

ORDINANCE NO. 2013-05-033

AN ORDINANCE AMENDING BELLINGHAM MUNICIPAL CODE (BMC) 20.37.230 FOUNTAIN DISTRICT URBAN VILLAGE - DEVELOPMENT INCREASING THE .6 FAR (FLOOR AREA RATIO) LIMIT TO 1.5 FAR FOR PROPERTIES THAT FRONT DUPONT STREET BETWEEN BROADWAY AND I STREETS.

WHEREAS, The .6 FAR established for the Commercial Transition Zone to discourage demolition of historic single-family houses along Elm Street within the Eldridge National Historic District has been found to be inappropriate for the five properties fronting Dupont Street, where no historic housing exists; and

WHEREAS, The section of Dupont Street effected by the proposal is fronted by vacant and underutilized parcels on the southwest side, public uses on the northeast side, and no residential uses; and

WHEREAS, The .6 FAR restricts the Bellingham School District's ability to expand their administrative offices at 1306 Dupont Street, (currently developed at .6 FAR); and

WHEREAS, 1315 Dupont was identified during the public process as a potential "Opportunity Site" (a larger vacant parcel able to support a higher density of development), and was also granted a permit in September 2007 for a new four-story, 45' tall mixed-use development consisting of 12 multi-family units, ground floor commercial, second floor office space and approximately 1.85 FAR; and

WHEREAS, Dupont is a WTA frequent transit route ("Go-line") with service every 15 minutes; is fully improved with curb, gutter and sidewalk on both sides; and has been striped with bike lanes, all conditions that support higher density development that is less dependent on the automobile; and

WHEREAS, The 2010 SEPA Checklist for the Fountain District Urban Village Subarea Plan and Development Regulations cited that approximately 1,378 vehicular trips are estimated to be generated per day (using the maximum 1.5 FAR) by the estimated buildout of the project through 2015; and

WHEREAS, In 2011, Bellingham adopted BMC 19.06.040, the Urban Village Transportation Impact Fee (TIF) Reduction Program, which translates to a 25% reduction in vehicle trips from Urban Village development fronting on a WTA high-frequency GO line. Therefore, at full build-out, 1,034 vehicle trips would be expected; and

WHEREAS, While it would be difficult for a project to achieve full build-out of 1.5 FAR given the 35' height limit, even if a project includes structured parking (structured parking is defined as that which is located within the building footprint, not in a surface parking lot), the 1.5 FAR is proposed as appropriate as it allows for more development flexibility while still maintaining the scale of the surrounding residential neighborhoods; and

WHEREAS, The Non-Project SEPA Determination of Non-Significance for the Fountain District Urban Village Subarea Plan and Development Regulations was issued by the City of Bellingham on April 8, 2010 (SEP2010-00005). An Addendum to the Determination of Non-significance was issued on February 26, 2013; and

WHEREAS, as required by RCW 36.70A.106, notice of the City's intent to adopt the proposed code amendments was sent to the Washington State Department of Commerce on April 29, 2013; and

WHEREAS, after mailed and published notice as required by BMC Chapter 21.10, the Planning Commission held a public hearing on the proposed code amendments on April 11, 2013; 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, the Planning Commission determined that the proposed amendments comply with, and will implement the goals and policies of the Bellingham Comprehensive Plan; and

WHEREAS, after mailed and published notice as required by BMC 21.10, the City Council held a public hearing on the proposed code amendments on May 13, 2013; and

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

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Bellingham Municipal Code, BMC 20.37.230 - Fountain District Urban Village - Development is hereby amended as follows:

Table .230-A: Development Standards

Development Standards	Area			
	Commercial Core	Commercial Transition	Residential Transition	
			BMC 20.28 Infill Housing	BMC 20.30 Residential Single Development
Minimum lot size	None	None	(1)	5,000 SF
Maximum Density	None	None	2,500 SF per unit	5,000 SF per unit
Setbacks from property lines	None (3)	None (1, 2)	(1)	(2)
Maximum Height	45' (4, 5)	35' (4)	(1)	(2)
Maximum Floor Area Ratio (FAR)	1.5 (5)	.6 FAR (6)	(1)	N/A

Notes:

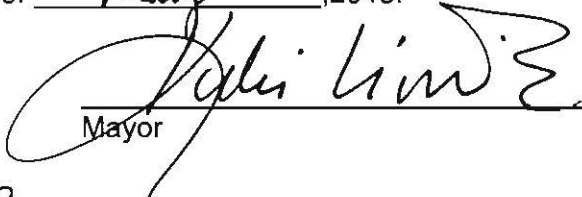
- (1) Subject to BMC 20.28 Infill Housing
- (2) Subject to BMC 20.30 Residential Single Development.
- (3) See Subsection C.2 for setback and height adjacent residential zones and areas.
- (4) Height is measured per Height Definition #1 as per BMC 20.08.020 H 1 (a).
- (5) See **Figure .210-A.** for Commercial Core "opportunity site." Maximum Height shall be 55' and a maximum FAR of 2.5.
- (6) Properties fronting Dupont between Broadway and I Street have a maximum FAR of 1.5

PASSED by the Council this 20th day of May, 2013.



Council President

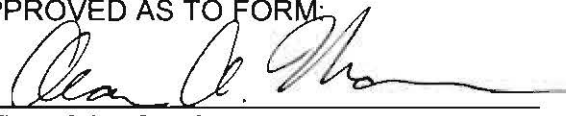
APPROVED by me this 28th day of May, 2013.



Mayor

ATTEST: 

Finance Director

APPROVED AS TO FORM:


Office of the City Attorney

Published:

May 24, 2013