

ORDINANCE NO. 2011-08-049

AN ORDINANCE RELATING TO THE ANNEXATION OF APPROXIMATELY 6.1 ACRES OF UNINCORPORATED PROPERTY LOCATED ADJACENT TO THE EASTERN BOUNDARY OF THE BELLINGHAM CITY LIMITS AND COMMONLY KNOWN AS THE GENEVA/IDAHO ANNEXATION; ASSIGNING CITY LAND USE AND ZONING DESIGNATIONS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on September 8, 2009, Dennis Shoff, agent for the property owners, submitted a ten percent petition to annex the subject property known as the Geneva/Idaho Annexation to commence annexation proceedings pursuant to RCW 35.13.125; and

WHEREAS, on October 19, 2009 the Bellingham City Council held a public meeting and approved Resolution 2009-33, thereby initiating the review process for this annexation request, subject to adopting City land use designations, zoning and assumption of existing City indebtedness; and

WHEREAS, on March 17, 2010, the property owners within the annexation area submitted the required sixty percent petition to the City consistent with state law; and

WHEREAS, the City forwarded the petition to the Whatcom County Assessor, whereby the Assessor found the petition to comply with state law and provided a Certificate of Sufficiency to the City according to RCW 35.21.005; and

WHEREAS, on April 7, 2011, the City forwarded the Notice of Intention to the Whatcom County Boundary Review Board for its 45-day review of the annexation proposal; and

WHEREAS, on June 1, 2011, the Whatcom County Boundary Review Board deemed the Notice of Intention to Annex as described in the BRB file #2011-02 approved; and

WHEREAS, the proposed annexation is located in a portion of the City of Bellingham's urban growth area and divided by the Lake Whatcom and Whatcom Creek watersheds; and

WHEREAS, both the City of Bellingham and Whatcom County have established goals and policies to protect land within the Lake Whatcom Watershed and agricultural lands from development; and

WHEREAS, the City of Bellingham has the capacity to provide the full range of urban services to the annexation area; and

WHEREAS, on August 1, 2011 the Bellingham City Council held a public hearing and determined the annexation is consistent with the State Growth Management Act (GMA), and the policy direction in Whatcom County's Comprehensive Plan, the Countywide Planning Policies, the Bellingham Subarea Plan as revised, and Bellingham's Comprehensive Plan; and

WHEREAS, at the conclusion of the hearing, the Bellingham City Council approved the Geneva/Idaho Annexation ordinance.

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. The property commonly known as the Geneva/Idaho Annexation as legally described in Exhibit A is hereby annexed to the City of Bellingham.

Section 2. The area annexed herein shall assume its proportional share of the existing indebtedness of the City of Bellingham.

Section 3. A new Area 19 is added to the Silver Beach Neighborhood Plan as shown in Exhibit B.

Section 4. A new Area 19 is added to Bellingham Municipal Code 20.00.170 – Silver Beach Neighborhood Table of Zoning Regulations as shown in Exhibit C.

Section 5. The City of Bellingham zoning map for the Silver Beach Neighborhood is amended as shown in Exhibit D.

Section 6. The Silver Beach Neighborhood Comprehensive Plan Land Use Map is amended as shown in Exhibit E.

Section 7. This ordinance shall be effective August 30, 2011.

PASSED by the Council this ____ day of _____, 2011.

Council President

APPROVED by me this _____ day of _____, 2011.

Mayor

ATTEST: _____
Finance Director

APPROVED AS TO FORM:

Office of the City Attorney

Published:

EXHIBIT A

RE: GENEVA/IDAHO ANNEXATION AREA

LEGAL DESCRIPTION:

**THE WEST 340 FEET OF THE NORTH HALF OF THE NORTHWEST QUARTER
OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH,
RANGE 3 EAST OF W.M.**

**TOGETHER WITH THE NORTH HALF OF THE WEST 290.4 FEET OF THE
NORTH 150 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF
THE SOUTHWEST QUARTER OF SAID SECTION THEREOF.**

Silver Beach Neighborhood Plan

Area 19

This area was annexed into the City in 2011 and is approximately 6 acres in size. The area is developed with 6 single family houses and 3 mobile homes. This area is served by Kansas, Idaho, and Fraser Streets, via Electric Avenue.

The topography is relatively flat with the exception of steep slopes along the eastern boundary. The undeveloped areas are forested with a mix of deciduous and evergreen trees.

Area is divided by the Lake Whatcom and Whatcom Creek drainage basins, with the western portion draining in to Whatcom Creek and the eastern portion draining into Lake Whatcom via Oriental Creek.

This area contains “special regulations” outlined in the Bellingham Municipal Code Table of Zoning Regulations, which requires compliance with Bellingham Municipal Code 16.80 - Lake Whatcom Reservoir Chapter for all development located within the Lake Whatcom Watershed.

Land Use Designation: Single Family Residential, Low Density

20.00.170 - Silver Beach Neighborhood Table of Zoning Regulations

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
19	Residential Single	Detached and cluster detached;	12,000 sq. ft. minimum detached lot size. 1/12,000 sq. ft. average overall cluster density with a 5,000 sq. ft. minimum detached lot size.	Clearing	None	Development located within the Lake Whatcom Watershed shall comply with Chapter 16.80