

**ORDINANCE NO.** 1998-07-058

**AN ORDINANCE RELATING TO LAND USE PLANNING AND TO THE ANNEXATION OF APPROXIMATELY 21,635 SQUARE FEET OF UNINCORPORATED PROPERTY ADJACENT TO THE NORTHERN BOUNDARY OF BELLINGHAM CITY LIMITS, COMMONLY KNOWN AS THE MT. BAKER/McLEOD INTERSECTION ANNEXATION. THE AREA INCLUDES ONE PARCEL CONTAINING APPROXIMATELY 4,215 SQUARE FEET AND A PORTION OF THE MT. BAKER HIGHWAY RIGHT OF WAY CONTAINING ABOUT 17,420 SQUARE FEET; AND PROVIDING A CITY LAND USE DESIGNATION.**

**WHEREAS**, the owners of certain property located within the area described herein have filed a proper and sufficient notice of intent to commence annexation proceedings pursuant to RCW 35.13.125 on or about May 4, 1998; and

**WHEREAS**, this property is within Bellingham's Northern Urban Growth Area, and has been identified through joint city/county planning as an area appropriate for urban development; and

**WHEREAS**, the Whatcom County Council adopted the Urban Fringe Subarea Comprehensive Plan and zoning for Bellingham's Northern Urban Growth Area including this annexation area on September 9, 1997; and

**WHEREAS**, the City Council held a public meeting on May 18, 1998, and thereafter initiated the annexation request, subject to adopting land use designations and assumption of existing City indebtedness, and

**WHEREAS**, the petitioners filed with the City Clerk a proper and sufficient 75% petition accompanied by a map specifying the boundaries of the proposed annexation as provided by RCW 35.13.130; and

**WHEREAS**, on May 8, 1998, the Whatcom County Assessor certified that the annexation petition contained valid signatures of property owners of not less than seventy-five percent (75%) in value according to the assessed valuation for general taxation of the property for which annexation is petitioned as required by RCW 35.13.130; and

**WHEREAS**, the Bellingham Public Works Department is in the process of installing a traffic signal at the intersection of Mt. Baker Highway and McLeod Road, that now lies outside of Bellingham, and completion of this project is scheduled to coincide with the opening of the new Squalicum High School in the fall of 1998; and

**City of Bellingham**  
CITY ATTORNEY  
210 Lottie Street  
Bellingham, Washington  
98225  
Telephone (360) 676-6903

**WHEREAS**, the Department of Transportation (DOT) has been working closely with the City on this project, and granted the City a variance from the otherwise timely and expensive jurisdictional requirements with the expectation that this portion of Mt. Baker Highway would be annexed to the City prior to the completion of the project; and

**WHEREAS**, in order to proceed with the signal and complete it in time for the opening of the new high school, the City must annex this portion of the Mt. Baker Highway that now lies outside of Bellingham; and

**WHEREAS**, the City notified Fire Districts 4, 8, and 2 about the proposed annexation request in compliance with the provisions of the Interlocal Agreement between the City and the districts. The districts concurred that the annexation is necessary and submitted letters in support; and

**WHEREAS**, on July 7, 1998, the Chair of Whatcom County's Boundary Review Board, waived Board review of the annexation request per RCW 36.93.110, because the annexation area is less than 10 acres and less than 2 million dollars in assessed valuation; and

**WHEREAS**, on July 13, 1998, the Bellingham City Council held a public hearing according to law on the annexation;

**NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN THAT:**

**Section 1:** The property located adjacent to the northern boundary of the City, in the vicinity of Mt. Baker Highway and McLeod Road, as depicted in Exhibit "A", is hereby annexed to the City of Bellingham.

**Section 2:** The area annexed herein shall assume its proportional share of the existing indebtedness of the City of Bellingham.

**Section 3:** The area herein annexed shall become part of Area 3 of the Mount Baker Neighborhood, as shown on Exhibit "B",

**Section 4:** The following land use classification is hereby adopted for the subject property as the designation most closely coinciding with the Whatcom County Urban Fringe Subarea Plan as adopted by Whatcom County Council on September 9, 1997:

**AREA 3**

0068.ord

**City of Bellingham**  
CITY ATTORNEY  
210 Lottie Street  
Bellingham, Washington  
98225  
Telephone (360) 676-6903

Area 3, extending along Sunset Drive from St. Clair Street to the City Limits, consists of approximately 53 acres. Existing development in this area is single family homes fronting on Sunset Drive. Traffic and potential widening of Sunset Drive are major concerns to property owners and residents in this area. Prior to the widening project, a corridor study should be developed which identifies a range of appropriate land uses along the Sunset Drive corridor. Other elements of this study should include vehicular and pedestrian access and circulation, building and parking location and design, and landscaping.

General Use Type : Residential Single  
Use Qualifier : Detached  
Density : 10,000 square feet minimum detached lot size.  
Special Conditions : Clearing, shoreline, floodplain. Corridor study prior to Sunset Drive improvements  
Prerequisite Considerations: Sufficient water capacity and supply

Section 5.

This ordinance shall be effective on August 4, 1998.

Passed by the Council this 20th day of July, 1998.

Bob Ryan Council President, Bob Ryan

Approved by me this 28th day of July, 1998.

Mark Asund  
Mayor

Attest: Lynn Carpenter  
Finance Director

Approved as to Form:

[Signature]  
Office of the City Attorney  
Published: 07.26.98

**JONES**

Engineers, Incorporated

18 MAY 1998

LEGAL DESCRIPTION OF AREA TO BE ANNEXED TO CITY OF  
BELLINGHAM AT THE INTERSECTION OF THE MOUNT BAKER HIGHWAY  
AND McLEOD ROAD

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER  
OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 3 EAST OF W.M., DESCRIBED AS  
FOLLOWS, TO WIT:

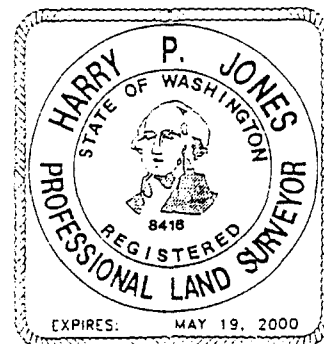
COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF  
SAID SECTION; THENCE N 88°47'53" W ALONG THE SOUTHERLY LIMITS OF  
SAID QUARTER A DISTANCE OF 2157.74 FEET TO A POINT ON THE CITY OF  
BELLINGHAM CORPORATE LIMITS, SAID POINT BEING THE TRUE POINT OF  
BEGINNING; THENCE N 88°47'53" W ALONG SAID CORPORATE LIMITS AND  
ALONG THE SOUTHERLY LIMITS OF SAID QUARTER A DISTANCE OF 255.95 FEET  
TO A POINT ON THE NORTHWESTERLY MARGIN OF THE MOUNT BAKER  
HIGHWAY (STATE ROUTE 542); THENCE ALONG SAID MARGIN, ALONG A CURVE  
THE LEFT HAVING A RADIUS OF 1308.14 FEET, THE CENTER OF WHICH BEARS  
N 42°28'41" W THROUGH AN ANGLE OF 5°41'21", AN ARC DISTANCE OF 129.89  
FEET; THENCE N 41°49'58" E ALONG SAID MARGIN A DISTANCE OF 123.56  
FEET; THENCE S 48°10'02" E A DISTANCE OF 80.00 FEET TO A POINT ON THE  
SOUTHERLY MARGIN OF SAID HIGHWAY, AND A POINT ON THE CITY OF  
BELLINGHAM CORPORATE LIMITS; THENCE S 41°49'58" W ALONG SAID LIMITS,  
AND ALONG A LINE 40 FEET DISTANT FROM AND PARALLEL TO THE  
CENTERLINE OF SAID HIGHWAY A DISTANCE OF 112.13 FEET TO A POINT ON  
THE SOUTHERLY MARGIN OF MCLEOD ROAD; THENCE S 81°11'06" E ALONG  
SAID LIMITS AND ALONG SAID MARGIN A DISTANCE OF 31.98 FEET; THENCE  
S 53°54'34" E ALONG SAID LIMITS AND ALONG SAID MARGIN A DISTANCE OF  
81.40 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING AN AREA OF 21,536 SF

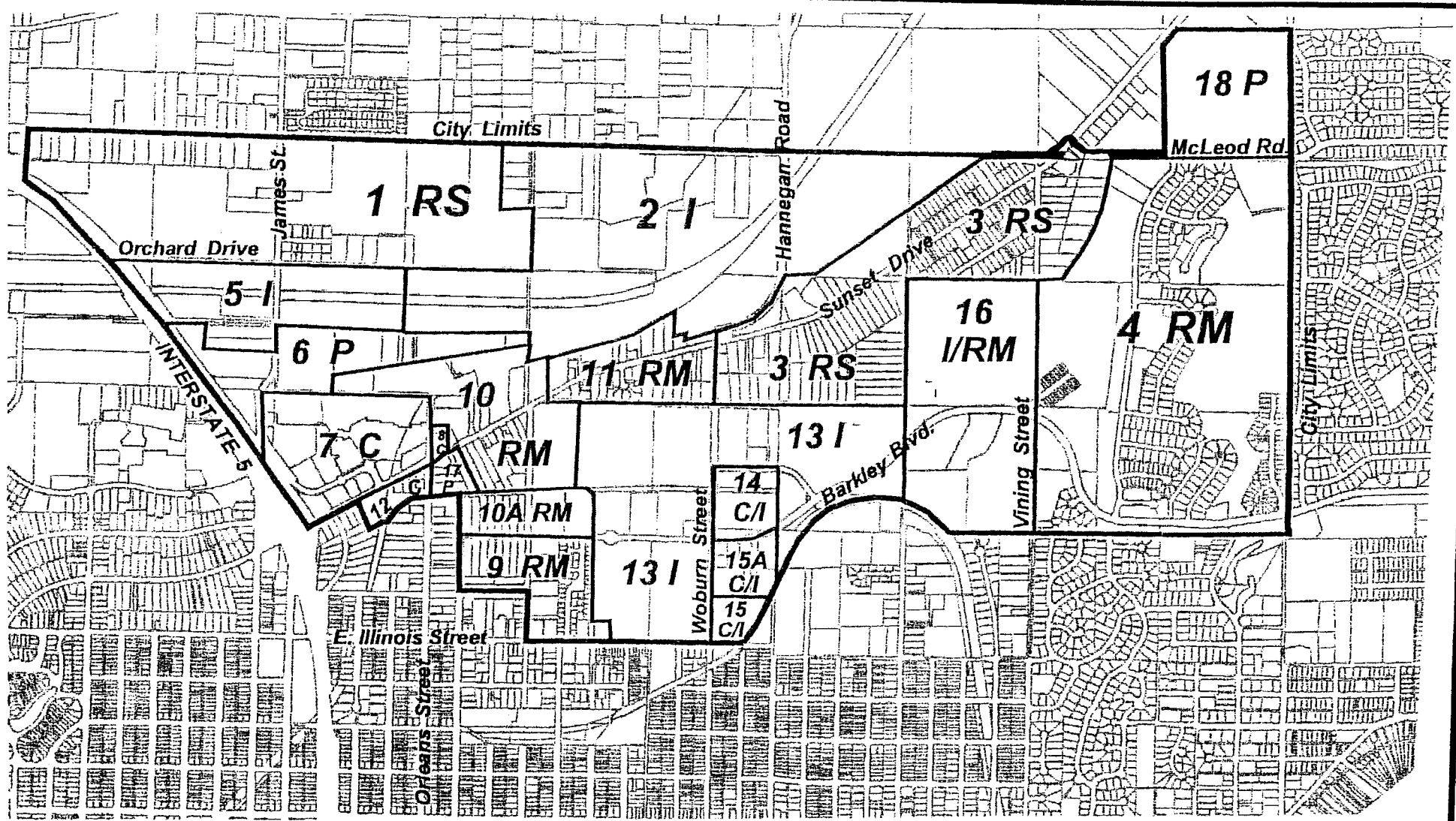
SITUATE IN WHATCOM COUNTY, STATE OF WASHINGTON.

*Harry P. Jones*

Harry P. Jones, PLS



5/19/98  
PLS



**EXISTING LAND USE**  
**MT. BAKER NEIGHBORHOOD**  
**CITY OF BELLINGHAM**  
**PLANNING AND COMMUNITY DEVELOPMENT**  
**JULY 1997**

**EXHIBIT B**



**CITY OF BELLINGHAM WASHINGTON**

**ORDINANCE NUMBER:** 1998-07-058  
**COUNCIL BILL NUMBER:** 10407  
**AGENDA BILL NUMBER:** 13637  
**1ST/2ND READING/INTRODUCTION:** 7.13.98  
**3RD/FINAL READING:** 7.20.98  
**PUBLISHED:** 7.26.98

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CC: LEGISLATIVE COORDINATOR**  
**LEGAL SECRETARY**  
**ITSD (TO SCAN)**  
**OTHER:** PCD - Bea