

ORDINANCE NO. _____

AN ORDINANCE RELATING TO THE ANNEXATION OF APPROXIMATELY SIX HUNDRED AND THIRTY FIVE ACRES OF UNINCORPORATED PROPERTY ADJACENT TO THE NORTHERN BOUNDARY OF THE BELLINGHAM CITY LIMITS AND COMMONLY KNOWN AS THE EAST BAKERVIEW / JAMES STREET ANNEXATION; AMENDING THE BELLINGHAM COMPREHENSIVE PLAN TO CREATE A NEW KING MOUNTAIN NEIGHBORHOOD; ASSIGNING CITY LAND USE AND ZONING DESIGNATIONS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the owners of certain property situated within the area herein proposed for annexation filed a proper and sufficient Notice of Intent to commence annexation proceedings pursuant to RCW 35.13.125 on or about July 24, 2006; and

WHEREAS, the subject property has been in Bellingham's Urban Growth Area (UGA) for over 10 years and is therefore eligible for annexation; and

WHEREAS, the City of Bellingham and Whatcom County identified this property as an area appropriate for urban development in Whatcom County's Urban Fringe Subarea Plan applicable to Bellingham's Northern Urban Growth Area; and

WHEREAS, the City's comprehensive plan recognizes the potential in this area to accommodate significant infill; and

WHEREAS, the City's comprehensive plan identifies this area as a potential urban village site; and

WHEREAS, it is likely that growth will continue in this area and if annexed the economic benefits from the growth would come to the City; and

WHEREAS, Bellingham City Council and Whatcom County Council adopted zoning for the Urban Fringe Subarea for Bellingham's northern Urban Growth Area in September 1997 as amended in February, 2008; and

WHEREAS, the City Council held a public meeting on September 11, 2006, and approved Resolution 2006-41, and thereafter unanimously initiated the review process for this annexation request, subject to adopting a land use designation and assumption of existing City indebtedness; and

WHEREAS, property owners within the subject annexation area signed the seventy-five percent petition requesting annexation to Bellingham, and on March 26, 2007 submitted the petition accompanied by a map specifying the boundaries of the proposed annexation and legal description to the City as provided by RCW 35.13.130, and

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WHEREAS, on May 4, 2007, the Whatcom County Assessor certified that the annexation petition contained the valid signatures representing the property owners according to the assessed valuation for general taxation of the property for which annexation is petitioned as required by RCW 35.21.005; and

WHEREAS, Whatcom County Council and the Bellingham City Council approved Amendment #10 to the 1997 Interlocal Agreement between the City and County concerning annexation and development within the City's Northern Urban Growth Area; and

WHEREAS, on November 7, 2007, Whatcom County Fire District #4 requested the Boundary Review Board take jurisdiction of the East Bakerview / James Street Annexation, File BRB #2007-05 and set a hearing according to RCW 36.93.100; and

WHEREAS, the Boundary Review Board held a public hearing on March 27, 2008 and thereafter unanimously approved the annexation; and

WHEREAS, on April 3, 2008 the Boundary Review Board submitted its Findings of Fact and Conclusions to the City of Bellingham; and

WHEREAS, on August 4, 2008 the Bellingham City Council held a public hearing to consider the annexation; and

WHEREAS, at the conclusion of the hearing, Council approved 1st and 2nd reading of the annexation ordinance; and

WHEREAS, Council held a worksession on October 1, 2008 to study the issues raised by the nine active petitions including the East Bakerview / James Street annexation; and

WHEREAS, Council held a second worksession on October 20, 2008 to review three annexation proposals that had prior public hearings, including the East Bakerview / James Street annexation; and

WHEREAS, Council held a third worksession on December 8, 2008 to review three annexation proposals that had prior public hearings, including the East Bakerview / James Street annexation; and

WHEREAS, Council determined the annexation is consistent with policy direction in Whatcom County's Comprehensive Plan; and

WHEREAS, the annexation is consistent with the State Growth Management Act (GMA), Whatcom County-wide Planning Policies, the Whatcom County Comprehensive Plan and Bellingham's Comprehensive Plan; and

WHEREAS, the annexation is consistent with policy direction in Whatcom County's 1997 Urban Fringe Subarea Plan; and

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WHEREAS, the subject property is a separate and distinct area located between Bellingham's largest commercial center to the west and the largest industrial area to the east and is surrounded on three sides by the city limits; and

WHEREAS, a new King Mountain Neighborhood would provide opportunities for future master planning of vacant and underdeveloped land to provide for residential, commercial and industrial infill development; and

WHEREAS, a new King Mountain Neighborhood Plan would provide the policy framework for encouraging a healthy mix of diverse residential, commercial and industrial uses;

WHEREAS, establishing an effective date for the annexation in March 6, 2009 will give the City time to prepare to provide the full range of urban services to the area;

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. The property located adjacent to the northern boundary of the City of Bellingham, surrounded on three sides by the city limits and commonly known as the East Bakerview / James Street Annexation as described in the legal description in Exhibit A is hereby annexed to the City of Bellingham as the King Mountain Neighborhood.

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

Section 3. A new neighborhood plan titled "King Mountain Neighborhood" is added to the Bellingham Comprehensive Plan as shown in Exhibit B.

Section 4. A new King Mountain Neighborhood Comprehensive Plan Land Use Map is added to the King Mountain Neighborhood in the Bellingham Comprehensive Plan as shown in Exhibit C.

Section 5. A new zoning table titled "BMC 20.00.095 King Mountain Neighborhood Table of Zoning Regulations" is added to the Bellingham Municipal Code as shown in Exhibit D.

Section 6. A new King Mountain Neighborhood Zoning Map is added to BMC 20.00.095 King Mountain Neighborhood Table of Zoning Regulations as shown in Exhibit E.

Section 7. This ordinance shall be effective March 6, 2009.

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PASSED by the Council this ____ day of _____, 2009.

Council President

APPROVED by me this ____ day of _____, 2009.

Mayor

ATTEST:

Finance Director

APPROVED AS TO FORM:

Office of the City Attorney

Published:

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