



Permit Center  
210 Lottie Street  
Bellingham, WA 98225  
phone: 360-778-8300  
fax: 360-778-8301  
www.cob.org

TO BE COMPLETED BY STAFF  
Date Received 8/15/2010  
Case Number ZON2010-4

**COMPREHENSIVE PLAN AMENDMENT  
APPLICATION FORM**

Use this form to apply for final review of proposed amendments to the comprehensive plan that have been accepted for inclusion in the annual docket. Applications must be submitted **within 30 days of the City Council docket decision** in order to continue to final review. Incomplete applications will not be accepted. If a complete application is not submitted by the deadline the proposal will be removed from the docket.

1. Submittal Requirements.

A. Site-specific proposals must complete the following:

- Pre-application conference with City staff. The purpose of the conference is to obtain guidance on the proposal. A waiver from the staff conference may be requested. See Pre-Application Meeting Information and Application and waiver forms.
- Neighborhood meeting. See Neighborhood Meeting Instructions form.
- Comprehensive Plan Amendment Application Form.
- SEPA Checklist, including Part D for Non-Project Actions.
- Submit Rezone Application Form.
- 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.
- Payment of fees calculated as:

Comp. plan amendment fee balance: \$1,849 + \$213 per acre over the first acre x 0.9  
 + Rezone fee: \$1,902 + \$213 per acre over first acre      73  
 + SEPA Checklist fee: \$266

= TOTAL FEE (Final fees will be calculated at the time the application is submitted. Includes notice fees.)

B. General comprehensive plan amendments (non-site-specific) must submit the following:

- Comprehensive Plan Amendment Application Form.
- A completed SEPA Checklist including Part D for Non-Project Actions.
- Payment of fees:\*

Comp. plan amendment fee balance: \$1,664 (Includes notice fees.)  
 + SEPA Checklist fee: \$266

= \$1,930 TOTAL FEE

\*Recognized Neighborhood Associations are exempt from these fees when authorized by the City Council at the time of Docketing.

2. Applicant: Richard and Janis Gray Phone: 209-369-4902  
Address: 27292 N Cherokee Lane  
City/State/Zip: Galt, CA 95632-8208  
Email: \_\_\_\_\_ Fax: 209-912-7552

Name of contact if applicant is a group: Heather Wolf, Brownlie Evans Wolf & Lee, LLP

3. 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.

4. Explain why the amendment is needed.

See Attached

5. Describe why the amendment will result in long-term benefits to the community as a whole and is in the best interest of the community.

See Attached

6. Describe how the proposed amendment to the plan is supported by or consistent with the existing goals and policies of the comprehensive plan and the State Growth Management Act.

See Attached

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

See Attached

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

See Attached

9. Does the proposed amendment promote a more desirable land use pattern for the community as stated in the goals and policies in the comprehensive plan? Are there environmental constraints (such as wetlands, steep slopes, significant stands of trees, etc.) present on the site to such a degree that

Attachment to Comprehensive Plan Amendment

4. The amendment is needed because the zoning for this area has not been reviewed since the property was annexed to the City. The existing industrial zoning is no longer appropriate given the residential and commercial development in the surrounding area. Additionally, the amendment is needed so that the subject properties can have the same zoning designation as adjacent properties to the south, which will allow for all of these properties to be master planned and developed in a unified manner.
5. The subject property is part of the Bakerview Gateway General Binding Site Plan and the other properties within this Binding Site Plan are zoned to allow for commercial uses in addition to industrial uses. It is in the public interest for all of the properties within this Binding Site Plan to have a consistent zoning designation so that these properties can be master planned and developed in a unified manner. Additionally, commercial uses on the property will allow nearby residents, business owners, and employees to walk and/or use transit to access additional commercial opportunities in the area. The amendment is in the public interest in that it will provide for infill and development of property that would otherwise likely remain vacant under the current zoning.
6. The amendment is consistent with the following goals and policies of the Comprehensive Plan and the State's Growth Management Act
  - *GF Infill Strategy: Include commercial or institutional uses in or near new large multi-family projects* – the subject property is adjacent to dense residential developments and thus allowing commercial uses here promotes this infill strategy
  - *Bellingham's Infill Strategy* – the amendment would make more efficient use of the remaining developable land in the City
  - *FLU-9 Successful commercial and industrial areas and a strong and diverse economy should be promoted by encouraging office, retail, high technology, light and heavy industrial uses in appropriate locations.* The subject property is more appropriate for commercial uses than industrial uses
  - *LU-100 Infill developments that are sized and designed to fit their surroundings are encouraged.* The amendment would allow for multiple properties to be planned together to provide for development that better fits with the surrounding area
  - *TP-1 Consider revision of land use plans to allow densities and mixes of uses that reduce number and length of vehicle trips and increase the opportunity to use public transportation and non-motorized modes of travel.* The amendment would allow for commercial uses in close proximity to existing residential and commercial development thereby reducing the length of vehicle trips and expanding opportunities for transit use
  - *RCW 36.70A.020 Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.* The amendment will allow for development to actually occur on the subject property, where adequate public facilities already exist

- *RCW 36.70A.020 Encourage economic development.* The amendment will promote economic development on the subject properties with regard to jobs and business development opportunities

7 and 8. Both circumstances and Underlying assumptions have changed since the subject property was annexed and brought into the Guide Meridian/Cordata Neighborhood in 1996. Dense residential and commercial development has occurred in the surrounding area, which makes industrial development on the property unattractive. Additionally, the city is currently focusing on creating dense mixed use development within the city limits and creating commercial opportunities close to where people live. Allowing a mix of uses, including commercial uses, on the subject property is consistent with the City's recently adopted urban infill goals. Moreover, given the surrounding uses, there is little demand for industrial use on the subject property. The demand is now for a mix of uses, including commercial uses, compatible with existing nearby residential development.

9. Wetlands do exist on a portion of the subject property, which makes it infeasible for stand-alone industrial development. The environmental constraints likely require that the property be developed in conjunction with the property to the south. Thus, a consistent zoning for all of these properties is needed to ensure that development can occur. Allowing commercial uses on the subject property will allow for better planning with the properties to the south such that environmental impacts can be mitigated without losing all of the development potential of the property.

10. The amendment will not likely have an impact on the current use of other properties in the vicinity. Rather, commercial uses on the subject property will be more compatible with existing uses in the vicinity. Any development on the subject property, whether industrial or commercial in nature, will likely need to take measures to ensure a sufficient buffer exists between development on the subject property and the adjacent residential neighborhood.



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Land Use Application

Check all permits you are applying for in the boxes provided. Submit this application form, the applicable materials listed in the corresponding permit application packet(s) and application fee payment.

Form with checkboxes for various permits (Accessory Dwelling Unit, Binding Site Plan, etc.) and handwritten information (Office Use Only, Date Rcvd: 3/15/2010, Case #: ZON2010-4, SEP2010-11, etc.)

Project Address: 1348 West Bakerview Road

Tax Assessor Parcel Number(s): 380211412068; 380211357093; 380211381065

Project Description Comprehensive Plan and zoning change from Planned/Industrial to Planned Commercial/Industrial for a portion of Area 23 within the Guide Meridian/Cordata Neighborhood.

Applicant/Agent Primary Contact for Application
Name Heather Wolf
Address 230 E. Champion Street
City/State/Zip Bellingham, WA 98225

Phone 676-0306
FAX 676-8058
Email heather@brownlieevans.com

Owner(s) Applicant Primary Contact for Application
Name Richard and Janis Gray
Address 27292 N Cherokee Lane
City/State/Zip Galt, CA 95632-8208

Phone 209-369-4902
FAX 209-912-7552
Email

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 inspection 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 [Handwritten Signature]
where this application is signed: Bellingham
City

Date 3/11/10
WA
State



## APPLICATION FOR REZONE

(PLEASE PRINT CLEARLY OR TYPE IN BLUE OR BLACK INK)

### Project Data:

1. Legal Description of subject property Portion Lot A and 3, Blk 31, Plat of Bakerview Add and Lots 9-13, Plat of NW Bakerview Tr.
2. Full legal description of all property represented in the application (attach if necessary)  
see attached
3. Size of total land area represented in the application: 9.37 acres

### LAND USE CLASSIFICATION:

4. Neighborhood Plan Name Guide Meridian/Cordata
5. Zoning Area Number 23
6. Existing Zoning:  
General Use Type Industrial I  
Use Qualifier Planned (Uses limited to those in Whatcom County's Light industrial zone as of April 1996, and shown in Att. #4). Heavy industrial uses are not allowed. Adult entertainment uses are prohibited in this area.  
Density N/A.
7. Requested Zoning:  
General Use Type Commercial/Industrial  
Use Qualifier Planned  
Density N/A.
8. Attach an explanation of how the proposed zoning change meets each of the criteria listed in the attached Bellingham Municipal Code 20.19.030 A-F and at least one of the criteria in G (1) – (3).
9. Is the rezone request related to a development proposal for the property? No  
If so please provide available plans and information about the project

### SUBMITTAL REQUIREMENTS AND CHECKLIST:

- |                                     |   |   |
|-------------------------------------|---|---|
| <input checked="" type="checkbox"/> | Complete pre-application conference                       | A pre-application conference or waiver is required prior to application.  |
| <input checked="" type="checkbox"/> | A copy of the pre-application neighborhood meeting notice | The applicant must conduct a neighborhood meeting prior to application, per the Neighborhood Meeting Instruction form.  |
| <input checked="" type="checkbox"/> | Land Use Application form                                 | All requested information must be provided.   |
| <input type="checkbox"/>            | Filing fee  | Applicable fee as calculated by Planning staff. See separate Fee Schedule.  |
| <input checked="" type="checkbox"/> | Mailing list and labels                                   | Complete the Names and Mailing Addresses of Surrounding Property Owners for property within 500 feet, including label format, per the attached Mailing List Instructions. |
| <input checked="" type="checkbox"/> | Environmental checklist (SEPA)                            |   |
| <input checked="" type="checkbox"/> | Map   | Outline the location of the property on the Zoning Map  |
| <input checked="" type="checkbox"/> | Description of Request                                    | Complete the information requested on Page 2 of this application.   |

**BELLINGHAM MUNICIPAL CODE - REZONE**

**20.19.010 Purpose.**

This Chapter establishes the procedures and criteria the City will use in making a decision on an application for a rezone of property. A rezone consists of a change in the boundary of a numbered "Area" on the zoning map adopted pursuant to BMC 20.04.050 A.; a change in the general use type, use qualifier or density of any numbered "Area" as contained in Appendix 20-A; or any change in the conditions imposed or in the terms of a concomitant agreement executed as part of a rezone.

**20.19.020 Procedure.**

A. There are two types of rezones as follows:

- (1) Legislative Rezones. A rezone shall follow the process in BMC 21.10 for a Type VI process when:
  - a. It is initiated by the City and is an area-wide amendment, is part of a neighborhood plan update or part of a process that includes amending the text of this Title; or
  - b. It requires a concurrent amendment to the comprehensive plan or neighborhood plan.
- (2) Quasi-judicial Rezones. A rezone shall follow the process in BMC 21.10 for a Type V-A process when it does not meet the requirements of BMC 20.19.20 A. 1.

**20.19.030 Criteria.**

The City may approve or approve with modifications an application for a rezone of property if:

- A. It is consistent with the comprehensive plan or corresponds to a concurrent comprehensive plan amendment application;
- B. It will not adversely affect the public health, safety or general welfare;
- C. It is in the best interests of the residents of Bellingham;
- D. The subject property is suitable for development in general conformance with zoning standards under the proposed zoning district;
- E. Adequate public facilities and services are, or would be, available to serve the development allowed by the proposed zone;
- F. It will not be materially detrimental to uses or property in the immediate vicinity of the subject property; and
- G. It is appropriate because either:
  - (1) Conditions in the immediate vicinity have changed sufficiently since the property was classified under the current zoning that a rezone is in the public interest; or
  - (2) The rezone will correct a zone classification or zone boundary that was inappropriate when established; or

(3) The rezone will implement the policies of the comprehensive plan.

**20.19.040 Concomitant Agreement.**

The City may require that the applicant enter into a concomitant agreement with the City as a condition of the rezone, and may through the agreement impose development conditions designed to mitigate potential impacts of the rezone and development thereto.

**20.19.050 Annexed Property**

The City may establish comprehensive plan and zoning designations prior to annexation that take effect with annexation. Whenever the city does not adopt a zoning designation concurrently with the annexation process, the zoning designation shall be as follows until the zoning classification is amended:

General Use Type:	Residential Single
Use Qualifier:	Detached
Density:	20,000 square foot minimum detached lot size

Attachment to Rezone Application From  
Richard and Janis Gray

8. The proposed rezone to allow commercial uses on subject property meets the following criteria listed in BMC 20.19.030.

A. The proposal is concurrent with a Comprehensive Plan Amendment Application.

B and C. The proposed rezone will not adversely affect the public health, safety or general welfare and is in the best interests of the community. The rezone will allow for the use of the land for which it is best suited; it will allow for commercial development to occur near to and compliment residential uses and other similar commercial uses in the area. It is highly unlikely that there would be any adverse effects from the proposed rezone given that the area is already highly developed with commercial and residential uses.

D. The subject property is suitable for development in general conformance with zoning standards under the proposed zoning district. Commercial use on the subject property would conform to general zoning standards in the district, which are already suited for regulation of both industrial and commercial development.

E. Adequate public facilities and services are available to serve the development allowed by the proposed rezone. The subject property and surrounding area is already serviced by transit and city services. Any development on the property, whether industrial or commercial in nature will be required to ensure adequate facilities and services are in place at the time development occurs.

F. The proposed rezone will not be materially detrimental to uses or property in the immediate vicinity of the subject property. The proposed rezone will not have any discernable impact on the current use of other properties in the vicinity. Commercial uses on the property are more compatible with the neighboring residential and commercial areas than strictly industrial uses would be. In fact, residents, business owners, and employees in the immediate vicinity will benefit by having additional commercial opportunities within walking and transit

distance.

G(1). Conditions in the immediate vicinity have changed sufficiently since the property was classified under the current zoning that a rezone is in the public interest. The property was annexed to the City of Bellingham in 1996 and at that time, it was given a zoning designation comparable to its zoning designation in Whatcom County, which was light industrial. Since that time, the zoning for this area has not been reexamined although the immediate vicinity has seen a great deal of commercial and residential development. Consequently, allowing a range of uses, including commercial uses, is in the public interest given the recent development patterns in the area.

Additionally, the subject property is part of the Bakerview Gateway General Binding Site Plan and the other properties within this Binding Site Plan are zoned to allow for commercial uses in addition to industrial uses. It is in the public interest for all of the properties within this Binding Site Plan to have a consistent zoning designation so that these properties can be master planned and developed in a unified manner. Finally, the rezone is in the public interest in that it will provide for infill and development of property that would otherwise likely remain vacant under the current zoning.

(G)(3) As detailed in the concurrent comprehensive plan application, the proposal will implement the policies of the comprehensive plan.

## LEGAL DESCRIPTION

### PARCEL "A"

THAT PORTION OF BAKERVIEW GATEWAY GENERAL BINDING SITE PLAN-TRACT ACCORDING TO THE MAP THEREOF FILED UNDER AUDITOR'S FILE NUMBER 2050502777; RECORDS OF WHATCOM COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 9 AND 10 OF THE NORTHWEST BAKERVIEW TRACTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 59, RECORDS OF WHATCOM COUNTY, WASHINGTON.

AND

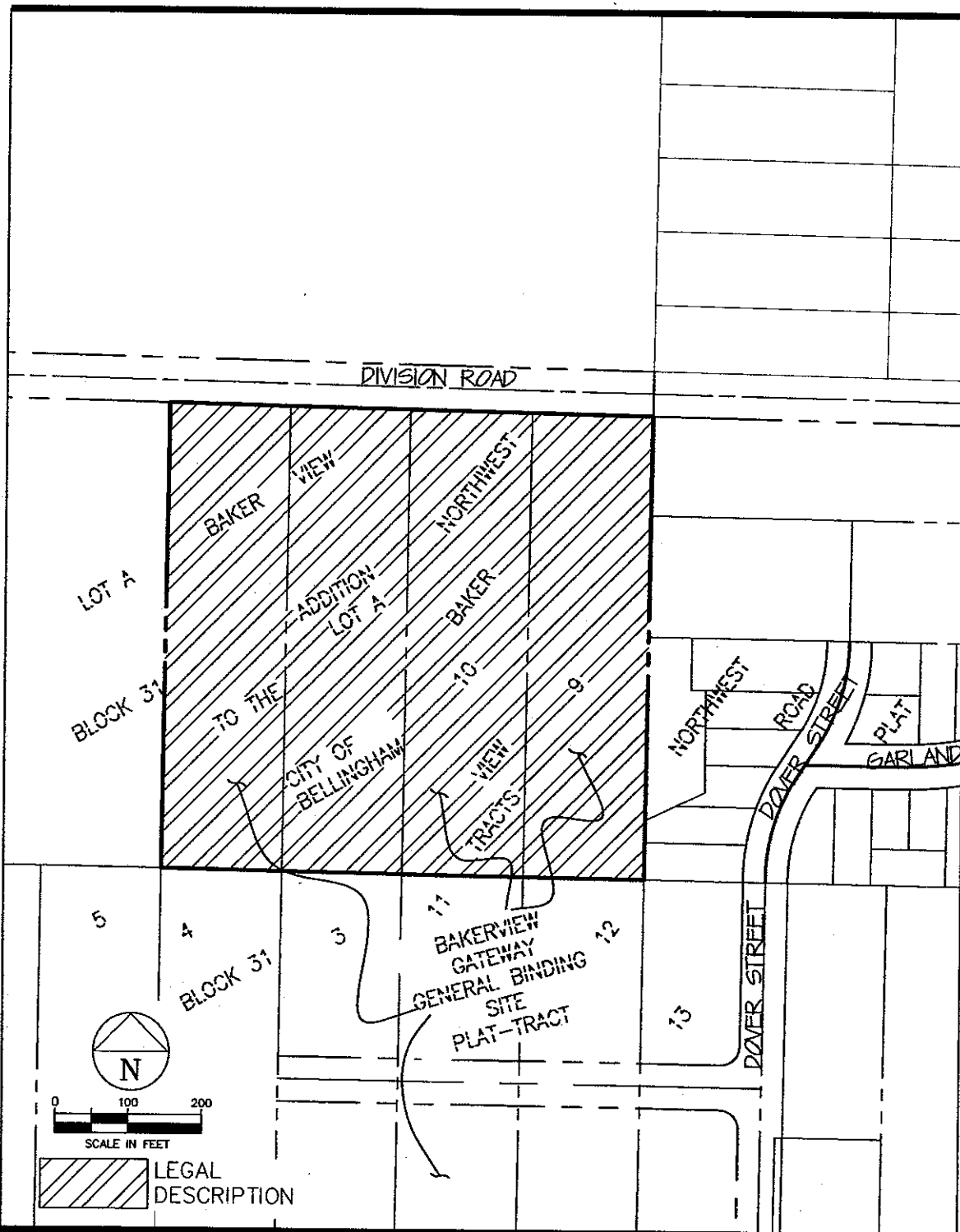
THE WEST 163.87 FEET OF THE EAST 327.74 FEET OF LOT A, BLOCK 31, PLAT OF BAKERVIEW, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGES 40 THRU 45, INCLUSIVE, RECORDS OF WHATCOM COUNTY, WASHINGTON.

### PARCEL "B"

THE EAST 163.87 FEET OF LOT A, BLOCK 31, PLAT OF BAKERVIEW, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGES 40 THRU 45, INCLUSIVE, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN SECTION 11, TOWNSHIP 38 NORTH, RANGE 2 EAST W.M.. CITY OF BELLINGHAM, WHATCOM COUNTY, WASHINGTON.

SEE ATTACHED EXHIBIT "A"



**EXHIBIT "A"**

DATE: 3-11-10      DESIGN: G.J.A.

FILE: RGRA0001 / svEM01      DRAWN: G.J.A.

g:\p\03/11/10 11:22am - P:\V\RGRA00000001\p100000\1000\1000\svEM01rg0001.dwg

**DE**  
**DAVID EVANS**  
**AND ASSOCIATES INC.**  
 119 Grand Avenue, Suite D  
 Bellingham Washington 98225  
 Phone: 360.647.7151

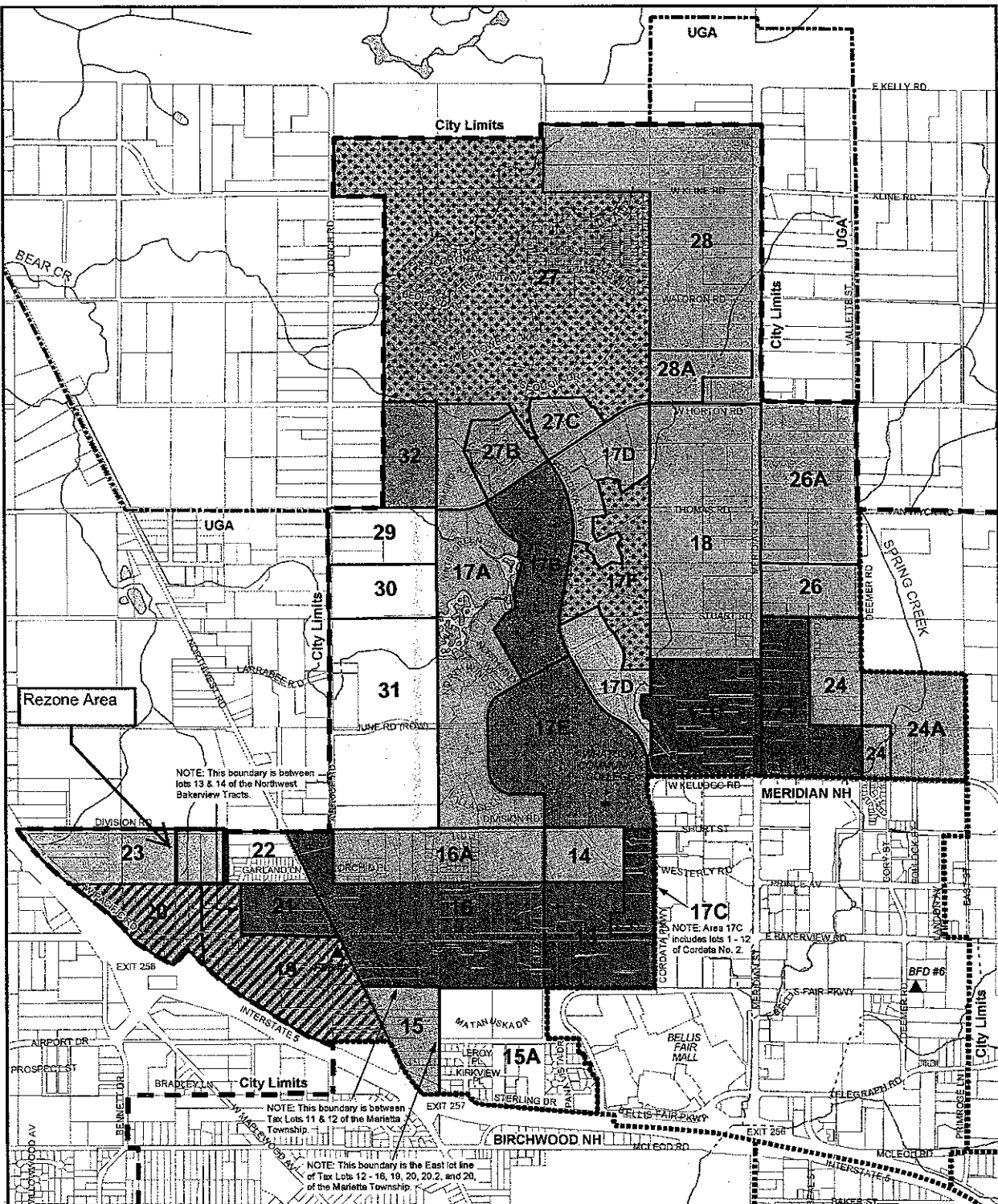
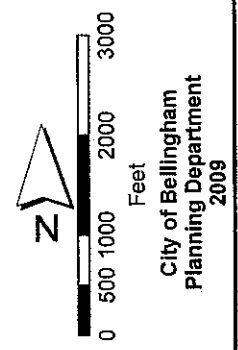
**LEGAL  
 EXHIBIT  
 MAP**

# GUIDE MERIDIAN/CORDATA NEIGHBORHOOD ZONING

Legend:

AREA	ZONING DESIGNATION*
13	Planned Commercial
14	Planned Res. Multi
15	Planned Res. Multi
15A	Planned Res. Single
16	Planned Commercial
16A	Planned Res. Multi
17A	Planned Res. Multi
17B	Planned Institutional
17C	Planned Commercial
17D	Planned Industrial
17E	Institutional
17F	Planned Commercial/Industrial/Res.
18	Planned Commercial
19, 20	Planned Commercial/Industrial
21	Planned Commercial
22	Planned Res. Single
23	Planned Industrial
24, 24A	Planned Res. Multi
25	Planned Commercial
26, 26A	Planned Industrial
27	Planned Commercial/Industrial/Res.
27A	Planned Res. Multi
27B	Planned Institutional/Res. Multi
27C	Planned Industrial
28	Planned Industrial
28A	Planned Industrial
29	Residential Single
30	Residential Single
31	Residential Single
32	Public

\* SEE BELLINGHAM MUNICIPAL CODE TITLE 20 TABLE OF ZONING REGULATIONS FOR MODIFICATIONS IN THE LIST OF PERMITTED USES AND OTHER SPECIAL PROVISIONS FOR EACH NUMBERED AREA



NOTE: This boundary is between lots 13 & 14 of the Northwest Bakerview Tracts.

NOTE: Area 17C includes lots 1 - 12 of Cordata No. 2.

NOTE: This boundary is between Tax Lots 11 & 12 of the Marietta Township.

NOTE: This boundary is the East lot line of Tax Lots 12 - 16, 18, 20, 20.2, 20.2, and 20 of the Marietta Township.



**BELLINGHAM PLANNING COMMISSION FINDINGS OF FACT,  
CONCLUSIONS, AND RECOMMENDATIONS**

**JULY 15, 2010**

**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 Meridian neighborhood plan amendment and rezone of a portion of Area 1, the Bellingham Planning Commission has determined that the proposed changes to incorporate the subject site into Area 5 of the Meridian Neighborhood with a provision for a continuous through road from Dover Street to Pacific Highway comply with, and will implement, the goals and policies of the Bellingham Comprehensive Plan.

**I. FINDINGS OF FACT**

**1. Project or Proposal Description**

The applicant has proposed a change of the neighborhood plan land use designation and zoning for the eastern 9.37 acres of Area 1 of the Meridian Neighborhood. The proposal would include the rezone area into Area 5, Meridian Neighborhood, which would affectively change the land use designation from Industrial to Commercial/Industrial and rezone the property from Industrial, Planned to Commercial/Industrial, Planned. The requested change would permit the full range of the City's Planned Commercial and Industrial land uses. Under current zoning, the permitted uses are restricted to industrial uses permitted in the Whatcom County's Light Impact Industrial zoning designation.

The site is located at the southwest corner of Dover Street and Division Road, both unimproved. There is not a specific development proposal being considered with these requests.

**2. Background Information/Procedural History**

Binding Site Plan

Three of the four parcels within this proposal are included in a general binding site plan, known as the Bakerview Gateway General Binding Site Plan, recorded under Whatcom County Auditor's Office file number 2050502777. This binding site plan also includes property fronting West Bakerview Road and establishes the standards for development within the binding site plan area. As a condition of the binding site plan, 30 feet of property was dedicated for Dover Road and 60 feet of property through the site was dedicated to

1 satisfy the zoning prerequisite condition to provide a road from Northwest Road to Pacific  
2 Highway.

3  
4 Zoning in the County to URMX

5 The area immediately north of the subject site is in Whatcom County and zoned URMX. The  
6 property was rezoned from UR4 to the current zoning in the late 1990s. This zone is a  
7 single family land use area with an allowance for some multifamily uses.

8  
9 2009 Comprehensive Plan Amendment Docket

10 The City Council initiated this Comprehensive Plan Amendment/Rezone for consideration in  
11 2010.

12  
13 Application

14 Heather Wolf, agent for Richard and Janis Gray, submitted a comprehensive plan and  
15 rezone applications on March 15, 2010.

16  
17 Neighborhood Meeting

18 A neighborhood meeting was held on April 27, 2010 concurrently with the neighborhood  
19 meeting for the proposed revisions to the GMCN and Meridian Neighborhood boundaries.

20  
21  
22 **3. Public Comment**

23  
24 Notice of this hearing was mailed to property owners, neighborhood representatives and  
25 associations and other interested parties. Notice was also published in the Bellingham  
26 Herald. Two letters were received in support of the applications.

27  
28 **4. State Environmental Policy Act (SEPA) Determination if applicable**

29  
30 A non-project SEPA Determination of Non-Significance was issued by the City of  
31 Bellingham on June 14, 2010.

32  
33 **5. Consistency with the Bellingham Comprehensive Plan:**

34  
35 The proposed amendments are consistent with the City's Comprehensive Plan, Growth  
36 Management act and county-wide planning policies, and will be of benefit to the residents and  
37 business owners within the area, as well as to the community.

38  
39 **6. Analysis under BMC 20.20.060.C and BMC 20.19.030 A**

40  
41 The Planning Commission reviewed the proposals against the comprehensive plan amendment  
42 criteria consistent with Bellingham Municipal Code 20.20.060 C. and the rezone criteria  
43 consistent with Bellingham Municipal Code 20.19.030 A.

44  
45 **II. CONCLUSIONS**

46  
47 Based on the staff report, the submittal from the applicant and the information presented at  
48 the public hearing, the Planning Commission concludes that the proposal satisfies the criteria  
49 for neighborhood plan amendment consistent with BMC 20.20.060 C.:

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1. The proposal is consistent with the Bellingham Comprehensive Plan and State Growth Management Act. The amendment will increase the City's opportunity for employment by allowing additional land uses that can respond to market demand and on-site physical challenges.
  2. Both circumstances and underlying assumptions have changed since the subject property was annexed and brought into the Guide Meridian/Cordata Neighborhood in 1996. Dense residential and commercial development has occurred in the surrounding area, which makes industrial development on the property unattractive.
  3. The proposed amendment promotes a more desirable land use pattern for Bellingham by further the Bellingham Comprehensive Plan's goals and policies by increasing the opportunity for employment land supply and allowing land uses that has the site planning flexibility to respond to the on-site physical challenges.
  4. The proposal is not a site specific proposal; therefore, the requested changes to the neighborhood plan and zoning table will not have an effect on current use of other properties in the vicinity.
  5. The proposed amendment to the Meridian Neighborhood Plan is consistent with the goals and policies of the Bellingham Comprehensive Plan, the Countywide Planning Policies and the GMA.

The following was concluded when reviewing this rezone proposal per BMC 20.19.030 A.:

1. The proposal is consistent with the Comprehensive Plan.
2. The proposed rezone will not adversely affect the public health, safety or general welfare and is in the best interests of the community. The rezone will allow for the use of the land for which it is best suited; it will allow for commercial development to occur near to and compliment residential uses and other similar commercial uses in the area.
3. The proposal is in the best interests of the residents of Bellingham by providing the opportunity to increase employment in the City and land use with a more compatible development pattern for sites that have challenges due to critical areas, access, etc. It implements the goals and policies of the comprehensive plan, which promotes development strategies with Bellingham citizen's best interests at the forefront.
4. Development on this site would be able to development to the conformance of zoning standards within the zoning district.
5. Public facilities are available to serve the subject site and either or in place to serve the subject site or will be constructed with development.
6. The proposed rezone will not have any discernable impact on the current use of other properties in the vicinity. Commercial uses on the property are more compatible with the neighboring residential and commercial areas than strictly industrial uses.
7. Conditions in the immediate vicinity have changed sufficiently since the property was classified under the current zoning and that a rezone is in the public's best interest. The rezone will not be detrimental to property in the area. Design standards are in place to protect the public interest by ensuring that the development of any residential, commercial, or industrial uses will be compatible with the residential uses surrounding development.

1 8. Properly conditioned, the proposed rezone satisfies the review factors and  
2 criteria in BMC 20.20.060 and BMC 20.19.030.  
3  
4

5 **III. RECOMMENDATIONS**  
6

7 Based on the findings and conclusions, the Bellingham Planning Commission recommends  
8 that the City Council approve the attached ordinance that authorizes an amendment to the  
9 Meridian Neighborhood Plan and the Meridian Neighborhood Table of Zoning Regulations  
10 (BMC 20.10.110) by incorporating the subject site into Area 5 of the Meridian  
11 Neighborhood.  
12  
13  
14

15 **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.  
16  
17

18 \_\_\_\_\_  
19 *Planning Commission Chairperson*  
20  
21  
22

23 **ATTEST:** \_\_\_\_\_  
24 *Recording Secretary*  
25  
26  
27  
28  
29

30 **APPROVED AS TO FORM:**  
31  
32

33 \_\_\_\_\_  
34 *City Attorney*  
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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE RELATING TO LAND USE PLANNING AND ZONING FOR 9.37 ACRES IN AREA 1 OF THE MERIDIAN NEIGHBORHOOD TO CHANGE THE LAND USE DESIGNATION FROM INDUSTRIAL TO COMMERCIAL/INDUSTRIAL AND AMEND BELLINGHAM MUNICIPAL CODE 20.00.110 BY INCORPORATING THE SUBJECT INTO AREA 5 OF THE MERIDIAN NEIGHBORHOOD AND ADDING A CONDITION FOR A CONTINUOUS THROUGH ROAD FROM DOVER STREET TO PACIFIC HIGHWAY.**

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

**WHEREAS**, the City of Bellingham updated and adopted a new Meridian Neighborhood Plan in December 2010; and

**WHEREAS**, the City of Bellingham 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 November 9, 2009, the owners of the subject site submitted a docketing application for the 9.37 acres in Area 1 of the Meridian Neighborhood for consideration during the 2010 comprehensive plan amendment process; and

**WHEREAS**, the City Council docketed the proposal by Resolution No. 2010-08 on February 22, 2010; and

**WHEREAS**, a neighborhood meeting was held with the Guide Meridian/Cordata and Meridian neighborhoods on April 27, 2010; and

**WHEREAS**, the Guide Meridian/Cordata and Meridian neighborhoods support the proposal, which will result in a clear public benefit by reducing the size of the neighborhoods and more accurately naming the neighborhoods, as well as updating information and references; and

**WHEREAS**, the responsible official reviewed the proposed amendments under the procedures of the State Environmental Policy Act, and an Adoption of Existing Environmental Document was issued on June 14, 2010; and

**WHEREAS**, the Bellingham Planning Commission held a public hearing on July 15, 2010 and determined that the proposal complies with, and will implement, the goals and policies of the Bellingham Comprehensive Plan; and

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2 **WHEREAS**, the Bellingham Planning Commission recommended approval of the  
3 proposed amendments to include the 9.37 acres into Area 5 of the Meridian  
4 Neighborhood with conditions and appropriately amend the Meridian Neighborhood  
5 Plan and Table of Zoning Regulations (BMC 20.00.110) and thereafter, made Findings,  
6 Conclusions and a recommendation for adoption of the amendments; and  
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8 **WHEREAS**, the Bellingham City Council held a public hearing on \_\_\_\_\_ to  
9 consider the proposed amendments; and  
10

11 **WHEREAS**, the Bellingham City Council agrees with and hereby adopts the Findings of  
12 Fact, Conclusions and Recommendations of the Bellingham Planning Commission; and  
13

14 **NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**  
15

16 **Section 1:** The City Council adopts the Planning Commission's Finds of Fact,  
17 Conclusions, and Recommendations as show in Exhibit A.  
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19 **Section 2:** The Meridian Neighborhood Plan is hereby amended as shown in Exhibit B.  
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21 **Section 3:**The Meridian Neighborhood Land Use Map is hereby amended as shown on  
22 Exhibit C.  
23

24 **Section 4:** The Meridian Neighborhood Table of Zoning Regulations, Bellingham  
25 Municipal Code (20.00.110) is hereby amended as shown in Exhibit D, incorporating a  
26 prerequisite consideration for a contiguous road from Dover Street to Pacific Highway.  
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28 **Section 5:** The Meridian Neighborhood Zoning Map is hereby amended as shown on  
29 Exhibit E.  
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32 **PASSED** by the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2010.  
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37 Council President  
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**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
**Mayor**

**ATTEST:** \_\_\_\_\_  
Finance Director

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Office of the City Attorney

**Published:**  
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**EXHIBIT A**

Note: This page intentionally left blank to insert the approved Bellingham Planning Commission Findings of Fact, Conclusions, and Recommendations.