

ORDINANCE NO. 2013-07-054

AN ORDINANCE RELATING TO THE ANNEXATION OF APPROXIMATELY 262.5 ACRES OF UNINCORPORATED PROPERTY LOCATED ADJACENT TO THE NORTHERN BOUNDARY OF THE BELLINGHAM CITY LIMITS AND COMMONLY KNOWN AS THE PACIFIC HIGHWAY ALDRICH ROAD ANNEXATION; ASSIGNING CITY LAND USE AND ZONING DESIGNATIONS AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on November 29, 2007, the owners of property within Bellingham's Northern Urban Growth Area submitted a ten percent petition for annexation of approximately 262.5 acres to the City of Bellingham pursuant to RCW 35.13.125; and

WHEREAS, on January 28, 2008 the Bellingham City Council held a public meeting and approved Resolution 2008-4, 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 8, 2008, the property owners within the annexation area submitted a seventy-five percent petition to the City of Bellingham; and

WHEREAS, the City of Bellingham 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 July 23, 2008, the City of Bellingham forwarded the Notice of Intention to the Whatcom County Boundary Review Board for its 45-day review of the annexation proposal; and

WHEREAS, in November, 2008, the Bellingham City Council and Whatcom County Council approved Amendment #15 to the Interlocal Agreement between the City and Whatcom County to include the Pacific Highway Aldrich Road Annexation; and

WHEREAS, on December 4, 2008, the Whatcom County Boundary Review Board deemed the Notice of Intention to Annex as described in the BRB file #2008-02 approved; and

WHEREAS, in 2009, the City of Bellingham adopted an Annexation Phasing Plan, which identified the Pacific Highway Aldrich Road annexation as a near term (3-6 year timeframe) annexation area; and

WHEREAS, on May 13, 2013, the Bellingham City Council held a public hearing and directed staff to bring the annexation proposal to the Committee of the Whole for a work session; and

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-778-8270

1 **WHEREAS**, on June 3, 2013, the Bellingham City Council held a work session on the
2 proposed annexation area and directed staff to prepare an ordinance approving the Pacific
3 Highway Aldrich Road Annexation meeting the following:
4

- 5 1. Land area for a regional stormwater facility and off-site wetland mitigation are located
6 within the annexation area;
- 7
- 8 2. The water main in Northwest Road is upgraded to meet fire flow requirements;
- 9
- 10 3. City land use and zoning designations are assigned to the annexation area; and
- 11

12 **WHEREAS**, the City of Bellingham has entered into a purchase and sales agreement
13 to acquire approximately 13 acres of land within the annexation area for a regional
14 stormwater facility and opportunity site for wetland mitigation; and
15

16 **WHEREAS**, the regional stormwater facility and off-site wetland mitigation area are
17 intended to support private and public development to maximize the development potential in
18 the area and improve the management of stormwater and protection of wetlands within this
19 region; and
20

21 **WHEREAS**, the City of Bellingham will upgrade the water transmission main in
22 Northwest Road to meet current fire flow requirements and may apply a deferred assessment
23 to the annexed property owners that are served by the upgrade to recover the cost of the
24 improvement; and
25

26 **WHEREAS**, on July 1, 2013, the Bellingham City Council considered the annexation
27 ordinance and determined the proposed annexation is consistent with the State Growth
28 Management Act (GMA), the policy direction in Whatcom County's Comprehensive Plan, the
29 Countywide Planning Policies, the Urban Fringe Subarea Plan as revised, and Bellingham's
30 Comprehensive Plan; and
31

32 **WHEREAS**, the Bellingham City Council approved the Pacific Highway Aldrich Road
33 Annexation ordinance, which assigned City land use and zoning designations to the
34 annexation area and established an annexation effective date.
35

36 **NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**
37

38 **Section 1.** The property commonly known as the Pacific Highway Aldrich Road
39 Annexation as shown and legally described in Exhibit A is hereby annexed to the City of
40 Bellingham.
41

42 **Section 2.** The area annexed herein shall assume its proportional share of the existing
43 indebtedness of the City of Bellingham.
44

45 **Section 3.** New Areas 20 and 21 are added to the Cordata Neighborhood Plan as shown
46 in Exhibit B.

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Section 4. New Areas 20 and 21 are added to Bellingham Municipal Code 20.00.045 - Cordata Neighborhood Table of Zoning Regulations as shown in Exhibit C.

Section 5. The City of Bellingham zoning map for the Cordata Neighborhood is amended to include Areas 20 and 21 as shown in Exhibit D.

Section 6. The Cordata Neighborhood Comprehensive Plan Land Use Map is amended to include Areas 20 and 21 as shown in Exhibit E.

Section 7. The Cordata Neighborhood Circulation Map is amended to include the annexed area as shown in Exhibit F.

Section 8. This ordinance shall be effective 15 days after final approval.

PASSED by the Council this _____ day of _____, 2013.

Council President

APPROVED by me this _____ day of _____, 2013.

Mayor

ATTEST: _____
Finance Director

APPROVED AS TO FORM:

Office of the City Attorney

Published:

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Cordata Neighborhood Plan

Area 20

This area is approximately 192 acres in size and was annexed into the City in 2013. The area is relatively flat with rolling topography characteristic of the glaciomarine drift plain north of Bellingham. This area lies within the Silver Creek watershed, and within the Bear Creek sub-basin. Several tributaries of Bear Creek traverse the area with associated forested and emergent wetlands.

Due to the extensive critical areas throughout this area, special attention should be given to street and pedestrian improvements, access, internal circulation, drainage, utility services, and preservation of streams and wetlands early in the development concept phase. Incorporation of natural features should be provided as part of site design to ensure connectivity with existing city open space/trail systems and meeting the City's adopted residential service levels of providing parks, trails, and open space. These facilities should be provided as development occurs in this area as recommended in the Parks, Recreation and Open Space Plan and North Bellingham Trail Plan.

As determined by the City, an east-west collector arterial corridor should be established generally along the Division Street right-of-way between Northwest Avenue and Pacific Highway. Public streets required by new development need to connect to existing public streets wherever possible or provisions need to be made for future connections to public streets. Cul-de-sacs and dead-end streets are not encouraged and should only be allowed if critical areas warrant. The construction of new street improvements in this area should be coordinated with Whatcom Transportation Authority to ensure that existing transit operations are enhanced or that new transit needs can be accommodated.

When development and redevelopment occur, new and existing substandard streets that would serve the property are required to meet the minimum street standards per Title 13 of the Bellingham Municipal Code (BMC). Vehicle access points on arterial streets should be limited and shared access is encouraged.

Extension of new water and sewer mains and the development of sewer pump stations will be needed to support development in this area.

This area contains a mixed "use qualifier" and "special regulations," outlined in the BMC Table of Zoning Regulations, which allows a multi-family development option. A density bonus is also an option within this area to increase residential density under the cluster subdivision provisions in Title 18 of the BMC or through the use of transfer of development rights or purchase of development rights.

AREA 20 LAND USE DESIGNATION: SINGLE FAMILY RESIDENTIAL, MEDIUM DENSITY

Area 21

This area is approximately 71 acres in size adjacent to Pacific Highway and was annexed in 2013. The area lies within the Silver Creek watershed and within Bear Creek sub-basin. The topography is relatively flat with dispersed forested areas. Some wetland areas may be located beneath the forest canopy.

The industrial land use designation for this area is intended to accommodate certain industrial uses in areas where special consideration and sensitivity must be taken for physical site conditions and their relationship to less intense surrounding uses. Currently, a mix of industrial uses are located adjacent to Pacific Hwy. Several single-family residences are also located within the industrial zone. Required land use buffers separating industrial uses from the east residential zoned properties in Area 20 should be maintained as development and redevelopment occur.

As determined by the City, an east-west collector arterial corridor should be established generally along the Division Street right-of-way between Northwest Avenue and Pacific Highway. Public streets required by new development need to connect to existing public streets wherever possible or provisions need to be made for future connections to public streets. Cul-de-sacs and dead-end streets are not encouraged and should only be allowed if critical areas warrant. The construction of new street improvements in this area should be coordinated with Whatcom Transportation Authority to ensure that existing transit operations are enhanced or that new transit needs can be accommodated.

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AREA 21 LAND USE DESIGNATION: INDUSTRIAL
