



Permit Center

210 Lottie Street, Bellingham, WA 98225
Phone: (360) 778-8300 Fax: (360) 778-8301 TTY: (360) 778-8382
Email: permits@cob.org Web: www.cob.org/permits

**COMPREHENSIVE / NEIGHBORHOOD PLAN AMENDMENT
DOCKET APPLICATION FORM**

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

Use this form to request docketing of a proposed Comprehensive Plan and or Neighborhood Plan amendment(s). Applications may be submitted at any time but must be received by **April 1** of each year for review during the following year. Please complete the following and attach additional pages as needed. Incomplete applications will not be accepted.

1. An application must include the following materials:

- Docket Application Form.
- Fee payment calculated at 10% of the total comprehensive plan amendment fee.* The fee is not refunded if the proposal is not docketed. The fee is calculated as follows:

(a) Non-site specific Comprehensive / Neighborhood Plan amendments:

\$1,594 base fee + \$255 notice fee x 0.1 = \$185 due at docket application.

OR

(b) Site specific Comprehensive / Neighborhood Plan amendments:

\$1,594 base fee + \$255 notice fee + \$213 per acre over first acre (\$12,750 max.) x 0.1 = fee due at docket application. Final fees will be calculated at the time the application is submitted.

*Recognized Neighborhood Associations are exempt from this fee.

2. Applicant: Dominion Sustainable Development Corporation Phone: 360 319 0898

Address: PO Box 31548, Bellingham, WA 98228

City/State/Zip: _____

Email: david@ebenal.com Fax: _____

Name of contact if applicant is a group: David Ebenal

I have read the application materials and acknowledge that if the proposed amendment is approved by the City Council for inclusion in the annual docket, a complete Comprehensive / Neighborhood Plan Application must be submitted within **30 days of the Council's docket decision or a date approved by the Planning and Community Development Director** in order to continue to final review. Failure to submit a complete application prior to the deadline may result in removal from the docket.

Applicant signature:  Date: 3/24/2020

3. Provide an explanation of how the proposed Comprehensive or Neighborhood Plan amendment meets one or more of the docking criteria listed in **Bellingham Municipal Code 20.20.030 A. (2)**. (Docketing criteria - page 4 attached)
4. If the proposal includes general Comprehensive Plan or 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 strikethrough and underline format. Reference the location in the Plan where the change is proposed.

Complete the following sections if the proposal includes a site-specific amendment to a comprehensive plan land use designation.

Property Owner

Name: See Schedule 1, attached Phone: _____

Address: _____

City/State/Zip: _____

Email: _____ Fax: _____

Owner's Authorized Agent/Contact

Name: Brad Swanson / Belcher Swanson Law Firm, PLLC Phone: (360) 734-6390

Address: 900 Dupont St., Bellingham, WA 98225

City/State/Zip: _____

Email: brad@belcherswanson.com Fax: (360) 671-0753

Property Information

1. Assessor Parcel Numbers: See Schedule 1, attached

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.

3. Neighborhood Name: Fairhaven Area Number: 1

Current Comprehensive Plan Land Use Designation: Urban Village, Fairhaven Neighborhood & Urban Village Plan

4. Proposed Comprehensive Plan Land Use Designation: Same

5. Current Zoning: See Schedule 1, attached

6. Proposed Zoning: See Schedule 1, attached

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:  Date: 03/25/2020
City and State where this application is signed: Bellingham, WA

BELLINGHAM MUNICIPAL CODE

20.20.030 ANNUAL DOCKETING CRITERIA

A. The City shall use the following criteria in selecting proposals for inclusion in the annual docket of comprehensive plan/neighborhood plan amendments. In order to be included on the annual docket, a proposal must meet the following criteria:

- (1) The City has the resources, including staff and budget, necessary to adequately and comprehensively review the proposal within the timeframe of the annual review process; and
- (2) The proposal meets one or more of the following criteria:
 - a. The proposed amendment represents an issue appropriately addressed in the comprehensive plan or in a neighborhood plan;
 - b. The proposal demonstrates strong potential to serve the public interest by implementing specifically identified goals and policies of the comprehensive plan;
 - c. The public interest would be best served by considering the proposal in the next amendment cycle, rather than delaying consideration to a future plan update process;
 - d. The amendment addresses changing circumstances, changing community values, or corrects or updates information in the comprehensive plan or a neighborhood plan; or
 - e. State law requires, or a decision of a court or administrative agency has directed a change to the comprehensive plan or a neighborhood plan.

- Provide an explanation of how the proposed Comprehensive or Neighborhood Plan amendment meets one or more of the docking criteria listed in **Bellingham Municipal Code 20.20.030 A. (2)**. (Docketing criteria - page 4 attached)
- If the proposal includes general Comprehensive Plan or 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 ~~strikethrough~~ and underline format. Reference the location in the Plan where the change is proposed.

Complete the following sections if the proposal includes a site-specific amendment to a comprehensive plan land use designation.

Property Owner

Name: CITY OF BELLINGHAM Phone: 360-778-8000

Address: 210 LOTTIE STREET

City/State/Zip: B'HAM WA 98225

Email: ~~info@cob.org~~ info@cob.org Fax: _____

Owner's Authorized Agent/Contact

Name: MAYOR SETH FLEENWOOD Phone: " "

Address: SAME AS ABOVE

City/State/Zip: " "

Email: " " Fax: _____

Property Information

1. Assessor Parcel Numbers: 370201-085162

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.

3. Neighborhood Name: FARHAVEN URBAN VILLAGE Area Number: INDUSTRIAL-2 / COMM CORE

Current Comprehensive Plan Land Use Designation: _____

4. Proposed Comprehensive Plan Land Use Designation: i-2 WOULD BECOME COMM-CORE

5. Current Zoning: i-2

6. Proposed Zoning: C-CORE

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:  Date: 9/4/20
City and State where this application is signed: Bellingham, WA, "

BELLINGHAM MUNICIPAL CODE

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- (1) The City has the resources, including staff and budget, necessary to adequately and comprehensively review the proposal within the timeframe of the annual review process; and
- (2) The proposal meets one or more of the following criteria:
 - a. The proposed amendment represents an issue appropriately addressed in the comprehensive plan or in a neighborhood plan;
 - b. The proposal demonstrates strong potential to serve the public interest by implementing specifically identified goals and policies of the comprehensive plan;
 - c. The public interest would be best served by considering the proposal in the next amendment cycle, rather than delaying consideration to a future plan update process;
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 - e. State law requires, or a decision of a court or administrative agency has directed a change to the comprehensive plan or a neighborhood plan.

**COMPREHENSIVE / NEIGHBORHOOD PLAN AMENDMENT
DOCKET APPLICATION**

DOMINION SUSTAINABLE DEVELOPMENT CORPORATION

NARRATIVE

The Applicant, Dominion Sustainable Development Corporation, proposes this rezone on a portion of the 10th Street right of way (between Knox and Mill Avenues). The area that encompasses the proposed rezone area includes City right-of-way and City owned fee simple property. See attached Exhibit A for the limits of the proposed rezone area.

The Applicant proposes this rezone in order to enable the proposed rezone area to be used for commercial, residential, and other mixed uses. Due to topographic challenges, including steep slopes, industrial uses are not compatible within the proposed rezone area. Instead, given the fact that adjacent properties are zoned commercial, the proposed rezone area will be better served by commercial uses. Thus, the Applicant proposes to rezone the proposed rezone area from Industrial-2 to Commercial Core.

To docket this proposal, BMC 20.20.030 must be satisfied. First, City staff indicates that it has the resources to process this request. Criterion A.(1) is met. Second, the rezone serves the public interest by providing housing and job creation, which are consistent with City of Bellingham's Comprehensive Plan Goal LU-2, Policy LU-13, and Policy H-1. Criterion A.(2)b. is met. Third, the proposed rezone would allow topographically challenged property to be put to better use by permitting commercial, residential, and mixed-use development thereon. This allows for a much-needed expansion of the commercial footprint of the Fairhaven Neighborhood's commercial core. This also corrects a zoning boundary that bisects the property owned by the City. Criterion A.(2)d. is met. As such, BMC 20.20.030 is satisfied.

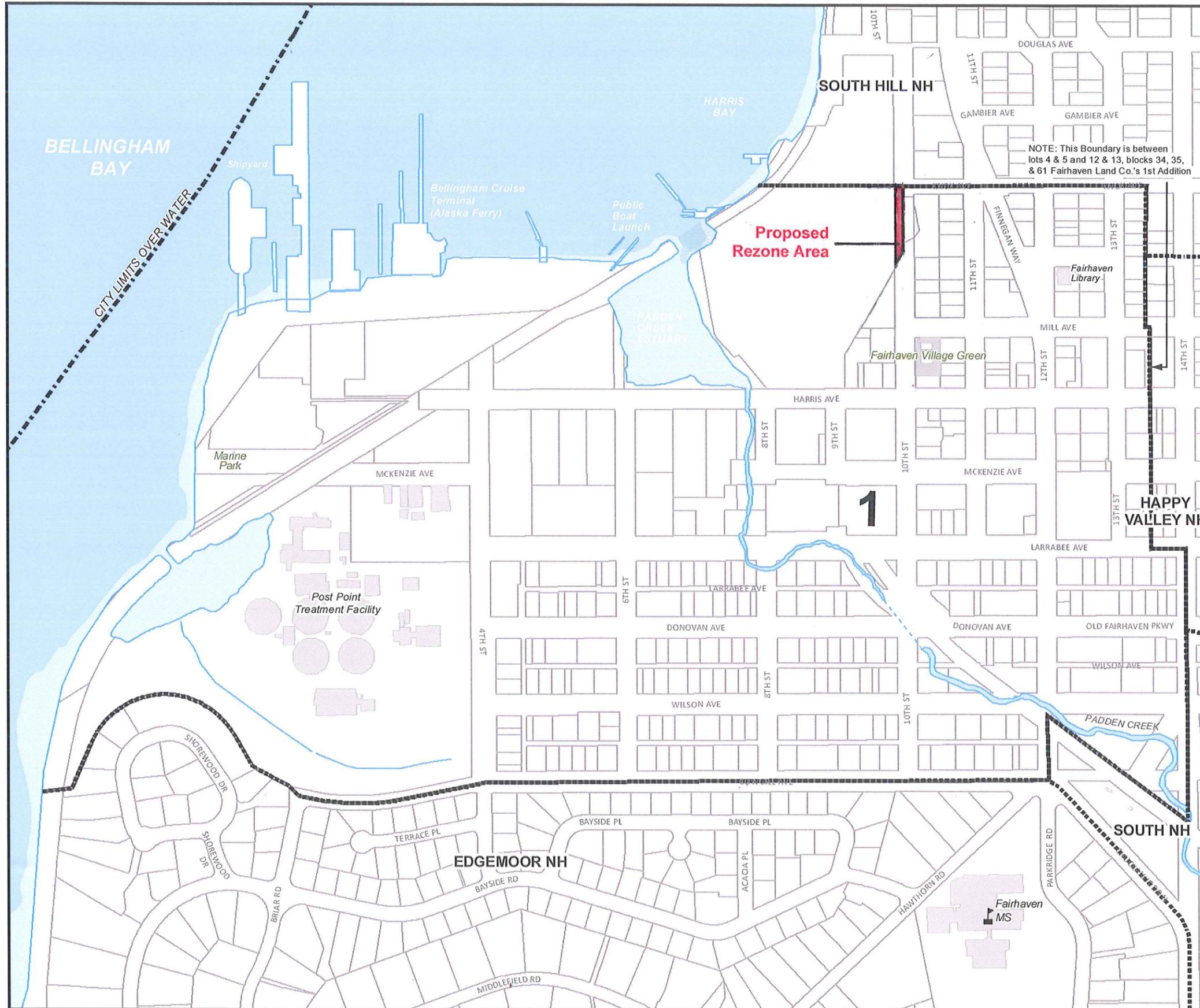
Based on the forgoing, the Applicant requests that the City docket this rezone request.

**COMPREHENSIVE / NEIGHBORHOOD PLAN AMENDMENT
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DOMINION SUSTAINABLE DEVELOPMENT CORPORATION

SCHEDULE 1

Owner Information and Assessor's Tax Parcel No.	Current Zoning	Proposed Zoning
<p>City of Bellingham 210 Lottie Street Bellingham, WA 98225 Phone: (360) 778-8000 Fax: (360) 778-8001 Email: info@cob.org</p> <p>370201 085162 0000 (City Fee Simple Property) and City Right of Way (No Parcel No.)</p>	<p>Fairhaven Urban Village – Part Commercial Core and Part Industrial – 2</p>	<p>Fairhaven Urban Village – ALL Commercial Core</p>

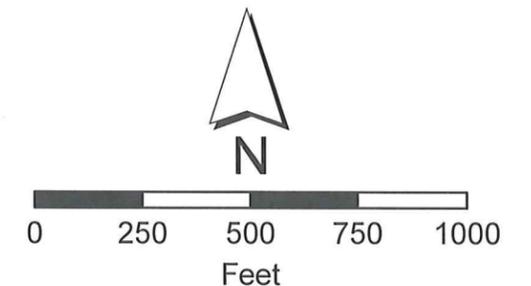


FAIRHAVEN NEIGHBORHOOD LAND USE

AREA	COMPREHENSIVE PLAN LAND USE DESIGNATION
1	Urban Village, Fairhaven Neighborhood & Urban Village Plan

Comprehensive / Neighborhood Plan Amendment
 Dominion Sustainable Development Corporation
 Docket Exhibit A

Rezone Areas
 City of Bellingham Fee Simple and Right of Way Area: 11,702 sf



City of Bellingham
 Planning Department
 2012