Public Comment**

27
28 A neighborhood meeting for the proposal was held on April 5, 2011 at the WECU Education
29 Center, 511 E. Holly Street to present the Draft SNP updates, and to solicit comment. City staff
30 and neighborhood representatives gave an overview of the proposed amendments to an
31 audience of approximately 40 individuals. The public responded positively to the presentation
32 and no negative comment was received regarding the proposed amendments.
33

34 Comments from the April 5th meeting were incorporated into the draft, which was presented by
35 the SNA sub-committee at the Association’s quarterly meeting on May 24, 2011. A vote was
36 taken, with 28 voting in support of the plan and three abstaining.
37

38 Notice of the Planning Commission hearing was mailed to neighborhood representatives and
39 associations and other interested parties. The notice was also published the Bellingham
40 Herald, posted on the City website, and signs were posted in key locations in the neighborhood.
41 All notices were issued at least 30 days prior to the hearing date.
42

43 *[Summary of public comment will be inserted from the July 14, 2011 public hearing.]*
44

45 **4. State Environmental Policy Act (SEPA) Determination**

46
47 A non-project SEPA Determination of Non-Significance was issued by the City of Bellingham on
48 June 9, 2011 (see APPENDIX 4).

1 **5. Consistency with the Bellingham Comprehensive Plan and Review Criteria**

2
3 Bellingham's neighborhood plans must be consistent with and carry out the goals and policies of
4 the Comprehensive Plan. In addition, neighborhood plan amendments must be consistent with
5 the factors and review criteria in BMC 20.20.060 C and D. Specific criteria are as follows:
6

- 7 (1) The proposed amendment bears a substantial relation to public health, safety,
8 and welfare;
- 9 (2) The proposed amendment is consistent with the Growth Management Act;
- 10 (3) The proposed amendment is consistent with the countywide planning policies;
- 11 (4) The Comprehensive Plan will be internally consistent; and
- 12 (5) The proposed amendment will result in long-term benefits to the community as a
13 whole and is in the best interest of the community.

14
15 The proposed amendments to the SNP are consistent with the City's Comprehensive Plan,
16 Growth Management Act and County-wide Planning Policies. The proposed amendments
17 would remove inaccurate and outdated information and add new text information to the
18 neighborhood plan, correct a zoning boundary between Area 9 and 12, and provide clear zoning
19 regulations in the BMC 20.00.160 Sehome Neighborhood Table of Zoning Regulations. These
20 changes to the SNP and the BMC would result in a public benefit and are in the best interest of
21 the community. The proposal is supported by the SNA and does not raise significant planning
22 issues or create neighborhood-wide impacts.

23
24 Relevant Comprehensive Plan Goals and Policies were included in the Planning Commission's
25 deliberation of the proposal and reflected in the staff report (**APPENDIX 1**).

26
27
28 **II. CONCLUSION**

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30 Based on the staff report, the submittal from the applicant and the information presented at the
31 public hearing, the Planning Commission concludes:

- 32
- 33 1. The proposed amendments to the Sehome Neighborhood Plan will result in a clear public
34 benefit by providing updated information to the public.
- 35 2. The proposed rezone to change the zoning boundary between Area 9 and 12 would
36 promote a more desirable land use pattern and correct a zone line that currently splits two
37 properties and bisects a duplex building.
- 38
- 39 3. The proposed text amendments to BMC 20.00160 Sehome Neighborhood Table of Zoning
40 Regulations will result in a clear public benefit by providing updated plan information and
41 regulatory requirements for the Sehome Neighborhood.
- 42
- 43 4. The proposed amendments to the Sehome Neighborhood Plan, the rezone, and associated
44 amendments to BMC 20.00.160 Sehome Neighborhood Table of Zoning Regulations
45 satisfies the review factors and criteria in BMC 20.19.030. A and BMC 20.20.060 C and D.
46 The amendments:

- 1 ▪ Will result in a clear public benefit by providing updated information and policy guidance
- 2 for public use and future discretionary decisions,
- 3 ▪ Will comply with, and will implement, the goals and policies of the Bellingham
- 4 Comprehensive Plan, and
- 5 ▪ Are consistent with the Growth Management Act and County Wide Planning Policies.
- 6
- 7
- 8

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2
3 **III. RECOMMENDATION**

4 Based on the findings and conclusion, the Bellingham Planning Commission recommends that
5 the City Council approve the proposed update to the Sehome Neighborhood Plan, the rezone,
6 and associated text amendments to Bellingham Municipal Code 20.00.160 Sehome
7 Neighborhood Table of Zoning Regulations as shown in **ATTACHMENT 2**.

8
9 **ADOPTED** this _____ day of _____, 2011.

10
11
12 _____
13 *Planning Commission Chairperson*

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18 **ATTEST:** _____
19 *Recording Secretary*

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24 **APPROVED AS TO FORM:**

25
26 _____
27 *City Attorney*
28
29
30
31

Draft
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BELLINGHAM RELATING TO BELLINGHAM'S COMPREHENSIVE PLAN, UPDATING THE SEHOME NEIGHBORHOOD PLAN WITH CORRESPONDING TEXT AMENDMENTS TO BELLINGHAM MUNICIPAL CODE 20.00.160 SEHOME TABLE OF ZONING REGULATIONS, AND A REZONE TO CORRECT A ZONING BOUNDARY BETWEEN AREA 9 AND 12.

WHEREAS, the City of Bellingham has adopted 25 neighborhood plans as a component of the Bellingham Comprehensive Plan, including the Sehome Neighborhood Plan; and

WHEREAS, the City has a process to amend the Comprehensive Plan and the neighborhood plans once per year in accordance with BMC 20.20.060 and BMC 21.10.150; and

WHEREAS, on December 3, 2007, the Planning and Community Development Department received a letter from the Sehome Neighborhood Association requesting amendments to the Sehome Neighborhood Plan; and

WHEREAS, in 2008, the Planning and Community Development Director initiated the neighborhood plan amendments; and

WHEREAS, the proposed amendments to the Sehome Neighborhood Plan would remove inaccurate and outdated information and add new text to the neighborhood plan; and

WHEREAS, City staff is proposing a rezone and text amendments to BMC 20.00160 Sehome Neighborhood Table of Zoning Regulations along with the neighborhood plan update in order to provide clear and concise development regulations; and

WHEREAS, the proposed rezone corrects a zoning boundary between Area 9 and 12 of the Sehome Neighborhood that was incorrectly established; and

WHEREAS, the proposed amendments to the Sehome Neighborhood Plan, the rezone, and associated amendments to BMC 20.00.160 Sehome Neighborhood Table of Zoning Regulations satisfy the review factors and criteria in BMC 20.19.030 A. and BMC 20.20.060 C. and D. The amendments:

- Will result in a clear public benefit by providing updated information and policy guidance for public use and future discretionary decisions;
- Will comply with, and will implement, the goals and policies of the Bellingham Comprehensive Plan;
- Are consistent with the Growth Management Act and County Wide Planning Policies; and

WHEREAS, neighborhood meetings were held on April 5, 2011 and May 24, 2011 regarding the proposed neighborhood plan amendments; and

WHEREAS, the Sehome Neighborhood Association supports the proposed amendments to the Sehome Neighborhood Plan; and

WHEREAS, the responsible official reviewed the proposed amendments under the procedures of the State Environmental Policy Act, and a Determination of Nonsignificance was issued on June 9, 2011; and

WHEREAS, after mailed and published notice as required by BMC Chapter 21.10, the Planning Commission held a public hearing on July 14, 2011 on the proposed amendments; and

WHEREAS, the Planning Commission considered the staff report and comments received and thereafter made Findings, Conclusions, and a Recommendation for adoption of the proposed amendments; and

WHEREAS, after mailed and published notice as required by BMC 21.10, the City Council held a public hearing on (Date) to consider the proposed amendments; and

WHEREAS, the City Council has considered the recommendation of the Planning Commission, the staff report, and the public comment and hereby adopt the Findings of Fact and Conclusions of the Planning Commission; and

WHEREAS, following the public hearing, the Bellingham City Council directed staff to bring back an ordinance approving the request as part of the annual Comprehensive Plan amendment.

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. The 1980 Sehome Neighborhood Plan is hereby repealed and replaced with an updated plan as shown in **EXHIBIT A**.

Section 2. Bellingham Municipal Code 20.00.160 Sehome Table of Zoning Regulations is hereby amended as follows:

Bellingham Municipal Code 20.00.160 - Sehome Neighborhood Table of Zoning Regulations:

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
1-6	[unchanged]	[unchanged]	[unchanged]	[unchanged]	[unchanged]	[unchanged]
7	Residential Multi	Multiple Planned for higher density	2,000 sq. ft. per unit; 1,000 sq. ft. per unit planned.	Clearing, historic, view, curb cuts, alley access, flexible parking requirements, increased parking for increase in units and rooming and boarding houses, Residential Multi setbacks.*	None	* See neighborhood plan. See Attachment A
<p>Attachment A: Area 7 Special Regulations</p> <p><u>1. Boarding and rooming houses: One parking space per bedroom is required.</u></p> <p><u>2. Planned Development:</u></p> <p>a. <u>Multi-family development occurring at a density between 1,000 and 2,000 square feet is subject to the Residential Multi Planned development standards.</u></p> <p>b. <u>Curb cut restriction when alley access available per BMC 20.12.010 D.</u></p> <p>c. <u>Existing curb cuts should be closed when possible.</u></p> <p>d. <u>An existing building that does not meet current parking requirements should provide additional parking for the entire building whenever an increase in the number of units is requested.</u></p> <p>e. <u>Given the ownership patterns, lot sizes, and design review standards, administrative flexibility should be granted to utilize the Residential Multi Multiple setbacks in place of the Residential Planned setback requirements.</u></p> <p>f. <u>Building heights should be limited to 35' for height definition #1 and 20' for height definition #2.</u></p>						
8	Public	Park	N/A	None	None	None
9	Residential Multi	Multiple Mixed Planned for Mixed Multiple, (Offices, Medical Care Facility, and Medical Offices) (Resolution Nos 66-83, 66-85, 64-85, 66-85).	1,000 sq. ft. per residential unit.	View, access*, buffer residential, parking allowed only as accessory to office or residential use.	None	* See neighborhood plan. See Attachment B
<p>Attachment B: Area 9 Special Regulations</p> <p>1. <u>Curb cut restriction when alley access available per BMC 20.12.010 D.</u></p> <p>2. <u>Existing curb cuts should be closed on Maple Street when possible.</u></p> <p>3. <u>Access to Commercial and Multi-family developments should be consolidated.</u></p> <p>4. <u>Parking areas shall be accessory to a permitted use.</u></p> <p>5. <u>No structure shall exceed 35' under height definition #1 when within 200' of a Residential Single general use type.</u></p>						
10 - 15	[unchanged]	[unchanged]	[unchanged]	[unchanged]	[unchanged]	[unchanged]

Section 3. The City of Bellingham zoning map for the Sehome Neighborhood is amended as shown in **EXHIBIT B.**

Section 4. The Sehome Neighborhood Comprehensive Plan Land Use Map is amended as shown in **EXHIBIT C.**

PASSED by the Council this _____ day of December, 2011

Council President

APPROVED by me this _____ day of December, 2011

Mayor

ATTEST: _____
Finance Director

APPROVED AS TO FORM:

Office of the City Attorney

Published: _____