ORDINANCE NO. 2014-09-048

AN ORDINANCE OF THE CITY OF BELLINGHAM RELATING TO THE
BELLINGHAM COMPREHENSIVE PLAN, AMENDING THE SUNNYLAND
NEIGHBORHOOD PLAN AND REZONING THE PROPERTIES FORMERLY
OWNED BY THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION
(DOT) WITHIN AREAS 1, 1A, AND 8 OF THE SUNNYLAND NEIGHBORHOOD,
AMENDING THE NEIGHBORHOOD PLAN, LAND USE MAP, ZONING MAP,
BELLINGHAM MUNICIPAL CODE (BMC) 20.00.200, AND BMC 20.28.020.

WHEREAS, the City of Bellingham has adopted 25 neighborhood plans as a
component of the Bellingham Comprehensive Plan, including the Sunnyland
Neighborhood Plan; and

WHEREAS, the City has a process to amend the Comprehensive Plan and the
Neighborhood Plans once per year in accordance with BMC 20.20 and BMC
21.10.160; and

WHEREAS, in 2012 the Planning and Community Development Department received
a docketing application from the Sunnyland Neighborhood Association (SNA)
requesting a Comprehensive and Neighborhood Plan amendment to rezone the
properties formerly owned by DOT, located in Areas 1, 1A, and 8 of the Sunnyland
Neighborhood; and

WHEREAS, the SNA proposal requested to rezone the properties from Residential
Single - Detached to Residential Single - Detached/Attached with a Medium Density of
6,250 sq. ft. per dwelling unit and create new design/development standards; and

WHEREAS, the City Council docketed the SNA proposal for review on July 23, 2012;
and

WHEREAS, upon review of the SNA proposal referred to as Proposal 1 against the
Comprehensive/Neighborhood Plan decision criteria in BMC 20.20.040 B. and the
rezone decision criteria in BMC 20.19.030, staff proposed an alternative rezone option
referred to as Proposal 2 that further implements the Comprehensive Plan; and

WHEREAS, Proposal 2 is similar to the SNA's docketed proposal; however, staff is
recommending a higher medium density of 5,000 sq. ft. per unit, and the use of existing
code provisions to allow certain infill housing forms and their design standards; and

WHEREAS, the responsible official reviewed the proposed amendments under the
procedures of the State Environmental Policy Act, and a non-project Determination of
Nonsignificance was issued on May 16, 2014; and
WHEREAS, as required by RCW 36.70A.106 notice of the City's intent to adopt the proposed Comprehensive Plan and BMC amendments were sent to the Department of Commerce on May 12, 2014; and

WHEREAS, after notice was posted on site, mailed, and published as required by BMC Chapter 21.10, the Planning Commission held a public hearing on the proposed amendments and rezone on June 12, 2014; and

WHEREAS, the Planning Commission considered the staff report and comments received and thereafter made Findings, Conclusions and a Recommendation to deny the rezone proposals made by the SNA and staff; and

WHEREAS, after notice was posted on site, mailed, and published as required by BMC 21.10, the City Council held a public hearing on the proposed amendments and rezone on July 21, 2014; and

WHEREAS, the City Council considered the recommendation of the Planning Commission, the staff report, and the public comment and hereby adopts the City Council Findings of Fact, Conclusions, and Decision to approve the alternative rezone Proposal 2; and

WHEREAS, the City Council finds that the proposed amendments and rezone in Proposal 1 does not meet all the Comprehensive/Neighborhood Plan decision criteria in BMC 20.20.040 B. and the rezone decision criteria in BMC 20.19.030; and

WHEREAS, the City Council finds that the alternative rezone Proposal 2 meets all the Comprehensive/Neighborhood Plan decision criteria in BMC 20.20.040 B. and the rezone decision criteria in BMC 20.19.030; and

WHEREAS, the City Council finds Proposal 2 is consistent with and implements the Bellingham Comprehensive Plan's goals, polices and guiding principles concerning accommodating growth through residential infill, creates opportunities for more affordable housing, and simplifies the administration of the land use development code by utilizing existing code provisions.
NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. Area 8 of the Sunnyland Neighborhood Plan is hereby amended as shown in EXHIBIT A.

Section 2. The Sunnyland Neighborhood Comprehensive Plan Land Use Map is hereby amended as shown in EXHIBIT B.

Section 3. Bellingham Municipal Code, Section 20.00.200 Sunnyland Neighborhood Table of Zoning Regulations for Area 8 is hereby amended as shown in EXHIBIT C.

Section 4. The City of Bellingham zoning map for the Sunnyland Neighborhood is hereby amended as shown in EXHIBIT D.

Section 5. Bellingham Municipal Code, Section 20.28.020 Applicability is hereby amended as follows:

Chapter 20.28 Infill Housing

20.28.020 Applicability.

A. The housing types in this chapter are not permitted in residential single zones, neighborhood commercial zones or property regulated by Chapter 16.80 BMC, Lake Whatcom Reservoir Regulatory Provisions, except in those areas that were annexed into the city after 1995 with a "mixed" qualifier that allows multifamily residential, and in Area 8 of the Sunnyland Neighborhood. The housing types in this chapter are permitted in all other zones that allow residential, including specifically designated areas of urban villages. In the residential multi-duplex zone, only small house, smaller house, cottage, detached accessory dwelling unit, carriage house and duplex are permitted.

B. If the provisions of this chapter conflict with any other provision in BMC Title 18, 20, or 21, the provisions of this chapter shall apply. [Ord. 2009-08-047].

Section 6. The City Council adopts the Findings of Fact, Conclusions, and Decision, attached as EXHIBIT E.
PASSED by the Council this 8th day of September, 2014

Council President

APPROVED by me this 10th day of September, 2014

Mayor

ATTEST: Finance Director

APPROVED AS TO FORM:

Office of the City Attorney

Published: September 12, 2014
Sunnyland Neighborhood Plan

Area 8

This area includes the Washington State Department of Transportation's Office which is also used as a storage area for road equipment. This area was formerly used by the Washington State Department of Transportation and contained offices and a storage area for road equipment. The site is approximately 4–acres in size and is located between E. Sunset Dr. and E. Illinois St. and is a quarter mile west of I-5. Land uses within the immediate vicinity include three churches, single-family residences, and a power substation.

This area provides tremendous infill opportunities given its large vacant size, the surrounding land uses, the area's central location to nearby retail, service and job centers, and access to transit. In order to allow for the maximum residential development within the boundaries of this area and to promote development that is compatible with the surrounding neighborhood in regards to density, housing form, and design, the residential uses within this area should be limited to infill housing forms and accessory dwelling unit(s).

**Area 8 Land Use Designation:** Publics Single Family Residential, Medium Density
Subject area rezoned to Single Family Residential, Medium Density
# BMC 20.00.200 Sunnyland Neighborhood Table of Zoning Regulations

<table>
<thead>
<tr>
<th>Area</th>
<th>Zoning Qualifier</th>
<th>Use Qualifier</th>
<th>Density</th>
<th>Special Conditions</th>
<th>Prerequisite Considerations</th>
<th>Special Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>Public Residential Single</td>
<td>Utilities Detached, Mixed. (See Special Regulations)</td>
<td>N/A 5,000 sq. ft. per unit</td>
<td>None Restrict through vehicular access between Sunset Drive and Illinois Street. Provide a public non-motorized connection between Sunset Drive and Illinois Street.</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

**ATTACHMENT 1**

Residential development in Area 8 is limited to:

1. Attached Accessory Dwelling Units subject to the provision in BMC 20.10.035.
2. Infill Housing subject to the provisions in BMC 20.28, and further limited to the following Infill Housing forms and standards:
   a. BMC 20.28.060 Smaller House and 0.70 Small House.
   b. BMC 20.28.080 Cottage.
   c. BMC 20.28.090 Carriage House.
   d. BMC 20.28.100 Detached Accessory Dwelling Unit.
   e. BMC 20.28.140 Townhouse. Maximum of 2 units may be attached with each unit located on a "fee simple lot". Townhouses are not permitted along Illinois Street.
3. Single floor area limits specified in BMC 20.28 may be exceeded on the first story of a dwelling unit, provided the maximum floor area ratio allowed for each housing type is not exceeded.
Subject area rezoned to Residential Single
SUMMARY

Following the public hearing and deliberation on the proposed Comprehensive Plan amendment to rezone the properties formerly owned by the Washington State Department of Transportation (DOT) located in Areas 1, 1A, and 8 of the Sunnyland Neighborhood between E. Sunset Drive and E. Illinois Street, the Bellingham City Council finds that the proposed rezone meets the Comprehensive Plan amendment criteria in Bellingham Municipal Code (BMC) 20.20.040 B. and the rezone criteria in BMC 20.19.030 and approves rezone Proposal 2.

I. FINDINGS OF FACT

1. Project or Proposal Description

Proposal 1 – Sunnyland Neighborhood Association Rezone

The Sunnyland Neighborhood Association (SNA) submitted a request for an area-wide rezone of properties owned by Sunset Commons LLC and formerly owned by the WA State Department of Transportation (DOT). These properties are located within Area 8 (approx. 2.71 acres) of the Sunnyland Neighborhood. When these properties were sold by DOT, the zoning automatically converted to Residential Single - Low Density (20,000 sq. ft. per dwelling unit) per BMC 20.42.030 C. The SNA is recommending that the entire area be rezoned to Residential Single - Medium Density to allow for a mix of residential housing forms consisting of detached and attached dwelling units, and that new design/development standards be created.

As part of their docketing request, the SNA also recommended that if they chose, the City Council should add and rezone the bordering lots (approx. 1.29 acres) within Areas 1 and 1A that are also owned by Sunset Commons LLC. These properties are currently zoned Residential Single – Medium density (5,000 sq. ft. per dwelling unit) and Residential Single – Low Density (10,000 sq. ft. per dwelling unit).

Proposal 2 – Staff Alternative Rezone Recommendation

This alternative rezone proposal is similar to the SNA's docketed proposal; however, staff is recommending a slightly higher residential density of 5,000 sq. ft. per dwelling unit, and the use of existing code provisions to allow for certain infill housing forms and their adopted design standards contained in BMC 20.28. The specific housing forms to be allowed in Area 8 include: Smaller House, Small House, Cottage, Detached ADU, Carriage House, and Townhouse, with the exception that attached ADU's may also be permitted. Under this proposal, extensive "Special Regulations" within the zoning table would not need to be created to supplement the standard regulations for proposed Area 8 of the Sunnyland Neighborhood.
2. Background Information/Procedural History

- The subject properties being considered for the rezone are located in Areas 1, 1A, and 8 of the Sunnyland Neighborhood and legally described as: Squalicum Park Lots 9, 10, 11, 12, W. 53.34 ft. of Lot 13 and Lots 36, 37, 38, 39 Block 4.

- The 1980 Sunnyland Neighborhood Plan was updated in 1996. The 2006 Bellingham Comprehensive Plan did not assign any residential infill potential to Area 8 of the Sunnyland Neighborhood since the site was zoned Public and still under Washington State Department of Transportation (DOT) ownership. Area 8 is approximately 2.71 acres in size and located between E. Sunset Drive and E. Illinois Street.

- Area 8 in the Sunnyland Neighborhood was previously zoned Public when under the DOT ownership. The area defaulted to low density residential single zoning when it came under private ownership per Bellingham Municipal Code (BMC) 20.42.030 C. in 2007.

- In 2007, both the SNA and the property owner, Sunset Commons LLC, submitted two different requests to rezone the subject properties to Residential Single – Medium Density. However, the two parties could not come to an agreement concerning appropriate densities and housing forms.

- In 2008, the City sponsored and funded a design charrette in an attempt to come up with a zoning and development plan acceptable to both the property owner and the SNA. Unfortunately, neither party supported the consultant’s recommendations for the site.

- In 2009, the City adopted BMC 20.28 Infill Housing, which established special development regulations for a series of housing forms that were different than the traditional detached single family dwelling unit. The housing forms listed in this chapter are intended for use in established residential neighborhoods, urban villages, and Bellingham’s urban growth area. Development under the Infill Housing standards is limited in scale and subject to specific design standards that ensure compatibility with traditional neighborhood development, as opposed to what can be developed in standard Residential-Single or Residential-Multiple zones.

- On December 1, 2010, the SNA submitted a docketing request to rezone the properties owned by Sunset Commons LLC. At that time BMC 21.10.150 (1)(a) allowed the Planning Director, Planning Commission and the City Council to initiate the review of a Comprehensive Plan amendment. On January 8, 2011, the Planning Director declined to initiate the docketing of the proposal and on March 10, 2011, the Planning Commission voted to not docket the proposal. On June 6, 2011, the City Council considered the docketing request and voted to postpone further consideration for four months in order to obtain additional information.

No further action was taken. Regulations regarding the docketing process were amended and as of August 2011, only the City Council can place an item on the annual docket.

- In 2012, the Planning and Community Development Department (PCDD) processed three individual docketing requests for a Comprehensive Plan amendment to rezone a portion or all the properties owned by Sunset Commons LLC located within Areas 1, 1A, and 8 of the Sunnyland Neighborhood. One proposal came from the property owner and included all their property in the area’s mentioned above. The two other proposals included only the properties in Area 8, which were made by the Sunnyland Neighborhood Association and the PCDD.
• On June 14, 2012, the Planning Commission held a public hearing and considered the 3 separate docketing requests submitted by the property owner, SNA, and PCDD. The Commission recommended docketing the property owner’s proposal for additional review and did not recommend docketing the proposals made by the SNA and the PCDD.

• On July 23, 2012, the City Council held a public hearing to consider the Planning Commission’s docketing recommendations. In considering the docketing proposals for the properties owned by Sunset Commons LLC located within Areas 1, 1A, and 8 of the Sunnyland Neighborhood, the Council initially voted to deny docketing all three proposals. However, the Council decided to reconsider the docketing proposals made by the property owner and the SNA. By a vote of 1-6, the Council chose to not reconsider the property owner’s proposal and by a vote of 4-3 decided to reconsider and docket the SNA proposal.

• On June 12, 2014, the Bellingham Planning Commission held a public hearing to consider a docketed Comprehensive and Neighborhood Plan amendment made by the SNA, as well as an alternative proposal to rezone the properties owned by Sunset Commons LLC located in Areas 1, 1A, and 8 of the Sunnyland Neighborhood. By a vote of 5-1, the Planning Commission recommended that City Council deny both rezone proposals. Additionally, the Planning Commission recommended that Council direct staff to bring back a proposal that addresses how some of the Infill Toolkit housing forms might be integrated into single family zoning.

3. Public Notice

Notice of the City Council hearing was mailed to neighborhood representatives and associations and other parties with an interest in this topic. The notice was also published in the Bellingham Herald and as required by BMC Chapter 21.10. Public notice signs were posted along E. Sunset Drive and E. Illinois Street. Notices were issued at least 30 days prior to the hearing date.

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

A non-project Determination of Non-Significance was issued on May 16, 2014.

5. Consistency with the Comprehensive Plan, and/or Review Criteria

Bellingham Municipal Code 20.20.040 and BMC 20.19.030, notes the Planning Commission and the City Council shall use the following criteria to evaluate Comprehensive Plan amendments and rezone requests:

Comprehensive and Neighborhood Plan Decision Criteria
BMC 20.20.040

Petitioners requesting amendments to the Comprehensive Plan and/or a Neighborhood Plan shall be prepared to offer justification for the request using the following criteria. These criteria will be used by the Planning Commission and the City Council to evaluate amendment requests:

A. There exists an error, omission or inconsistency in the pertinent Comprehensive Plan or neighborhood plan provision; OR
B. All of the following criteria have been met:

1. The proposed amendment is consistent with the Growth Management Act and other applicable laws;

   The City Council finds that under BMC 21.10.150 B., the Council has the authority to docket any Comprehensive plan amendment proposal they believe to meet the docketing criteria, including area wide and site-specific amendment proposals.
   
   The Council finds that the proposed rezone is consistent with and supports the City's Comprehensive Plan and meets the goals, polices and guiding principles for changes to the land use development code as shown in Attachment 1.
   
   The Council finds that rezone Proposal 1 does not meet this criterion and that the rezone proposal under Proposal 2 meets this criterion.

2. The proposed amendment addresses changing circumstances, changing community values, and is consistent with and will help achieve the Comprehensive Plan goals and policies.

   The City Council finds that when the properties changed from public to private ownership in 2007, BMC 20.42.030 C. assigned a low density default residential zoning to Area 8, which was not consistent with the surrounding residential zones or in character with the existing neighborhood.
   
   The rezone proposals address changing circumstances associated with the subject properties owned by Sunset Commons LLC, changes in community values, and recommend standards to implement the City's Comprehensive Plan (Attachment 1), such as:

   • Ensure that development is consistent with the goals and policies in this plan.
   • Ensure that new development maintains and enhances the unique character of Bellingham neighborhoods.
   • Ensure citizen involvement in land use planning and project review.
   • Assure fair and predictable results and avoid unnecessary delays.
   • Organize, consolidate and simplify development regulations and permitting procedures.
   • Develop a system that is easier and more cost effective to administer.
   • Create opportunities for more affordable housing.
   • Encourage more efficient use of land.

   The Council finds that rezone Proposal 1 does not meet this criterion and that the rezone proposal under Proposal 2 meets this criterion and best fulfills the goals and policies of the Comprehensive Plan.

3. The proposed amendment will result in long term benefit to the community and is in the community's overall best interests.

   The City Council finds that development under the current zoning designation is not appropriate for the site given the surrounding zoning, the property's central location in
proximity to nearby retail, service and job centers, the surrounding well-developed multimodal transportation infrastructure, and lack of environmental constraints.

The Council finds that the rezone will provide the opportunity to plan and develop the entire site in a unified manner under a single zone that is compatible with the surrounding neighborhood in regards to zoning, density, housing type, and design. Development under the residential single zoning designation will result in a long-term benefit to the community and is in the community’s overall best interest as the City plans to accommodate population growth primarily through infill. Bellingham’s Comprehensive Plan Infill Strategy #1 and #4 state:

**Infill Strategy 1** - Make more efficient use of the remaining City land supply: facilitate development on existing lots of record; develop flexible code provisions that allow a range of housing types; adopt minimum density requirements; other steps necessary to make better use of the remaining land supply.

**Infill Strategy 4** - Evaluate potential density increases in existing residentially zoned areas of the City.

The Council finds that Proposal 1 strives to carry out the infill land use policies relating to the preservation and protection of the existing neighborhood. However, development under Proposal 2 will result in a better long term benefit to the community by providing a zone that allows a range of infill housing types that have been determined to be appropriate upon meeting specific design standards and guidelines for Area 8.

The Council finds that rezone Proposal 1 does not meet this criterion and that the rezone proposal under Proposal 2 meets this criterion.

4. **The amendment will not adversely affect the public health, safety or general welfare.**

   The City Council finds that Proposal 1 does not consolidate or simplify the development regulations and permitting procedures from the perspective of the developer or City staff. Reiterating or developing new standards for specific housing forms already in place in the code does not improve the usability of the code for citizens or staff.

   The Council finds that rezone Proposal 2 will provide the property owner the opportunity to plan and develop the entire site area in a unified manner under a single zoning classification and density that is compatible with the surrounding neighborhood. To protect the existing character and qualities of the existing neighborhood and to ensure that new development in this area will be compatibility with the surrounding established neighborhood, new residential development in Area 8 is being limited to certain infill housing forms and ADUs.

   The Council finds that Proposal 1 does not meet this criterion and that the rezone proposal under Proposal 2 meets this criterion.

5. **If a concurrent rezone is requested, the proposal must also meet the criteria for rezones in BMC 20.19.030.**

   See below.
REZONE REVIEW CRITERIA
BMC 20.19.030

In evaluating proposed rezones, the Planning Commission and City Council should consider the following criteria:

A. It is consistent with the Comprehensive Plan or corresponds to a concurrent Comprehensive Plan amendment application.
   See the discussion under Comprehensive Plan amendment criteria B.1 and B.2.

B. It will not adversely affect the public health, safety or general welfare.
   See the discussion under Comprehensive Plan amendment criterion B.4.

C. It is in the best interests of the residents of Bellingham.
   See the discussion under Comprehensive Plan amendment criterion B.3.

D. The subject property is suitable for development in general conformance with zoning standards under the proposed zoning district.
   The City Council finds that given the lack of environmental constraints on the properties, the site is suitable for development in general conformance with the zoning standards proposed under both rezone proposals. Proposal 2 best fulfills the Comprehensive Plan goals and policies relating to residential infill that complements the existing neighborhood and provides the property owner with the opportunity to develop their entire property holdings in a unified manner under a single zoning classification and density, using existing code provisions.
   The Council finds that both rezone proposals meets this criteria.

E. Adequate public facilities and services are, or would be, available to serve the development allowed by the proposed zone.
   The City Council finds that the subject site can be adequately served by City facilities and existing life safety services for the rezone proposal.
   The Council finds that both rezone proposals meets this criteria.

F. It will not be materially detrimental to uses or property in the immediate vicinity of the subject property.
   The City Council finds that the rezone proposal will not be materially detrimental to the uses or properties in the immediate vicinity. Current nearby and adjacent uses include single family dwelling units, a Puget Sound Energy sub-station along E. Illinois Street, and churches to the east and west along E. Sunset Drive.
   The Council finds that the rezone proposal provides a residential zoning standards, density, and lot sizes that are generally consistent with the surrounding area, specifically Area 1 of the...
Sunnyland Neighborhood. This area mainly consists of residential homes on 5,000 square foot lots.

The Council finds that both rezone proposals meet this criterion.

G. It is appropriate because either:

1. Conditions in the immediate vicinity have changed sufficiently since the property was classified under the current zoning that a rezone is in the public interest; or

   See the discussion under Comprehensive Plan amendment criterion B.3.

2. The rezone will correct a zone classification or zone boundary that was inappropriate when established; or

   See the discussion under Comprehensive Plan amendment criterion B.2.

3. The rezone will implement the policies of the Comprehensive Plan.

   See the discussion under Comprehensive Plan amendment criteria B.2. and B.3.

II. CONCLUSIONS

Based on the staff report and the information presented at the public hearing, the City Council concludes that:

1. The rezone under Proposal 2 meets all the Comprehensive Plan amendment criteria in BMC 20.20.040 B. and the rezone criteria in BMC 20.19.030.

2. The rezone will result in a long-term benefit to the community by providing a zoning district that allows the subject properties to be develop in a unified manner that is compatible with the surrounding neighborhood in regards to zoning, density, housing forms, and design.

3. The rezone is consistent with and implements the goals and policies of the Bellingham Comprehensive Plan as shown in Attachment 1.
III. DECISION

Based on the findings of fact and conclusions, the Bellingham City Council hereby approves Proposal 2 to rezone the subject properties owned by Sunset Commons LLC located in Area 1, 1A, and 8 of the Sunnyland Neighborhood as shown in the adopting ordinance.

ADOPTED this 8th day of September, 2014.

[Signature]
Council President

ATTEST:
[Signature]
Recording Secretary, City Clerk Representative

APPROVED AS TO FORM:
[Signature]
City Attorney
Relevant Comprehensive Plan Goals and Policies

CHAPTER 1 – FRAMEWORK GOALS AND POLICIES

Framework Goals

VB 2 – Bellingham’s way of accommodating growth while retaining a compact form is to emphasize infill. Private and public development decisions continue to reinforce a clear distinction and separation between urban and rural areas. Bellingham retains and strengthens its well-defined compact form and allows sufficient sites to accommodate projected growth, including some growth to the north.

VB 4 – Because infill is a major growth strategy, Bellingham devotes considerable energy to determining how to accommodate growth in existing neighborhoods in a manner that complements neighborhood character and builds on the pattern of planned park and open space systems.

VB 6 – The character of individual neighborhoods is enhanced through flexible design standards and incentives that ensure compatibility as existing neighborhoods receive infill development and new neighborhoods are formed.

VB 17 – Development patterns that encourage walking, biking and transit use are fostered through incentives and zoning regulations, including provisions for developments that allow people to live within walking distance of shopping and employment. These provisions may encourage small scale neighborhood centers as well as cottage industry or home occupations.

Visions for Bellingham Goal Statements, Section 4 – Housing:

VB 25 – Bellingham’s regulations encourage and provide incentives for innovative housing and mixtures of housing types that preserve natural resources and consolidate open space.

VB 26 – Increased housing density and infill exists in the downtown area and in other parts of the community that are appropriate for small lots or higher density housing, reflecting a variety of housing costs.

VB 27 – Density bonuses for well-designed housing that complements existing neighborhood integrity supplement new opportunities for mother-in-law apartments and duplex or triplex options, subject to design review standards and neighborhood input.


Community Growth Forum Policy Recommendations, Building Community: Encouraging Civic Wellness

GF Strategy, Action Step 10: Contract for neighborhood amenities to make greater intensity succeed – In conjunction with elevating priorities for capital improvements, the City and County may also wish to consider entering into contracts with neighborhoods to articulate commitments and expectations, and to identify other service providers who will need to be involved in the area’s future development.

GF Strategy, Action Step 11: Support public and private efforts to build homes people can afford. – Strong communities and healthy neighborhoods have a balanced mix of homes people can afford, in sync with the wages and incomes in the community. Reaching this ambitious but achievable goal can involve collaborative efforts of neighborhood, nonprofit organizations, for-profit builders and local governments, each contributing to create and implement a strategy that keeps neighborhoods desirable, walkable, with a mix of homes affordable at the wages of nearby jobs. The entire community benefits when everyone has a home they can afford, at an urban location that allows them not to drive so much, putting the time and money they save into family, friends and community betterment.

GF Infill Strategy, Action Step 16: Review zoning provisions to empower design review and permit increased residential density – Intensification relies on compact development, and compactness relies on proximity. This closeness requires great care in design to ensure that potential negative impacts are
identified and mitigated early in the process. This recommendation suggests that projects that make it through a design review process be awarded higher development intensity than those that do not.

CHAPTER 2 – LAND USE

Part 3 – Land Use Regulatory System

The New System (Applicable Principals)

1. Ensure that development is consistent with the goals and policies in this plan.
2. Ensure that new development maintains and enhances the unique character of Bellingham neighborhoods.
3. Ensure citizen involvement in land use planning and project review.
4. Assure fair and predictable results and avoid unnecessary delays.
5. Organize, consolidate and simplify development regulations and permitting procedures.
6. Develop a system that is easier and more cost effective to administer.

Part 9 - Land Use Policies

A. Framework Land Use Policies

FLU-1 It is the City's overall goal to preserve and protect the unique character and qualities of the existing neighborhoods. All policies, proposed development code and zoning changes should be reviewed with this goal in mind.

FLU-2 Bellingham's land use pattern should accommodate carefully planned levels of development that promotes efficient use of land, reduces sprawl, encourages alternative modes of transportation, safeguards the environment, promotes healthy neighborhoods, protects existing neighborhood character, and maintains Bellingham's sense of community.

FLU-4 Affordable, attractive, stable and diverse residential neighborhoods should be encouraged while providing for a variety of housing opportunities.

FLU-8 Emphasize Bellingham's role as an environmental steward by conducting City business in a manner that: 1) increases community understanding of the natural environment and participation in protecting it through education and programs, 2) promotes sustainable land use patterns and low-impact development practices, and 3) leads by example in the conservation of natural resources such as energy, water and trees, and avoidance of adverse environmental impacts.

B. Framework Infill Strategies

Infill Strategy 1 - Make more efficient use of the remaining City land supply; facilitate development on existing lots of record; develop flexible code provisions that allow a range of housing types; adopt minimum density requirements; other steps necessary to make better use of the remaining land supply.

Infill Strategy 4 - Evaluate potential density increases in existing residentially zoned areas of the City.

Section E. Residential Development Policies

LU - 24 Land suitability, existing development patterns, the capacity of existing and planned public facilities and projected population growth demands should all be considered when zoning densities are established.

LU - 25 Densities should be set to provide for an affordable housing stock that includes a range of housing types that meets the needs of all segments of the community.

LU - 26 Preserve and protect established residential areas where a definite density, housing type and character prevail.

LU - 27 In developed single family areas of Bellingham, residential zoning shall be applied in a manner that is consistent with the neighborhood's existing character, building style and height, density, and
development pattern. Any efforts to increase the allowed density in existing neighborhoods will be focused on remaining undeveloped areas.

LU - 33 Encourage energy-efficient site and building designs to increase efficiency and preserve natural resources.

LU - 36 Flexibility in development regulations pertaining to single family areas could be provided to allow for cluster, cluster detached, and cluster attached housing in appropriate areas.

LU - 37 Residential density bonuses may be considered in instances such as planned unit developments, that combine excellence in design with housing affordability, purchase or transfer of development rights, or other important community objectives.

LU - 45 Explore incentives, strategies, and requirements (such as “inclusionary zoning”) to achieve a healthy mix of housing sizes, types, and prices.

Policy Section K, General Land Use

LU - 99 Development regulations, including the allowed density and intensity, should provide for and encourage the efficient use of land.

LU - 100 Infill developments that are sized and designed to fit their surroundings are encouraged.

LU - 101 Development regulations should provide for an appropriate level of flexibility while balancing community goals, neighborhood character issues and the need for predictability in decision making. Measures that could be used to provide flexibility include:

- planned unit development provisions,
- clustering provisions,
- floating zones or overlay zones
- administrative variances for minor variations in dimensional requirements such as building setback or parking requirements (not density).

Section M, Comprehensive Plan and Neighborhood Plan Land Use Designation Policies

LU - 126 There are six general land use categories (designations) on the comprehensive plan map and in the neighborhood plans. The comprehensive plan recognizes that allowing or encouraging a mix of different types of land uses is an important strategy to achieving infill goals while maintaining and developing distinctive and efficient urban neighborhoods.

Single Family Residential - This designation should be applied to areas of the community predominately developed with, or best suited for, development of individually owned dwelling units. A range of zoning densities should be allowed. In undeveloped areas, new housing may take a number of forms, including single family detached, single family attached, townhouses, “cottage” housing, attached accessory dwelling units, clustered housing, etc.

Single Family Residential, Low Density - The low density residential designation should be used for land that is not suited for more intense urban development because of environmentally sensitive areas or public facility limitations, such as sewer or water capacity limitations.

Allowed Uses - The low density residential designation should allow for detached single family residences, their accessory uses and public and semi-public uses. Residential densities in this category should not exceed 5 units per acre.

Single Family Residential, Medium Density - The medium density residential designation should be used for land that is suitable for moderate density single family homes.

Allowed Uses - The medium density residential designation should allow for attached and detached single family residences, their accessory uses and public and semi-public uses. Residential densities in this category should range from 6 to 12 units per acre.

Single Family Residential, High Density - The high density residential designation should be used for land that is suitable for high density single family homes. This designation is appropriate where
high levels of transit service are present or likely and/or areas adjacent or near employment and commercial areas.

**Allowed Uses** — The high density residential designation should allow for attached and detached single family residences, their accessory uses and public and semi-public uses. Residential densities in this category should exceed 12 units per acre.

The single family low, medium and high residential density designations listed above are summarized as follows:

- Low Density = 7,201 + SF per dwelling unit (5 or less units per acre)
- Medium Density = 3,600 to 7,200 SF per dwelling unit (6 to 12 units per acre)
- High Density = 0 to 3,599 SF per dwelling unit (more than 12 units per acre)

**CHAPTER 3 - TRANSPORTATION**

**Part 7: Transportation Goals (TG)**

**TV-2** Development patterns that encourage walking, biking and transit use are fostered through incentives and zoning regulations, including provisions for developments which allow people to live within walking distance of shopping and employment. These provisions may encourage small scale neighborhood centers as well as cottage industry or home occupations.

**TV-5** Bellingham reduces noise pollution and increases air quality by reducing its reliance on the automobile and promoting walking, bicycling, and other modes of transportation.

**Public Transit**

**TG-23** When new development takes place, support WTA high-frequency transit service by encouraging transit-oriented development along and within ¼ mile of WTA's Primary Transit Network within Bellingham and the Bellingham UGA.

**TG-26** Support efforts to increase public transportation's market share of total travel along WTA Primary Transit Network corridors in Bellingham and Whatcom County.

**TG-32** Emphasize and commit to the implementation of infill and Urban Village land use strategies to create residential densities that will support safe, viable, and convenient opportunities to use transportation modes other than the private automobile.

**PART 8: Transportation Policies (TP)**

**General Transportation Policies**

**TP-1** Consider revision of land use plans to allow densities and mixes of uses that reduce the number and length of vehicle trips and increase the opportunity to use public transportation and non-motorized modes of travel.

**TP-2** Reinforce the link between land use and public transportation by encouraging transit-oriented development along and within ¼ mile of WTA Primary Transit Network corridors and near urban villages, town centers, and neighborhood centers.

**TP-4** Provide development incentives (such as increased density, increased square footage, and parking requirement reductions) for new development located within Urban Villages and along and within ¼ mile of WTA Primary Transit Network corridors when amenities for transit users, bicyclists and pedestrians are included, while minimizing impacts to surrounding residential neighborhoods.

**TP-5** Encourage land development proposals to utilize the full capacity of the existing multi-modal transportation system, especially transit and non-motorized modes.

**Environment and Energy**

**TP-34** Reduce the amount of impervious surfaces (e.g., streets, driveways) to the extent practicable to reduce total surface runoff, slow concentrations of pollutants and capture particulates.
CHAPTER 4 – HOUSING

Part 7: Housing Visions (HV) and Goals (HG)

Housing Visions for Bellingham

HV-1 Bellingham’s regulations encourage and provide incentives for innovative housing and mixtures of housing types that preserve natural resources and consolidate open space.

HV-2 Increased housing density and infill exists in the downtown area and in other parts of the community which are appropriate for small lots or higher density housing, reflecting a variety of housing costs.

HV-3 Density bonuses for well-designed housing that complements existing neighborhood integrity supplement new opportunities for duplex or triplex options, subject to design review standards and neighborhood input.

Housing Goals

HG-7 Create and maintain sound, viable neighborhoods, and revitalize those that are declining.

Part 8: Housing Policies (HP)

Neighborhood Preservation

HP-1 Encourage public and private investment to keep existing neighborhoods safe and attractive.

HP-2 Promote housing development that is compatible with the overall style and character of the established neighborhood.

HP-5 Promote the use of innovative development patterns to better utilize land, promote design flexibility, and preserve open space and natural features.

HP-6 Promote the development of housing that is compatible with surrounding land uses, traffic patterns, public infrastructure and environmentally sensitive areas.

Fair Housing

HP-18 Promote the fair share distribution of housing opportunities for all segments of the population throughout the city and county.

Land Use and Design

HP-20 Encourage infill development on land which remains vacant or underutilized, in otherwise built-up areas.

HP-21 Ensure the availability of lot sizes that are small enough to be cost effective for developers and affordable for potential homeowners.

HP-23 Promote new high density residential development within or near Urban Villages.

HP-26 Provide a variety of densities to encourage a range of housing types to meet the needs of different household types and sizes.

HP-27 Allow for an adequate supply and more efficient use of land through such methods as substandard lots of record, flexible setbacks, flexible street frontage requirements, cluster-attached wall housing, cluster subdivisions, cottage housing, and skinny streets with alleys.

HP-28 Encourage the use of innovative design by builders and developers to produce a variety of desirable, lower cost housing, including non-traditional and "neo-traditional" housing types, such as accessory units, boarding housing, starter houses, cluster houses.

HP-29 Establish criteria to allow developers flexibility with planned residential design regulations and increased density, in exchange for better quality site and building design and improved open space.

Public and Private Support

HP-42 Encourage builders and developers to build for a range of income levels and housing preferences within projects.
CHAPTER 8 - COMMUNITY DESIGN

Part 3. Community Design Goals

3.1 General Community Design Goals

CDG-1 Promote improvement in the quality of public, residential, commercial and industrial development and maintain a high quality environment by ensuring that new construction and site development meets high standards.

CDG-3 Allow for growth and diversity through standards that are adaptable to a variety of conditions.

CDG-6 Zoning and other regulations result in the construction of innovative housing types such as attached accessory units, cottage housing, "co-housing", zero lot line units, and clustered housing in appropriate areas.

3.6 Street Design Goals

CDG-22 Create a safe, appropriate neighborhood street system in a network configuration that provides easy access but does not allow rapid or high volume traffic to disrupt residential neighborhoods.

CDG-23 City streets encourage pedestrian activity. Livelier street edges that include traditional landscaping, bike lanes, rain gardens and setback sidewalks are inviting places for people and make for safer streets.

4.6 Residential Design Policies

CDP-48 Encourage more efficient use of the land through devices such as use of substandard lots of record, flexible building setbacks and lot widths. Regulations should promote compatible development in existing neighborhoods.

CDP-49 Flexibility in development regulations pertaining to single family areas should be provided to allow for cluster, cluster detached, and cluster attached housing in appropriate areas.

CDP-52 A significant portion of the open space requirement should be capable of being utilized by the occupants of the units for leisure or recreational activities.

CDP-53 All buildings should front on a public or private street. Building facades should relate to the street and clear pedestrian entries should be provided from the street.

CDP-54 The main pedestrian approach to any residential building should not be from a parking lot.

CDP-57 Developments with "snout houses" that contain a series of garages that dominate the streetscape shall be discouraged.