



Permit Center

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**COMPREHENSIVE / NEIGHBORHOOD PLAN AMENDMENT
APPLICATION FORM**

TO BE COMPLETED BY STAFF: Date Received _____ Case Number _____

Use this form to apply for final review of proposed amendments to the Comprehensive Plan and or Neighborhood Plan that have been accepted for inclusion in the annual docket. Applications must be submitted **within 30 days of the City Council docket decision or a date approved by the Planning and Community Development Director** in order to continue to final review. Incomplete applications will not be accepted. If a complete application is not submitted by the deadline the proposal may be removed from the docket.

1. Submittal Requirements.

A. Site specific proposals must complete the following:

- Pre-application conference with City staff. The purpose of the conference is to obtain guidance on the proposal. A waiver from the staff conference may be requested. *See Pre-Application Meeting Information and Application and waiver forms.*
- Neighborhood meeting. *See Neighborhood Meeting Instructions form.*
- Comprehensive / Neighborhood Plan Amendment Application form.
- SEPA Checklist, including Part D for Non-Project Actions.
- Submit Rezone Application form.
- Attach a map (8.5" x 11") identifying the property included in the proposed amendment and showing parcels and streets located within and adjacent to the site. *(See Exhibits A, B & C)*
- Payment of fees calculated as:

Comprehensive / Neighborhood Plan amendment fee balance:
 \$1,594 + \$255 notice fee + \$213 per acre over the 1st acre (\$12,750 max.) x 0.9
 + Rezone fee: \$1,594 + \$308 notice fee + \$213 per acre over first acre
 + SEPA Checklist fee: \$266

= TOTAL FEE (Final fees will be calculated at the time the application is submitted.)

B. Non-site specific Comprehensive / Neighborhood Plan amendments must submit the following:

- Comprehensive / Neighborhood Plan Amendment Application form.
- A completed SEPA Checklist including Part D for Non-Project Actions.
- Payment of fees:*

Comprehensive / Neighborhood Plan amendment fee balance:
 \$1,594 + \$ 255 notice fee - \$185 docket fee = \$1,664
 + SEPA Checklist fee: \$266

= \$1,930 TOTAL FEE

* Recognized Neighborhood Associations are exempt from these fees when authorized by the City Council at the time of Docketing.

2. If the proposal includes general Comprehensive / Neighborhood Plan amendments that are not site-specific, please describe your amendment proposal as specifically as possible and attach it to this form. If specific wording changes are proposed, show the changes in ~~strike through~~ and underline format. Reference the location in the Plan where the change is proposed.

3. Explain why the amendment is needed.

The current zoning and regulatory environment of the Barkley District (Barkley Village) is made up of complex irregular and convoluted mix of Planned Contracts and zoned areas. To achieve the Comprehensive Plan goals and policies, along with the intent of the Barkley Neighborhood Plan and Urban Village Report, there is a need to designate the area within the proposal boundaries as an "official" urban village, with mixed use zoning. Through this Comprehensive Plan Amendment, a Planned Action Ordinance and a Development Agreement, the many associated Planned Contracts and zoning differences throughout the property boundaries could be remedied. This would allow for future predictable growth that would be more streamlined and aligned with the City's goals and vision for this area. The amendment would complement neighboring uses, allow for the expansion of the transportation and multimodal network, create opportunity by integrating new roadways, parks, open space, expanded pedestrian and bicycle access through a network of multimodal trails, all connecting with the surrounding systems. The proposal will also provide community benefits through the preservation of forested areas, enhancement of wetlands, creation of pedestrian trails for educational and health benefits. The proposed measures will allow for the continued growth of economic vitality by creating opportunity for new businesses and living wage jobs, while most importantly allowing for the planned growth of a diverse residential mix of housing options affordable to a broad range of incomes.

4. Are there critical areas, such as wetlands or steep slopes present on the site?

At the southwestern portion of the proposal site, there have been defined wetlands and critical areas that were accepted by the City during development of the 28-acre site which includes the Regal Cinema. The remaining proposal area has had many assessments that have been done in a piecemeal fashion over many years. None of those assessments have been connected or submitted with any previously developed projects and all previous reports were over 5 years old and no longer valid. As part of the Master Plan development for the proposal area, a new comprehensive study of wetland delineations, amphibian and wildlife studies were undertaken in 2021. These studies were an integral component to meet one of our commitments of preserving and enhancing the natural resources within the proposal area, while designing the future transportation network and building locations to avoid the defined areas. The Biohabitats Critical Areas Report dated February 2022 has been presented to the City for review and will be submitted as part of an interagency global critical areas permit for the entire site. There are no steep slopes present on the site.

5. Attach an explanation of how your proposed Comprehensive Plan and or Neighborhood Plan amendment meets the decision criteria outlined in Bellingham Municipal Code 20.20.040.

✓ 1. All of the following criteria have been met:

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

The proposal is consistent with the Growth Management Act by meeting the policies and goals of the City's Comprehensive and Neighborhood Plans.

✓ b. The proposed amendment addresses changing circumstances, changing community values, and is consistent with and will help achieve the comprehensive plan goals and policies;

As addressed in the Comprehensive Plan goal and policies, the proposal will promote efficient use of land; create a safe and healthy neighborhood; provide recreational

Opportunities; provide housing options affordable to a range of incomes; offer a variety of transportation choices through a growing transportation network, including extensive multimodal trails; foster a vibrant economy and living wage jobs; enhance, preserve and protect the natural environment

- ✓ c. The proposed amendment will result in long term benefit to the community and is in the community's overall best interests;
The proposal demonstrates strong potential to serve the public interest by enabling Barkley Village to fully implement many of the land use goals within the Comprehensive Plan. To develop with predictable growth and provide more opportunity for businesses and services; provide an increasing mix of housing types for all income levels, ages, and abilities; develop an extensive multimodal transportation network; continue to add public trails, parks, and open space; all while protecting critical areas, preserving forested lands, and creating spaces to enable environmental interaction and education.
- ✓ d. The amendment will not adversely affect the public health, safety or general welfare; and
The proposal will not affect the public health, safety, or general welfare. The proposal will create a stronger opportunity for public health and create a safe environment.
- ✓ e. If a concurrent rezone is requested, the proposal must also meet the criteria for rezones in Bellingham Municipal Code 20.19.030 A.
The proposal does meet the criteria for rezones in BMC 20.19.030 A.

BELLINGHAM MUNICIPAL CODE - 20.20.040 DECISION CRITERIA

B. 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 City Council to evaluate amendment requests:

1. There exists an error, omission or inconsistency in the pertinent comprehensive plan or neighborhood plan provision; OR
- ✓ 2. All of the following criteria have been met:
 - ✓ a. The proposed amendment is consistent with the Growth Management Act and other applicable laws;
 - ✓ b. The proposed amendment addresses changing circumstances, changing community values, and is consistent with and will help achieve the comprehensive plan goals and policies;
 - ✓ c. The proposed amendment will result in long term benefit to the community and is in the community's overall best interests;
 - ✓ d. The amendment will not adversely affect the public health, safety or general welfare; and
 - ✓ e. If a concurrent rezone is requested, the proposal must also meet the criteria for rezones in Bellingham Municipal Code 20.19.030 A.

SITE-SPECIFIC PROPOSALS must also provide the following information, as well as all information requested in the rezone application.

Property Owner

Name: _____ Phone: _____

Address: _____

City/State/Zip: Bellingham WA 98226

Email: _____ Fax: _____

Owner's Authorized Agent/Contact

Name: _____ Phone: _____

Address: _____

City/State/Zip: Bellingham WA 98226

Email: _____ Fax: _____

Property Information

1. Assessor Parcel Numbers: _____
2. Attach a map (8.5" x 11") identifying the property included in the proposed amendment and showing parcels and streets located within and adjacent to the site. (See Exhibit B - Land Map & Exhibit C - Land Map Aerial)
3. Neighborhood Name: _____ Area Number: _____
Current Comprehensive Plan Land Use Designation: _____
4. Proposed Comprehensive Plan Land Use Designation: _____
5. Current Zoning: _____
6. Proposed Zoning: _____

Property Owner(s)

I am the owner of the property described above or am authorized by the owner to sign and submit this application. I grant permission for the City staff and agents to enter onto the subject property at any reasonable time to consider the merits of the application and post public notice. I certify under penalty of perjury of the laws of the State of Washington that the information on this application and all information submitted herewith is true, complete and correct.

I also acknowledge that by signing this application I am the responsible party to receive all correspondence from the City regarding this project including, but not limited to, expiration notifications. If I, at any point during the review or process, am no longer the Applicant for this project, it is my responsibility to update this information with the City in writing in a timely manner.

Signature by Owner/Applicant/Agent: *John Moulten* Date: 03/14/2022

City and State where this application is signed: Bellingham, WA