ORDINANCE NO. 2021-10-040

AN ORDINANCE OF THE CITY OF BELLINGHAM AMENDING THE 2016 BELLINGHAM COMPREHENSIVE PLAN AND THE ALABAMA HILL, BIRCHWOOD, LETTERED STREETS, SAMISH, AND SUNNYLAND NEIGHBORHOOD PLANS TO REZONE SIX NEIGHBORHOOD PARKS FROM A RESIDENTIAL DESIGNATION TO A PUBLIC ZONING DESIGNATION.

WHEREAS, the City has a process to amend the comprehensive plan and the neighborhood plans once per year in accordance with Bellingham Municipal Code (BMC) 20.20 and BMC 21.10.150; and

WHEREAS, the Planning and Community Development Department received a docketing request from the Bellingham Parks and Recreation Department to rezone six neighborhood parks from a Residential designation to a Public zoning designation; and

WHEREAS, the requested rezone proposals include Highlands Heights Park, Maplewood/Mcleod Park, Birchwood Park, Cornwall Tot Lot, Ridgemont Park, and Sunnyland Park; and

WHEREAS, on November 19, 2020, the Planning Commission held a public hearing regarding the 2020-2021 docket requests and recommended to the City Council that the proposed amendments be placed on the annual docket; and

WHEREAS, the City Council held a public hearing on December 14, 2020 and placed the proposed amendments on the annual 2020-2021 docket of comprehensive plan amendments (Resolution 2020-46); and

WHEREAS, on January 12, 2021, City staff held a neighborhood meeting to introduce the proposed comprehensive plan amendments and rezones to the public and addressed public comment related to the proposal; 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 14, 2021; and

WHEREAS, as required by RCW 36.70A.106 notice of the City's intent to adopt the proposed amendments was sent to the Department of Commerce on June 3, 2021; and

WHEREAS, after mailed and published notice as required by BMC Chapter 21.10, the Planning Commission held a public hearing on the proposed rezones on July 8, 2021; and

WHEREAS, the Planning Commission considered the staff report and comments received and thereafter made Findings, Conclusions and Recommendations for approval of the proposed comprehensive plan amendments and rezones by a 5-0 vote; and
WHEREAS, the Planning Commission finds that the proposed amendments are consistent with the 2016 Bellingham Comprehensive Plan and meets all the comprehensive plan amendment and rezone review criteria in BMC 20.20.040 (B) and BMC 20.19.030; and

WHEREAS, after mailed and published notice as required by BMC 21.10, the City Council held a public hearing on the proposed comprehensive plan amendments on August 30, 2021; and

WHEREAS, the City Council considered the recommendation of the Planning Commission, the staff report, and the public comment and hereby adopts the Findings, Conclusions and Recommendations of the Planning Commission; and

WHEREAS, the City Council finds the proposed comprehensive plan amendments provide the opportunity to identify these parks as Public and sets the initial zoning regulations for public use and development; and

WHEREAS, the City Council finds that the proposed amendments are consistent with the 2016 Bellingham Comprehensive Plan and meets all the comprehensive plan amendment and rezone review criteria in BMC 20.20.040 (B) and BMC 20.19.030.

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. The Alabama Hill Neighborhood Plan is hereby amended to add a new subarea, Area 5, as follows:

Area 5

This area is comprised of Highland Heights Park, an approximately 1.2-acre neighborhood park.

AREA 5 LAND USE DESIGNATION: PUBLIC

Section 2. Bellingham Municipal Code 20.00.010 – Alabama Hill Neighborhood Table of Zoning Regulations is hereby amended to add Area 5, as follows:

<table>
<thead>
<tr>
<th>Area</th>
<th>Zoning</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>1-4</td>
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<td></td>
</tr>
<tr>
<td>5</td>
<td>Public</td>
<td>Park</td>
<td>N/A</td>
<td>None</td>
<td>None</td>
<td></td>
</tr>
</tbody>
</table>

REZ2020-0003
Section 3. The Comprehensive Plan Land Use Map for the Alabama Hill Neighborhood is hereby amended as shown in EXHIBIT A.

Section 4. The City of Bellingham Zoning Map for the Alabama Hill Neighborhood is hereby amended as shown in EXHIBIT B.

Section 5. The Birchwood Neighborhood Plan is hereby amended to add two new subareas, Areas 28 and 29, as follows:

Area 28

This area is comprised of Maplewood/McLeod Park, an approximately 6.3-acre neighborhood park and open space property. The park contains a small stream and trail network.

AREA 28 LAND USE DESIGNATION: PUBLIC

Area 29

This area is comprised of Birchwood Park, an approximately 4.4-acre neighborhood park. The park connects to the Bay to Baker trail and is adjacent to a nearby community park, Squalicum Creek Park.

AREA 29 LAND USE DESIGNATION: PUBLIC

Section 6. The Maplewood/McLeod Park site area will become its own new subarea, Area 28 of the Birchwood Neighborhood Plan. Therefore, the subarea description for Area 1 of the Birchwood Neighborhood Plan is hereby amended to remove the park reference, as follows:

BIRCHWOOD NEIGHBORHOOD PLAN

V. SUBAREA DESCRIPTIONS AND LAND USE DESIGNATIONS

Area 1

This low-density residential area makes up the bulk of the Birchwood Neighborhood and gives it much of this character. The lots in this area generally exceed 35,000 square feet with many of them approaching one acre in size. The lots are long and narrow and the combined open spaces in the rear of the lots contribute heavily to the rural character of the neighborhood. The lots generally are too narrow to be divided in width, so any subdivision would require multiple lot ownership and would result in the intrusion of residences into the interior open spaces. To maintain the existing development patterns in this area it is
designated Residential, Single with a density of 20,000 square feet of ground area per dwelling unit.

This area includes the corridor along W. Maplewood Avenue from Alderwood Avenue north to the city limits. It is characterized by sound single family homes. Traffic volumes on W. Maplewood Avenue have shown significant increases. Commercial development in the adjacent county area near the I-5 interchange at Bakerview Road and along Bakerview Road will result in significant increases in traffic volumes on W. Maplewood Avenue. Future commercial development near the interchange will, without doubt, increase the use of the interchange. Street, pedestrian, and bicycle improvements along W. Maplewood Avenue should be constructed concurrent with new development. The park site located at the corner of McLeod Road and Maplewood Avenue should be rezoned to public and developed under a master plan.

AREA 1 LAND USE DESIGNATION: SINGLE FAMILY RESIDENTIAL, LOW DENSITY

Section 7. Bellingham Municipal Code 20.00.020 – Birchwood Neighborhood Table of Zoning Regulations is hereby amended to add Areas 28 and 29, as follows:

<table>
<thead>
<tr>
<th>Area</th>
<th>Zoning</th>
<th>Use Qualifier</th>
<th>Density</th>
<th>Special Conditions</th>
<th>Prerequisite Considerations</th>
<th>Special Regulations</th>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Public</td>
<td>Park / Open Space</td>
<td>N/A</td>
<td>Critical areas</td>
<td>Maplewood/McLeod Park Master Plan</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Public</td>
<td>Park</td>
<td>N/A</td>
<td>None</td>
<td>None</td>
<td></td>
</tr>
</tbody>
</table>

Section 8. The Comprehensive Plan Land Use Map for the Birchwood Neighborhood is hereby amended as shown in EXHIBIT C.

Section 9. The City of Bellingham Zoning Map for the Birchwood Neighborhood is hereby amended as shown in EXHIBIT D.

Section 10. The Lettered Streets Neighborhood Plan is hereby amended to add a new subarea, Area 17, as follows:
Area 17
This area is comprised of Cornwall Tot Lot, an approximately 0.7-acre neighborhood park.

AREA 17 LAND USE DESIGNATION: PUBLIC

Section 11. Bellingham Municipal Code 20.00.100 – Lettered Streets Neighborhood Table of Zoning Regulations is hereby amended to add Area 17, as follows:

<table>
<thead>
<tr>
<th>Area</th>
<th>Zoning</th>
<th>Use Qualifier</th>
<th>Density</th>
<th>Special Conditions</th>
<th>Prerequisite Considerations</th>
<th>Special Regulations</th>
</tr>
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<tr>
<td>17</td>
<td>Public</td>
<td>Park</td>
<td>N/A</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

Section 12. The Comprehensive Plan Land Use Map for the Lettered Streets Neighborhood is hereby amended as shown in EXHIBIT E.

Section 13. The City of Bellingham Zoning Map for the Lettered Streets Neighborhood is hereby amended as shown in EXHIBIT F.

Section 14. The Samish Neighborhood Plan is hereby amended to add a new subarea, Area 11, as follows:

Area 11
This area is comprised of Ridgemont Park, an approximately 1.2-acre neighborhood park.

AREA 11 LAND USE DESIGNATION: PUBLIC

Section 15. Bellingham Municipal Code 20.00.150 – Samish Neighborhood Table of Zoning Regulations is hereby amended to add Area 11, as follows:

<table>
<thead>
<tr>
<th>Area</th>
<th>Zoning</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>1-10</td>
<td>[No change]</td>
<td></td>
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</tr>
</tbody>
</table>

REZ2020-0003
<table>
<thead>
<tr>
<th>Area</th>
<th>Zoning</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>11</td>
<td>Public</td>
<td>Park</td>
<td>N/A</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

**Section 16.** The Comprehensive Plan Land Use Map for the Samish Neighborhood is hereby amended as shown in EXHIBIT G.

**Section 17.** The City of Bellingham Zoning Map for the Samish Neighborhood is hereby amended as shown in EXHIBIT H.

**Section 18.** The Sunnyland Neighborhood Plan is hereby amended to add a new subarea, Area 13, as follows:

**Area 13**

*This area is comprised of Sunnyland Park, an approximately 1.1-acre neighborhood park.*

**AREA 13 LAND USE DESIGNATION: PUBLIC**

**Section 19.** Bellingham Municipal Code 20.00.200 – Sunnyland Neighborhood Table of Zoning Regulations is hereby amended to add Area 13, as follows:

<table>
<thead>
<tr>
<th>Area</th>
<th>Zoning</th>
<th>Use Qualifier</th>
<th>Density</th>
<th>Special Conditions</th>
<th>Prerequisite Considerations</th>
<th>Special Regulations</th>
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<tbody>
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<tr>
<td>13</td>
<td>Public</td>
<td>Park</td>
<td>N/A</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

**Section 20.** The Comprehensive Plan Land Use Map for the Sunnyland Neighborhood is hereby amended as shown in EXHIBIT I.

**Section 21.** The City of Bellingham Zoning Map for the Sunnyland Neighborhood is hereby amended as shown in EXHIBIT J.

**Section 22.** City administration and the codifiers of this ordinance are authorized to make necessary clerical corrections including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any reference thereto.
Section 23. The City Council agrees with and hereby adopts the Findings, Conclusions, and Recommendations of the Planning Commission, attached as EXHIBIT K.

PASSED by the Council this 25th day of October, 2021

Hannah Stone, Council President

APPROVED by me this 27th day of October, 2021

Seth Fleetwood, Mayor

ATTEST: Andy Asbjornsen, Finance Director

APPROVED AS TO FORM:

Office of the City Attorney

Published: October 29, 2021
EXHIBIT A.

Comprehensive Plan Land Use Map
Alabama Hill Neighborhood
ALABAMA HILL NEIGHBORHOOD
LAND USE COMPREHENSIVE PLAN

<table>
<thead>
<tr>
<th>AREA</th>
<th>COMPREHENSIVE PLAN LAND USE DESIGNATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Single Family Res., Low Density</td>
</tr>
<tr>
<td>2</td>
<td>Single Family Res., Medium Density</td>
</tr>
<tr>
<td>3</td>
<td>Multi-Family Res., Medium Density</td>
</tr>
<tr>
<td>4</td>
<td>Public</td>
</tr>
</tbody>
</table>

The City of Bellingham has compiled this information for its own use and is not responsible for any use of this information by others. The information found herein is provided solely as a courtesy to the public and is not intended for any legal use in any official, professional or other authoritative capacity. Persons using this information do so at their own risk and by such use agree to defend, indemnify and hold harmless the City of Bellingham as to any claims, damages, liability, losses or suits arising out of such use.

5/27/2021, Knewell
EXHIBIT B.

Zoning Map
Alabama Hill Neighborhood
ALABAMA HILL NEIGHBORHOOD

ZONING

AREA | ZONING DESIGNATION
1   | Residential Single
2   | Residential Single
3   | Residential Multi, Duplex
4   | Public, Open Space/Park
5   | Public, Park

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EXHIBIT C.

Comprehensive Plan Land Use Map

Birchwood Neighborhood
BIRCHWOOD NEIGHBORHOOD
ZONING

AREA ZONING DESIGNATION
1 Residential Single
2 Residential Single
3 Residential Multi, Multiple
4 Residential Multi, Planned
5 Commercial, Neighborhood
6 Residential Multi, Planned
7A Residential Multi, Planned
8 Public, School
9 Public, School
10 Commercial, Planned
11 Residential Multi, Planned
12 Residential Single
13 Public, School
13A Public, School
13B Public, School
14 Residential Multi, Duplex
15 Industrial, Planned
16 Residential Single
17 Residential Multi, Duplex
18 Public, Park
19 Residential Single
20 Residential Single
21 Residential Multi, Planned
22 Commercial, Planned
23 Public, Govt. Services
24 Public, Park
25 Residential Multi, Planned
26 Industrial, Planned
27 Industrial, Planned
28A Public, Park/Open Space
28 Public, Park

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EXHIBIT E.

Comprehensive Plan Land Use Map
Lettered Streets Neighborhood
The City of Bellingham has compiled this information for its own use and is not responsible for any use of this information by others. The information found herein is provided simply as a courtesy to the public and is not intended for any SWIFT party use in any official, professional or other authoritative capacity. Persons using this information do so at their own risk and by such use agree to defend, indemnify and hold harmless the City of Bellingham as to any claims, damages, liability, losses or suits arising out of such use.

5/27/2021, kns/kestl
EXHIBIT F.

Zoning Map
Lettered Streets Neighborhood
LETTERED STREETS
NEIGHBORHOOD ZONING

AREA ZONING DESIGNATION
1 Residential Single
2 Fountain District Urban Village
3 Residential Single
3A Residential Multi, Multiple
4 Public, Housing
6 Public, Park
7 Public, Rec/School
8 Res, Multi, Mixed/Multiple
9 Residential Single
10 Commercial
14 Res, Multi, Mixed/Multiple
16 Downtown District Urban Village
17 Public, Park

NOTE: Area 9 includes lots 1, Block 60, and the SWY 10 ft. of lot 1, with all lots 3, 4, 5, Block 65, Town of Whatcom Supplemental.

NOTE: Area 3 includes the SWY 37.5 ft. of lot 10 Block 220 and the SWY 6 ft. of lot 12, and all of lot 13 Block 134 Whatcom Subdivision.

NOTE: The boundary is between lots 3 & 5, and 7 & 8 of Block 200 and lots 6 & 9 of Block 199 Supplemental Map of Whatcom.

NOTE: This boundary is between lots 3 & 4 of Block 127, Whatcom Subdivision.

The City of Bellingham has compiled this information for its own use and is not responsible for any use of this information by others. The information found herein is provided strictly as a courtesy to the public, and is not intended for any other use. Use in any office, professional, or other self-regulatory capacity requires the user to defend and indemnify the City of Bellingham as to claims, damages, liability, losses or suits arising out of such use.
Exhibit G.

Comprehensive Plan Land Use Map
Samish Neighborhood
EXHIBIT H.

Zoning Map
Samish Neighborhood
SAMISH NEIGHBORHOOD ZONING

AREA ZONING DESIGNATION
1 Commercial, Auto
1A Commercial, Planned
2 Commercial, Planned
2A Residential Multi, Planned
3 Residential Multi, Planned
4 Residential Single
5 Residential Single
5A Residential Single
6 Residential Single
7 Public, Open Space/Park/Rec.
8 Residential Multi, Planned
9 Commercial, Planned
10 Commercial, Planned
11 Public, Park

The City of Bellingham has compiled this information on its own
and reserves the right to modify or change any and all parts of
without notice. Persons using this information do so entirely at their
risk and liability for use. Any claims, damages, liability, access
or superseding of such. 5/27/2021, Annewell
EXHIBIT I.

Comprehensive Plan Land Use Map

Sunnyland Neighborhood
EXHIBIT J.

Zoning Map
Sunnyland Neighborhood
SUNNYLAND NEIGHBORHOOD ZONING

AREA ZONING DESIGNATION
1 Residential Single
1A Residential Single
2 Public, Park/School
2A Public, Housing
3 Res., Multi, Mixed/Multiple
3A Commercial, Neigh./Planned
4 Residential Multi, Duplex
5 Commercial, Neighborhood
5A Commercial, Neigh./Planned
5B Commercial, Neigh./Planned
6 Industrial, Light
7 Public, Rec./School
8 Residential Single
9 Public, Govt. Services
10 Res. Multi, Mixed/Planned
11 Res. Multi, Mixed/Multiple
12 Downtown District Urban Village
13 Public, Park

NOTE: This boundary is between 7th & 8th Ave., 20th & 21st St. and the Highway 99 - 70 Blocks NE of Main St.

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EXHIBIT K.

Bellingham Planning Commission Findings of Fact, Conclusions, and Recommendation
SUMMARY:
Following the public hearing and deliberation on the proposed comprehensive plan amendments to rezone six neighborhood parks from a Residential designation to a Public zoning designation, the Bellingham Planning Commission has determined with a (5-0) vote that the proposed amendments comply with and will implement the goals and policies of the comprehensive plan and should be adopted.

I. FINDINGS OF FACT:

1. Project or Proposal Description:
The Parks and Recreation Department submitted a request to rezone six neighborhood parks from a Residential designation to a Public zoning designation. The requested rezone proposals include:

<table>
<thead>
<tr>
<th>Parks:</th>
<th>Neighborhoods:</th>
<th>Acres:</th>
<th>Rezone:</th>
<th>Parcel #s:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highland Heights Park</td>
<td>Area 2, Alabama Hill</td>
<td>1.2</td>
<td>Residential Single to Public, Park</td>
<td>380321315236</td>
</tr>
<tr>
<td>Maplewood / Mcleod Park</td>
<td>Area 1, Birchwood</td>
<td>6.3</td>
<td>Residential Single to Public, Park/Open Space</td>
<td>380214522242, 380214541207, 380214531195</td>
</tr>
<tr>
<td>Birchwood Park</td>
<td>Area 1, Birchwood</td>
<td>4.4</td>
<td>Residential Single to Public, Park</td>
<td>380224190407, 380224175381, 380224190384, 380224156375, 380224236385</td>
</tr>
<tr>
<td>Cornwall Tot Lot</td>
<td>Area 3, Lettered Streets</td>
<td>0.7</td>
<td>Residential Single to Public</td>
<td>380319256016</td>
</tr>
<tr>
<td>Ridgemont Park</td>
<td>Area 4, Samish</td>
<td>1.2</td>
<td>Residential Single to Public, Park</td>
<td>370306PBPK01</td>
</tr>
<tr>
<td>Sunnyland Park</td>
<td>Area 4, Sunnyland</td>
<td>1.1</td>
<td>Residential Multi to Public, Park</td>
<td>380319497025, 380319492016, 380319493019, 380319487003</td>
</tr>
</tbody>
</table>

2. Background Information/Procedural History:

- On November 19, 2020, the Planning Commission held a public hearing regarding the 2020-2021 docket requests and recommended to the City Council that the proposed amendments be placed on the annual docket.

- The City Council held a public hearing on December 14, 2020 and placed the proposed request on the annual 2020-2021 docket of comprehensive plan amendments (Resolution 2020-46).

- On January 12, 2021, City staff held a neighborhood meeting to introduce the proposed comprehensive plan amendments and rezones to the public and addressed public comment related to the proposal.

3. Comprehensive Plan Goals and Policies:

The City's Comprehensive Plan identifies the goals and policies that are used as a guide for legislative and administrative decisions regarding changes to the comprehensive plan and development codes. Relevant comprehensive plan goal and policies are listed below:

- **GOAL LU-4**: Maintain and enhance publicly-owned assets and institutional uses.

- **Policy LU-31**: The Public designation is applied to major parcels of land that are owned or leased by public agencies such as city, county and state governments and the Bellingham School District. Certain public uses may be located in other zoning districts as designated in the BMC. Public zoning is used for a range of uses, including parks, recreational facilities, trails, open space, schools, utilities, and other local governmental facilities.

- **Policy LU-33**: Provide adequate public facilities, including schools, libraries, parks, trails, police and fire services, and transportation and utility infrastructure. Ensure that these facilities are compatible with the City's adopted Future Land Use Map.

4. Public Comment:

A pre-applicant neighborhood meeting for the Park rezone proposals was held on January 12, 2021. The City received one comment from a resident of the Birchwood Neighborhood supporting the Birchwood Park and Maplewood/Mcleod Park rezones.

On June 3, 2021, notice of the City's intent to adopt the proposed amendments was sent to the Washington State Department of Commerce.

Per BMC 21.10, notice of the Planning Commission public hearing notice was mailed to neighborhood representatives and associations, and to properties owners within 500-feet of each park. The notice was also published in the Bellingham Herald, posted on City web site notice locations, and a notice sign was posted on each of the park properties.
5. State Environmental Policy Act (SEPA) Determination if applicable:

A non-project Determination of Non-Significance was issued on May 14, 2021. Within the 14-day SEPA comment period, no public comment was submitted.

6. Comprehensive and Neighborhood Plan Decision Criteria:
BMC 20.20.040

Petitioners requesting amendments to the Bellingham 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 (GMA) and other applicable laws.

   The Commission finds that the proposed amendments and rezones are consistent with the GMA and other applicable laws. The 2020 Parks, Recreation, and Open Space Plan (2020 PRO plan) was developed and adopted as part of the City's comprehensive plan, which guides the management of Bellingham's recreational facilities and systems. The plan provides goals and objectives to meet the State's GMA goal (RCW 36.70A.020 (9)), to retain open space, provide recreational opportunities, and develop parks and recreation facilities to serve the community. The proposed Public zoning designation and use qualifier (Section 1.) establishes the use and development standards for the publicly-owned properties.

   The Commission finds that this criterion has been met.

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 Commission finds that the proposed amendments and rezones will update information in the comprehensive plan and associated neighborhood plans and will provide the appropriate land use designation and zoning regulations for the publicly-owned park properties, which are currently providing recreational opportunities to the community. The proposal will help achieve Goal LU-4, Policy LU-31 and LU-33 (Section 3. above) of the Bellingham Comprehensive Plan and implement the mission statement, goals, and objectives of the 2020 PRO plan, including but not limited to:

   • **Mission Statement** “Support a health community by promoting high quality parks and recreation services.”
   
   **Goals:**
   
   • Provide high-quality facilities and services that are accessible, inclusive and distributed equitably across Bellingham.
   
   • Enhance the capacity, quality, and variety of use of the existing park and recreation system.
• Manage Bellingham’s park land and programs effectively, efficiently and sustainably utilizing quantitative and qualitative measures.

The Commission finds that this criterion has been met.

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

The Commission finds that the proposed amendments to rezone the six Park properties from a Residential land use designation to a Public designation will result in a long-term benefit to the community and is in the community’s overall best interest. Under the current Residential zoning designation, a park is listed as a permitted use, however the parks are subject to the development standards of the underlying zone. These standards may not provide the regulations needed to adequately mitigate potential impacts occurring off-site or possibly limit future recreational opportunities and improvements planned for the parks. The proposal will ensure recreational services and facilities are maintained and/or enhanced to meet the service needs of the community.

The Commission finds that this criterion has been met.

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

The Commission finds that the proposed amendments will not adversely affect the public health, safety or general welfare.

The Commission finds that this criterion has been met.

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.

The Commission finds that this criterion has been met.

B. It will not adversely affect the public health, safety or general welfare.

See the discussion under comprehensive plan amendment criterion B. 4.

The Commission finds that this criterion has been met.
C. It is in the best interests of the residents of Bellingham.

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

The Commission finds that this criterion has been met.

D. The subject property is suitable for development in general conformance with zoning standards under the proposed zoning district.

The Commission finds that the park properties are owned by the City of Bellingham and are currently providing public recreational services and are suitable for development in general conformance under the proposed Public zone and land use qualifier. The Public zoning designation establishes the use and development standards for publicly-owned property and the 2020 PRO plan guides Bellingham's parks and recreational services and facilities. Per BMC 20.42.020 (B) Purpose and Intent, identifies the following:

B. Purpose. The public general use type is intended to:

1. Provide for a public awareness of the possible uses of neighboring public land.
2. Accommodate a potential myriad of government related uses, while providing minimum performance standards for new developments and mitigating the potential for adverse impacts occurring off site.
3. Coordinate plans of various public agencies with the city of Bellingham and its comprehensive plan.
4. Provide a graphic record of major publicly owned parcels.
5. Help allow for a better assessment of the other land use designations, since major public lands will not weight those designations disproportionately.

The Commission finds that this criterion has been met.

E. Adequate public facilities and services are, or would be, available to serve the development allowed by the proposed zone.

The Commission finds that the park properties can be adequately served by public facilities and services.

The Commission finds that this criterion has been met.

F. It will not be materially detrimental to uses or property in the immediate vicinity of the subject property.

The Commission finds that the proposed rezone of the six neighborhood parks will not be materially detrimental to the uses or properties in the immediate vicinity. Five of the six neighborhood parks have already been developed and the Maplewood/Mcleod park is planned to be developed in the near future. As referenced in BMC 20.42.020 (B)(2) (above), the Public zoning designation allows an opportunity to mitigate potential impacts occurring off-site.

The Commission finds that this criterion has been met.
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

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

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

   The Commission finds that the proposed comprehensive plan amendments and rezones of the six neighborhood parks will implement the 2016 Bellingham Comprehensive plan and the goals and objectives of the 2020 PRO plan. Also, see the discussion under comprehensive plan amendment criterion B. 1 and B. 2.

   The Commission finds that this criterion has been met.

II. CONCLUSIONS:

Based on the staff report and the information presented at the public hearing, the Bellingham Planning Commission concludes that:

1. The Public general use type zoning designation is intended to apply to parcels of land that are owned by public agencies and used for public purposes. The proposed comprehensive plan amendments and rezones will identify these parks as Public and sets the initial zoning regulations for public use and development that is consistent with the adopted 2016 Bellingham Comprehensive Plan, the 2020 PRO plan, and BMC 20.42 Public Development Chapter.

2. The proposed amendments and rezones are consistent with the 2016 Bellingham Comprehensive Plan and meets all the comprehensive plan amendment and rezone criteria in BMC 20.20.040 B. and BMC 20.19.030.
III. RECOMMENDATIONS:

Based on the findings and conclusions, the Bellingham Planning Commission, with a 5-0 vote recommend that the City Council approve the proposed comprehensive plan amendments and rezones (REZ2020-0003).

ADOPTED this 8TH day of July, 2021.

Planning Commission Chairperson

ATTEST: Recording Secretary

APPROVED AS TO FORM:

City Attorney