

AN ORDINANCE RELATING TO LAND USE REGULATION AND ZONING AND CORRECTING ERRORS IN ORDINANCE NO. 1998-08-062 BY ADDING SECTIONS 20.30.030 A. (9), 20.32.030 A.(10) and 20.38.050 B. (2) (m) ADOPTED BY PREVIOUS ORDINANCES AND CORRECTING THE NUMBERING OF NEW SECTIONS 20.30.030 A. (10), 20.32.030 A. (11) and 20.38.050 B. (2) (n) ADDED BY ORDINANCE NO. 1998-08-062.

WHEREAS, Ordinance No. 1998-08-062 regarding amendments to the Land Use Development Ordinance for co-housing contained minor errors in the section numbering due to omission of previously added sections; and

WHEREAS, it is necessary to correct those errors in order to provide for correct codification of the City's laws and clearly maintain the intent of Ordinance No. 1998-08-062; and

WHEREAS, this ordinance corrects those errors without making any substance change not intended by previously adopted ordinances;

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. Section 2 of Ordinance No. 1998-08-062 is hereby amended as follows:

Section 2. BMC Section 20.30.030 A. is hereby amended as follows.

- A. **Uses Permitted Outright.** No building or land shall be used within an area designated residential single, except as follows:
- (1) Single Family Dwelling Unit with less than 5,500 square feet of total floor area. (See Conditional Uses)
 - (2) Publicly Owned Parks and Playgrounds.
 - (3) Private Recreation Facilities, Recreational Vehicle Storage Lots and/or Common Open Space (when approved by Council as part of a subdivision).
 - (4) Mixed Use (where such a use is specifically listed in a neighborhood land use plan which has been designated with a "mixed" use qualifier).

- (5) Public Utilities (when located within a public right of way)
- (6) Attached Accessory Dwelling Unit (consistent with procedures and requirements outlined in section 20.10.035.)
- (7) Detached Accessory Dwelling Units existing prior to January 1, 1995 (consistent with procedures and requirements outlined in Section 20.10.035).
- (8) Confidential Shelters subject to the provision of Section 20.10.047.
- (9) Wireless Communication Facilities, subject to the provisions of Chapter 20.13.
- (10) Co-housing developments subject to the requirements of Section 20.10.048.

Section 2. Section 3 of Ordinance No. 1998-08-062 is hereby amended as follows:

Section 3. BMC Section 20.32.030 A., Residential Multi Permitted Uses, is hereby amended as follows:

- A. **Uses Permitted Outright.** No building or land shall be used within areas designated RM except as enumerated below corresponding to the applicable use qualifier:

<u>Use Qualifier</u>	<u>Permitted Use</u>
DUPLEX	(1) SINGLE FAMILY DWELLING UNIT with less than 5,500 square feet of total floor area. (See Conditional Uses) (2) DUPLEX/ATTACHED SINGLE FAMILY DUPLEX (3) PUBLICLY OWNED PARKS AND PLAYGROUNDS. (4) PRIVATE RECREATIONAL FACILITIES. recreational vehicle

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- storage lots or common open space (where approved by Council as part of an approved subdivision).
- (5) MIXED USE (where such a use is specifically listed in the neighborhood land use plan).
 - (6) PUBLIC UTILITIES (when located within a public right of way).
 - (7) ATTACHED ACCESSORY DWELLING UNITS (Consistent with procedures and requirements outlined in Section 20.10.035).
 - (8) DETACHED ACCESSORY DWELLING UNITS existing prior to January 1, 1995 (consistent with procedures and requirements outlined in Section 20.10.035).
 - (9) Confidential Shelters subject to the provisions of Section 20.10.047.
 - (10)** Wireless Communication Facilities subject to the provisions of Chapter 20.13.
 - (11) Co-housing developments, subject to the requirements of Section 20.10.048.

Section 3. Section 4 of Ordinance No.1998-08-062 is hereby amended as follows:

Section 4. BMC Section 20.38.050 B. (2), Planned Residential Range of Uses Possible, is hereby amended as follows:

- (2) **Range of Uses Possible.** Any of the following uses may be permitted in a planned proposal within a residential general use type designation, provided that any of such uses shall not be permitted where prohibited within the applicable neighborhood plan. Certain uses may also be excluded from a particular planned residential area if such use(s) are found by the Commission to be incompatible with the surrounding area or

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unsuitable to the particular site. The final decision shall set forth the uses permitted for the subject property.

Range of Uses

- (a) single family dwellings
- (b) duplexes
- (b) multi family dwelling units
- (d) manufactured homes
- (e) bed and breakfast facilities (subject to the standards found in Section 20.34.040 F3)
- (f) private or public parks, playgrounds, private recreational facilities, recreational vehicular storage areas and open space restricted to usage by the occupants within the planned area.
- (g) mixed use if specifically listed in the neighborhood land use plan
- (h) public utilities located in a public right of way or easement
- (i) any conditional use permitted in the Residential Multi Designation. Chapter 20.32.
- (j) attached accessory dwelling unit (consistent with procedures and requirements outlined in Section 20.10.035.)
- (k) detached accessory dwelling unit existing prior to January 1, 1995 (consistent with procedures and requirements outlined in Section 20.10.035.)
- (l) confidential shelters subject to the provisions of Section 20.10.047.
- (m)** Wireless Communication Facilities, subject to the provisions of Chapter 20.13.
- (n) co-housing, subject to the standards of Section 20.10.048. The planned development process of this chapter shall apply.

PASSED by Council this 23rd day of November, 1998

Bob Ryan
Council President

APPROVED by me this 8th day of December 1998

Mark Abma
Mayor

ATTEST: Jayne Carpenter
Finance Director

APPROVED AS TO FORM:

[Signature]
Office of the City Attorney

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