

ORDINANCE NO. 2014 - 10 - 056

AN ORDINANCE RELATING TO LAND USE PLANNING AND ZONING, SPECIFICALLY REZONING APPROXIMATELY 10 ACRES IN AREA 1 OF THE MERIDIAN NEIGHBORHOOD AND CREATING A NEW SUBAREA, AREA 1A, IN THE MERIDIAN NEIGHBORHOOD ZONING TABLE AND THE ZONING MAP. THE CREATION OF AREA 1A WILL ALLOW THE FULL RANGE OF THE CITY'S PLANNED INDUSTRIAL USES IN ADDITION TO THOSE ALREADY PERMITTED USES IN AREA 1, MERIDIAN NEIGHBORHOOD.

WHEREAS, the Director of Planning and Community Development received an application for a site specific rezone for approximately 10 acres within Area 1 of the Meridian Neighborhood; and

WHEREAS, on July 29, 2014, the City of Bellingham as lead agency under the procedures of the State Environmental Policy Act issued a Phased Determination of Nonsignificance; and

WHEREAS, the Bellingham Planning Commission held a public hearing on August 7, 2014 and determined that the proposal complies with the rezone decision criteria pursuant to BMC 20.19.030; and

WHEREAS, the Bellingham Planning Commission recommended approval of the proposed rezone to include the 10 acres into a new subarea, Area 1A, of the Meridian Neighborhood with conditions and appropriately amend the Meridian Table of Zoning Regulations (BMC 20.00.110) and Meridian zoning map and thereafter, made Findings, Conclusions and a recommendation for adoption of the amendments; and

WHEREAS, the Bellingham City Council held a public hearing on September 22, 2014 to consider the proposed amendments; and

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

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1: The City Council adopts the Planning Commission's Finds of Fact, Conclusions, and Recommendations as shown in Exhibit A.

Section 2: The Meridian Neighborhood Table of Zoning Regulations, Bellingham Municipal Code (20.00.110) is hereby amended as shown in Exhibit B, incorporating a new subarea, Area 1A, and allowing the City's Planned Industrial uses pursuant to BMC 20.38.050 D. (2).

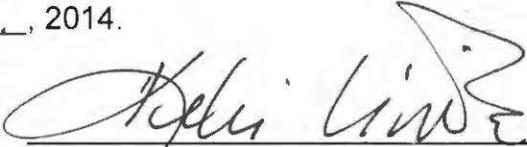
Section 3: The Meridian Neighborhood Zoning Map is hereby amended as shown on Exhibit C.

PASSED by the Council this 13th day of October, 2014.

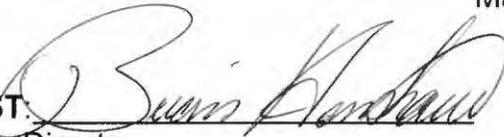


Council President *Pro Tem*

APPROVED by me this 22nd day of Oct., 2014.



Mayor

ATTEST: 

Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

Published:

October 17, 2014

BELLINGHAM PLANNING COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS

AUGUST 7, 2014

Following the public hearing and deliberation on the rezone request for a portion of Area 1 of the Meridian Neighborhood, the Bellingham Planning Commission has determined that the proposed changes to create a new zoning subarea, Area 1A, in the Meridian Neighborhood and incorporate into that subarea the allowance for the full range of the City's Planned Industrial uses in addition to the already permitted uses in Area 1, Meridian Neighborhood, complies with, and will implement, the goals and policies of the Bellingham Comprehensive Plan.

I. FINDINGS OF FACT

1. Project or Proposal Description

The applicant submitted an application for a site specific rezone to change to the zoning of the eastern 10 acres of Area 1 of the Meridian Neighborhood to create a new zoning subarea, Area 1A, which would allow the full range of uses permitted under the City's Industrial, Planned zoning designation. The current zoning restricts the permitted uses of the rezone site to those industrial uses permitted in the Whatcom County's Light Impact Industrial zoning designation as of the date of annexation in 1996.

The rezone site abuts Mahogany Avenue and is centrally located between Pacific Highway and Northwest Road and Mahogany Avenue and W Bakerview Road.

2. Background Information/Procedural History

Application

A rezone application was submitted on November 13, 2013. Land use applications were submitted concurrently for the development of a portion of the rezone site and the abutting southern 8 acres.

Neighborhood Meeting

A neighborhood meeting was held on October 30, 2013 at the Hampton Inn, 3985 Bennett Drive.

3. Public Comment

Notice of this hearing was mailed to property owners, neighborhood representatives and associations and other interested parties. Notice was also published in the Bellingham Herald. Five (5) letters were received in response to the application.

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

A phased SEPA Determination of Non-Significance was issued by the City of Bellingham on July 28, 2014.

5. Consistency with the Bellingham Comprehensive Plan:

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

6. Analysis under BMC 20.19.030 A

The Planning Commission reviewed the proposals against the rezone criteria consistent with Bellingham Municipal Code 20.19.030 A.

II. CONCLUSIONS

Based on the staff report, the submittal from the applicant and the information presented at the public hearing, the Planning Commission concludes that the proposal satisfies the criteria for this rezone proposal pursuant to 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 would allow a broader range of uses that are compatible with adjacent residential zoned property and development of the Planned Industrial uses could provide a direct benefit by providing services for those residentially zoned areas.
3. The proposal would provide the opportunity to increase employment in the City and provide a land use with a more compatible development pattern for sites that have challenges due to critical areas, access, etc. The proposal implements the goals and policies of the comprehensive plan, which promotes development strategies with Bellingham citizen's best interests at the forefront. It allows for the addition of commercial development to occur near planned residential uses in the vicinity.
4. Development on this site would be able to develop 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. Many of the Planned Industrial uses 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, the uses allowed by the current zoning have not been updated since 1996, 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

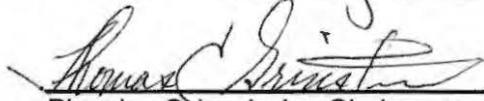
development of any permitted use will be compatible with the residential uses surrounding development.

8. Properly conditioned, the proposed rezone satisfies the review factors and criteria in BMC 20.19.030.

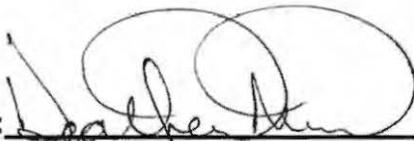
III. RECOMMENDATIONS

Based on the findings and conclusions, the Bellingham Planning Commission recommends that the City Council approve the attached ordinance that authorizes an amendment to the Meridian Neighborhood Table of Zoning Regulations (BMC 20.10.110) by creating a new zoning subarea, Area 1A into the zoning table, which allows the full range of uses permitted in the City's planned industrial designation, and amending the zoning map of Meridian Neighborhood.

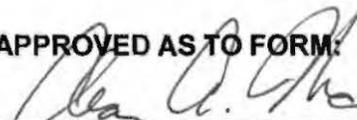
ADOPTED this August day of August, 2014.



Planning Commission Chairperson

ATTEST: 

Recording Secretary

APPROVED AS TO FORM:


City Attorney

EXHIBIT B

**BMC 20.00.110 Meridian Neighborhood
TABLE OF ZONING REGULATIONS**

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
1A	Industrial	Planned. Uses limited to those in Whatcom County's Light Impact Industrial zone as of April 1996, and shown in Attachment #1, as well as uses permitted in the City's Planned Industrial zone. Heavy industrial uses are not allowed. Adult entertainment uses are prohibited in this area.	N/A	Access; internal circulation; wetlands; buffers separating industrial from residential uses	<p><u>Sign No Protest LID Agreement for possible future improvements to Pacific Highway and I-5; Construction of a contiguous road from Northwest to Pacific Highway generally along the northern boundary of Area 1, 1A, 2, and 5 (extension of Mahogany Avenue unimproved). Evaluation of development proposals for compatibility with airport operations.</u></p> <p><u>Properties abutting on a City owned water or sewer system must extend that system as condition of development.</u></p>	See Attachment 1 - Whatcom County LII Zoning Uses.

ATTACHMENT 1 TO MERIDIAN ZONING CODE – AREA 1
Whatcom County Light Impact Industrial Zone (WCC 20.66) April 1996

[User Note: References to any section of the Whatcom County Code (WCC) are subject to interpretation and adaptation to City of Bellingham regulations and procedures as determined by the City of Bellingham Planning Director.]

PERMITTED USES:

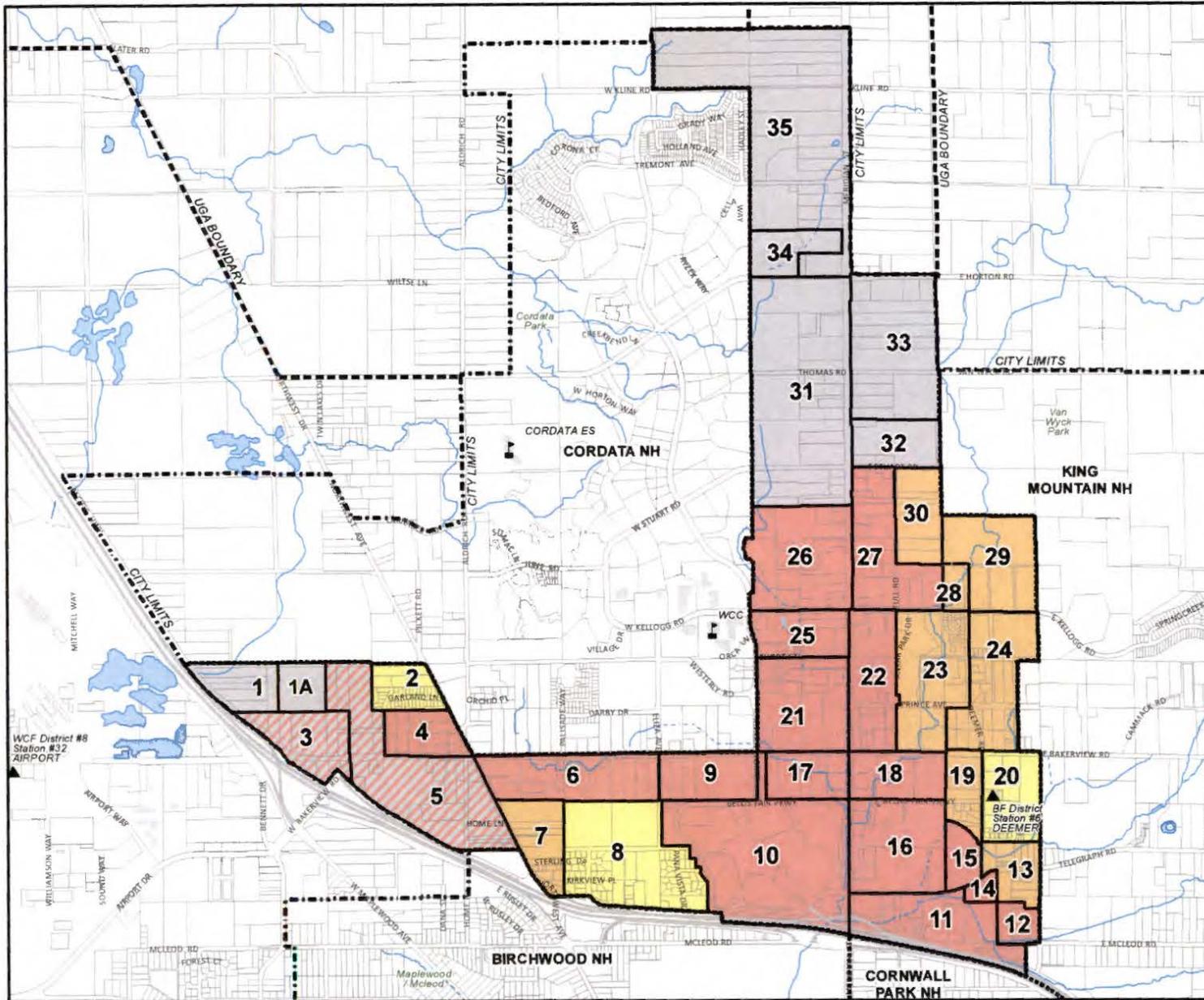
Fabrication of: office machines; furniture; paper products; leather products; glass products; instruments such as watches; surgical and scientific products; electrical equipment; and rubber and plastic products
Manufacture and fabrication of jewelry, silverware, toys, etc.
Manufacture, processing, treatment of metal products and machinery
Manufacture, processing, treatment and fabrication of lumber and campers
Manufacture of glass, pottery, and shaping of stone products; bottling plants
Processing and packaging of drug, pharmaceutical, perfumes, cosmetics
Boat building and repair
Printing, publishing and book binding
Bottling plants
Rail, truck, and freight terminals and related services
Wholesale trade or storage
Business firm headquarters and professional offices
Construction contractors' offices and yards
Building material yards
Communications including broadcasting and transmitting towers
Eating establishments, convenience grocery stores and gas stations primarily for employees and customers of the LII District; and public uses and community facilities.
Churches

ACCESSORY USES:

Employee recreation and play areas
Temporary buildings for construction purposes
Testing and experimentation in connection with a permitted use
Retail sales of merchandise manufactured, assembled or stored on the site
On-site treatment and storage facilities for hazardous wastes associated with outright permitted uses or approved conditional uses

CONDITIONAL USES:

Manufacture of hydraulic cement, plaster products, and nonmetallic mineral products
Manufacture of sands
Collection, transfer, re-packing, cutting and grading of food and beverage products
Repair sales and accessory sales for motor vehicles, boats and farm implements
Solid waste facilities



MERIDIAN NEIGHBORHOOD ZONING

AREA	ZONING DESIGNATION
1	Industrial, Planned
1A	Industrial, Planned
2	Res. Single, Mixed/Planned
3	Commercial/Industrial, Mixed/Planned
4	Commercial, Planned
5	Commercial/Industrial, Mixed/Planned
6	Commercial, Planned
7	Res. Multi, Planned
8	Res. Single
9	Commercial, Planned
10	Commercial, Planned
11	Commercial, Planned
12	Commercial, Mixed/Planned
13	Res. Multi, Planned
14	Commercial, Mixed/Planned
15	Commercial, Mixed/Planned
16	Commercial, Planned
17	Commercial, Planned
18	Commercial, Planned
19	Res. Multi, Planned
20	Res. Single, Planned
21	Commercial, Planned
22	Commercial, Planned
23	Res. Multi, Planned
24	Res. Multi, Planned
25	Commercial, Planned
26	Commercial, Planned
27	Commercial, Planned
28	Res. Multi, Planned
29	Res. Multi, Planned
30	Res. Multi, Planned
31	Industrial, Light/Planned
32	Industrial, Light/Planned
33	Industrial, Planned
34	Industrial, Planned
35	Industrial, Planned

0 810 1,620 2,430 3,240 Feet

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