

AN ORDINANCE RELATING TO LAND USE PLANNING AND AMENDING ORDINANCE NO. 10903 WHICH ADOPTED INTERIM CONTROLS ON DUPLEXES CONTAINING MORE THAN THREE BEDROOMS.

WHEREAS, the City of Bellingham adopted Ordinance No. 10903 on November 24, 1997 regulating duplexes with more than three bedrooms and located in a Residential Multi Duplex district, and

WHEREAS, said ordinance will expire on May 24, 1999 unless renewed or replaced, and

WHEREAS, the Planning and Community Development Department's work program for 1999 includes review of residential development regulations and the department proposes to include consideration of amended regulations for duplexes within the context of this work, and

WHEREAS, while this issue is being studied it is necessary to preserve the status quo and to prevent the further development of duplexes with four or more bedrooms which may cause adverse impacts to the public health, safety and welfare; and

WHEREAS, the City Council held a public hearing to discuss the ordinance renewal on April 19, 1999 and to allow interested persons to comment;

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. That Ordinance No. 10903 is hereby renewed for six months until November 24, 1999 unless it is sooner repealed or replaced by ordinance. Section 2 of Ordinance No. 10903, as amended, is hereby amended to read as follows:


Section 2. This interim regulation shall expire November 24, 1999 unless it is sooner repealed or replaced by ordinance. The Planning and Development Commission shall consider amendments to the Land Use Development Ordinance relating to duplex development within the City. A public hearing shall be scheduled before the City Council to consider this matter within sixty days of the effective date of this ordinance, whether or not the Planning Commission has made its recommendation.

PASSED by the Council this 26th day of April, 1999.



Council President

APPROVED by me this 28th day of April, 1999.



Mayor

Attest: 

Finance Director

Approved as to Form:

Office of the City Attorney

Published: April 30, 1999

ORDINANCE NO. 10903

AN ORDINANCE RELATING TO LAND USE PLANNING AND ADOPTING INTERIM CONTROLS ON DUPLEXES CONTAINING MORE THAN THREE BEDROOMS AND DECLARING AN EMERGENCY

WHEREAS, existing regulations do not limit the number of bedrooms which may be included in dwelling units in the City; and

WHEREAS, the development of duplex units containing four or more bedrooms may not be consistent with the intent of duplex zoning, and appears to result in overcrowding and increased impacts to residential neighborhoods; and

WHEREAS, the City's regulations relating to duplex zoning and the size and scale of duplex developments should be studied by the Planning and Development Commission and the City Council to determine if permanent changes should be made; and

WHEREAS, while this issue is being studied it is necessary to preserve the status quo and to prevent the further development of duplexes with four or more bedrooms which may cause adverse impacts to the public health, safety and welfare; and

WHEREAS, the City Council held a public meeting to discuss this matter on November 17, 1997 and held a public hearing on November 24, 1997 to allow interested persons to comment on the proposal to adopt this interim regulation;

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. No duplex dwelling unit may be constructed within any area designated Residential-

Multi-Duplex in the City's Comprehensive Plan which unit contains more than three rooms other than a kitchen, bathroom, one living room, unfinished basement or attic, or other room which contains less than 70 square feet of floor area. Nothing contained in this section shall be construed so as to prevent the construction of, or the issuance of permits for the construction of, structures which reasonably accommodate the residential needs of disabled persons. This section shall be construed so as to be in compliance with the Fair Housing Act, the Americans with Disabilities Act and the Washington Law Against Discrimination.

Section 2. This interim regulation shall expire May 24, 1998, unless it is sooner repealed or replaced by ordinance. The Planning and Development Commission shall consider amendments to the Land Use Development Ordinance relating to duplex development within the City. A public hearing shall be scheduled before the City Council to consider this matter within sixty days of the effective date of this ordinance, whether or not the Planning Commission has made its recommendation.


Section 3. An emergency exists in that it is necessary to prevent further development of duplex units with four or more bedrooms, or vesting of development rights, while the Planning Commission and Council determine whether to make this prohibition permanent, in order to prevent further overcrowding in duplex-zoned areas and to prevent adverse impacts to the surrounding residential neighborhoods. This ordinance shall take effect immediately upon passage.

PASSED BY COUNCIL THIS 24th DAY OF NOVEMBER, 1997.

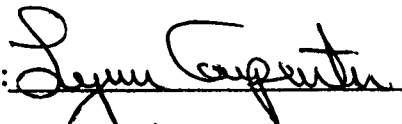


Council President

APPROVED BY ME THIS 3RD DAY OF NOVEMBER, 1997.




Mayor

Attest: 

Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

Published: 12-5-97