### Special Provisions

| Preceded Conditions | Conditions
|---------------------|------------------|
| Duplex and multifamily buildings
| Portion of a property

### Conditions

| Preceded Conditions | Conditions
|---------------------|------------------|
| Duplex and multifamily buildings
| Portion of a property

---

### DMWPFP

Amount to be contributed to the development documenting the
behind the fence from the
preliminary development agreement

An applicant is submitted for

Option

- Amount through use of this
- Appeal by the
- Opportunity of the
- Schedule established by the
- Unit basis according to a fee
- Calculation on a per dwelling

### Acquisition Program

- Acquisition of the property
- Payment of the City
- Payment of the City
- Payment of the City
- Payment of the City
- Payment of the City

### Table of Zoning Regulations

| Area | Use Qualifier | Zoning
|------|--------------|-------|
| 2.000 | 10% of the deed
| 3.000 | 10% of the deed
| 4.000 | 10% of the deed
| 5.000 | 10% of the deed

---

**Note:** The table above represents the conditions and considerations for zoning regulations under the 20.00.45 Ordinance.
1.2 In the south, a trail in the north ends at a trail in the west. The trail is connected with a trail from the South County Regional Trail. The trail shall be:

- Developed with cooperation of the City Parks and Recreation
- Developed within a city park
- Designed to connect the City Parks

Chapter 20.50 BWC

Livestock are permitted per

No more than four adult livestock

All duplex and multifamily buildings

Dwelling units are permitted per

Residential multifamily design.

Accessibility to the property.

Access to the property.

An accessory structure is required.

The building is located on a lot with

The building is located on a lot with

Cluster or multifamily buildings

Duplex and multifamily buildings

Under the City Parks and

Duplex and multifamily units should not exceed more than 5 units per

Cluster or multifamily units shall not exceed more than 75 units per

Cluster or multifamily units shall not exceed more than 75 units per

Cluster or multifamily units shall not exceed more than 75 units per
<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Requirement</th>
<th>Zoning District</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>None</td>
<td>Residential Cluster (planned)</td>
<td>None</td>
</tr>
<tr>
<td>Cluster (planned)</td>
<td>None</td>
<td>Planned Zoning District (commercial)</td>
<td>None</td>
</tr>
<tr>
<td>Industrial</td>
<td>None</td>
<td>Single Family</td>
<td>None</td>
</tr>
</tbody>
</table>

**Zoned Uses**

- Single Family
- Residential Cluster (planned)
- Planned Zoning District (commercial)

**Max. Floor Area**

- 200 square feet dwelling unit

**Other Requirements**

- Single Family
- Residential Cluster (planned)
- Planned Zoning District (commercial)

**Development Standards**

- All developments shall comply with the "residential" provisions of the GBC.
- The binding site plan process shall be used.
- All developments shall be reviewed by the planning and design guidelines and the master plan.
- The site plan shall be review by the planning and design guidelines and the master plan.
<table>
<thead>
<tr>
<th>Area to the north: Extension of water system Reservoir Park</th>
<th>Nearby development plan to be consistent with the LWMPAP and the General Development Plan.</th>
<th>2000 sq ft dwelling unit for a maximum density of 7.200</th>
<th>2000 sq ft dwelling unit for a maximum density of 7.2000</th>
<th>2000 sq ft dwelling unit for a maximum density of 7.2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter 20.22 BWC: Small housing units are permitted for the purpose of providing a transition from a neighborhood scale single zone for the development of a neighborhood housing is supported by the DBCP.</td>
<td>Chapter 20.22 BWC and meet</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Exhibit D**

**BMC 20.00.095 King Mountain Neighborhood Table of Zoning Regulations**

<table>
<thead>
<tr>
<th>Regulations</th>
<th>Considerations</th>
<th>Conditions</th>
<th>Density</th>
<th>Use Qualifier</th>
<th>Density</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special</td>
<td></td>
<td></td>
<td>7.200 sf</td>
<td>King Mountain</td>
<td>2.00 sf</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>7.300 sf</td>
<td>King Mountain</td>
<td>2.00 sf</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>7.300 sf</td>
<td>King Mountain</td>
<td>2.00 sf</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>7.300 sf</td>
<td>King Mountain</td>
<td>2.00 sf</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>7.300 sf</td>
<td>King Mountain</td>
<td>2.00 sf</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>7.300 sf</td>
<td>King Mountain</td>
<td>2.00 sf</td>
<td></td>
</tr>
</tbody>
</table>

Legend:
- **Residential**: Developed as single-family or multifamily residential development.
- **Density**: Max. density as indicated.
- **Use Qualifier**: Use of land as indicated.
<table>
<thead>
<tr>
<th>LWAP</th>
</tr>
</thead>
<tbody>
<tr>
<td>In any year the amount to be contributed to the Employees' Retirement System of the City of New York shall be paid into the Employees' Retirement System of the City of New York.</td>
</tr>
</tbody>
</table>

**Resolution:**

Make necessary changes and additions to the Resolution of the City Council of the City of New York, approved June 28, 1960.

**Residential Development:**

- Increased density of 7,200 sq. ft. per dwelling unit
- Maximum density of 7,200 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Commercial Development:**

- Maximum density of 6,000 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Public Open Space:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Immovable Property:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Residential Development:**

- Increased density of 7,200 sq. ft. per dwelling unit
- Maximum density of 7,200 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Commercial Development:**

- Maximum density of 6,000 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Public Open Space:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Immovable Property:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Residential Development:**

- Increased density of 7,200 sq. ft. per dwelling unit
- Maximum density of 7,200 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Commercial Development:**

- Maximum density of 6,000 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Public Open Space:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Immovable Property:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Residential Development:**

- Increased density of 7,200 sq. ft. per dwelling unit
- Maximum density of 7,200 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Commercial Development:**

- Maximum density of 6,000 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Public Open Space:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Immovable Property:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Residential Development:**

- Increased density of 7,200 sq. ft. per dwelling unit
- Maximum density of 7,200 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Commercial Development:**

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- Deaccessioned
- Deaccessioned
- Deaccessioned

**Public Open Space:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Immovable Property:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Residential Development:**

- Increased density of 7,200 sq. ft. per dwelling unit
- Maximum density of 7,200 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Commercial Development:**

- Maximum density of 6,000 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Public Open Space:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Immovable Property:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Residential Development:**

- Increased density of 7,200 sq. ft. per dwelling unit
- Maximum density of 7,200 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Commercial Development:**

- Maximum density of 6,000 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Public Open Space:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Immovable Property:**

- Minimum 100 square feet per dwelling unit
- Deaccessioned
- Deaccessioned
- Deaccessioned

**Residential Development:**

- Increased density of 7,200 sq. ft. per dwelling unit
- Maximum density of 7,200 sq. ft. per dwelling unit
- Deaccessioned
- Deaccessed
The density bonus may exceed 50%.

Chapter 2.2 BCNA

Table:

<table>
<thead>
<tr>
<th>Density Bonus</th>
<th>50% of Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Depth</td>
<td>5.00 ft. per unit</td>
</tr>
<tr>
<td>Maximum Density</td>
<td>7.50 ft. per unit</td>
</tr>
</tbody>
</table>

LMWP/LMP

The floor area bonus for single-family dwellings is limited to 50% of the floor area permitted by the Zoning District. The floor area bonus for multifamily dwellings is limited to 30% of the floor area permitted by the Zoning District.

LRT/ART

Residential developments are encouraged to include pedestrian access and public transportation options. The minimum depth of streets shall be 20.00 feet.

Residential/Commercial

Residential developments are encouraged to include pedestrian access and public transportation options. The minimum depth of streets shall be 20.00 feet.

Regulations

(See Special Regulations for details.)

Duplex and Multi-Unit

(Continued)
Development may exceed the 50 per dwelling unit density if sewer outflows exceed 1,800 sq ft.

Residential developments are encouraged to provide public facilities and new city utility systems and new plan with connections to existing pedestrian access points on arterial streets. Pedestrian access points on arterial streets are encouraged to provide public facilities as indicated in Chapter 23-05: Property Requirements.

Improve-in arterial streets and extend arterial standard.

Improvement of East Broadway:

- Pedestrian access points on arterial streets. Pedestrian access points on arterial streets are encouraged to provide public facilities as indicated in Chapter 23-05: Property Requirements.

Improvement of East Broadway:

- Pedestrian access points on arterial streets. Pedestrian access points on arterial streets are encouraged to provide public facilities as indicated in Chapter 23-05: Property Requirements.

LWMP/Pop

Acquisition Program

Residential waterfront property

Immediate waterfront property

LWMP/Pop

Acquisition Program

Residential waterfront property

Immediate waterfront property

Under the Rez-in-Place

Option of the Rez-in-Place

Option of the Rez-in-Place

A plan to improve the current plan on 4,300 sq ft. per dwelling unit.
<table>
<thead>
<tr>
<th>Development</th>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
</table>
| Residential | Standard | Improvement of James Street Standard | 1.04 per dwelling unit.  
23.08 BMC 19.32.06 provides the maximum isolation Limitation pursuant to Chapter 23.08 BMC 19.32.06. Provided prevents development may exceed the 50.

| Residential Multi-Residential | Planned | Improvement of arterial Standard | 4.300.49.4.5 per dwelling unit.  
LWMPP: be contributed to the documenting the amount to be derived from the City Engineering Department.  
An application is submitted for this option.  
Option purchased through use of this schedule shall consist of the city council's green for fee.  
The fee for density bonus is calculated on a per dwelling unit.  
The fee for density bonus is calculated on a per dwelling unit.  

LVWMPP: be contributed to the documenting the amount to be derived from the City Engineering Department.  
An application is submitted for this option.  
Option purchased through use of this schedule shall consist of the city council's green for fee.  
The fee for density bonus is calculated on a per dwelling unit.
<table>
<thead>
<tr>
<th>Requirement</th>
<th>Units</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Per unit lot size: 7,200 sq ft.</td>
<td>residential</td>
<td>13</td>
</tr>
<tr>
<td>Per unit lot size: 3,800 sq ft.</td>
<td>residential</td>
<td></td>
</tr>
<tr>
<td>Minimum lot size: 5,000 sq ft.</td>
<td>residential</td>
<td></td>
</tr>
<tr>
<td>Lot size not excluded by cluster subdivision.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LWW/PA. Lot size not excluded by the development.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compliant with the amount of the building floor area from the building shell.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Per unit lot size: 7,200 sq ft.</td>
<td>residential</td>
<td>12</td>
</tr>
<tr>
<td>Per unit lot size: 3,800 sq ft.</td>
<td>residential</td>
<td></td>
</tr>
<tr>
<td>Minimum lot size: 5,000 sq ft.</td>
<td>residential</td>
<td></td>
</tr>
<tr>
<td>Lot size not excluded by cluster subdivision.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LWW/PA. Lot size not excluded by the development.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compliant with the amount of the building floor area from the building shell.</td>
<td></td>
<td></td>
</tr>
<tr>
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<td>residential</td>
<td>13</td>
</tr>
<tr>
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<td></td>
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<td>residential</td>
<td></td>
</tr>
<tr>
<td>Lot size not excluded by cluster subdivision.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LWW/PA. Lot size not excluded by the development.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compliant with the amount of the building floor area from the building shell.</td>
<td></td>
<td></td>
</tr>
<tr>
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<td>residential</td>
<td>12</td>
</tr>
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<td>residential</td>
<td></td>
</tr>
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<td>residential</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
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<td></td>
<td></td>
</tr>
<tr>
<td>Compliant with the amount of the building floor area from the building shell.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Property Acquisition Program | Location of Property | Additional Density By Planning a Few to | Community Developer can Purchase | Re-in-Lieu of Option | Within the Re-in-Lieu of Option Line | Transfer of Development Rights from a Lake Property Owner can Purchase | To use the TRD Density Bonus, the
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulations</td>
<td>Conditions</td>
<td>Permission Required</td>
<td>Use</td>
<td>Zoning</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>------------</td>
<td>---------------------</td>
<td>-----</td>
<td>--------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>None</td>
<td>Access; Change; Waivers; 10-year Right of Way dedication</td>
<td>1.00; Right-of-Way dedication</td>
<td>Planned</td>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

10.00.00.10 Meridian Neighborhood Table of Zoning Regulations

- An applicant is entitled for the development project, including the momentum to be documented in the presentment department plan and a letter from the planner development specialist.

*The option to purchase through use or on additional considerations by the city if the net assess tax, 0.10 acres of additional density is indicated on a parcel.*
<table>
<thead>
<tr>
<th>Regulations</th>
<th>Special Considerations</th>
<th>Pre-requisite Conditions</th>
<th>Special Considerations</th>
<th>Density</th>
<th>Use</th>
<th>Zoning</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter 22.0.32 BWC</td>
<td>Iliff Housing Toms are permitted per unit allowed No more than four allocated dwelling units allowed. No more than four allocated dwelling units allowed.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
BELLENGHAM PLANNING COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS

JUNE 21, 2018

SUMMARY
Following a public hearing and deliberations, the Bellingham Planning Commission has determined that the proposed amendments to Bellingham Municipal Code to add a new title, Title 23 – Land Division, will help implement the goals and policies of the 2016 Bellingham Comprehensive Plan.

I. FINDINGS OF FACT

The proposal includes the adoption of new land division regulations as Title 23 – Land Division (Title 23) and amendments to various sections of the municipal code needed to support Title 23.

Background Information/Procedural History

History of the city's land division regulations:

- 1964: City adopted its first land division regulations by Ordinance No. 7483.
- 1965 and 1967: City amended the 1964 regulations to include provisions requiring public water and sewer infrastructure concurrent with land divisions.
- 1971: City adopted its first regulations under the state’s land division regulations Chapter 58.17 RCW.
- 1973: City amended the 1971 regulations to include provisions for lot line adjustments, cluster, and lot design standards.
- 1997: The city adopted its current land division regulations known as Title 18 BMC – Subdivisions.

Procedural history of proposal:
- September 2014: City staff organized technical group comprising of community members having experience in the development community to identify obstacles and opportunities associated with the existing regulations.
- December 2014: Planning commission held a public hearing to consider the introduction to the update of the Title 18 BMC – Subdivisions, which included the background of land division pre- and post-WWII, Key Issues Matrix, and proposed process goals and objectives. The commission provided direction to staff through an acknowledgement of adopting the proposed process goals and objectives and voted to form a planning commission subcommittee to review the Key Issues Matrix in greater detail.
• 2015: Staff presented a Key Issues Matrix to the commission subcommittee at a public meeting and requested direction. The subcommittee generally agreed with these key issues and provided direction to further consider the identified issues.
• June 2016: Staff discussed the Key Issue Matrix with a steering committee comprised of community members.
• August 2016: Commission subcommittee held a public meeting to discuss the steering committee’s response to the Key Issue Matrix and provided direction to staff.
• October 2016: At a public meeting, the entire commission reviewed the updated Key Issues Matrix that included direction from both the commission subcommittee and the steering committee. The commission provided direction to staff to prepare a draft ordinance for consideration at future work sessions.
• 2016: The 2016 Bellingham Comprehensive Plan was adopted, including updated goal and policy guidance on growth management, infill development, housing choice and affordability, neighborhood character and preservation of natural resources.
• January 2017-May 2018: Planning commission held work sessions to discuss proposed subdivision regulations. These work session were advertised meetings open to the public.

Proposal

The proposal includes the repeal of the city’s existing subdivision regulations and adoption of a new title, Title 23. The proposal includes repealing the existing regulations due to the amount of change the rewrite of the document received after revising its format, removing references to other municipal code sections and adding new content. These changes were substantial enough that very little of the existing code was left unchanged.

Title 23 was developed with the following objectives:

• Identify regulations needed to bring the title into compliance with state law,
• Streamline and add new review processes where applicable,
• Establish decision criteria for all actions required by this title,
• Remove redundant provisions that are governed by other codes, and
• Explore regulations and processes that would address infill and greenfield opportunities.

Title 18 will continue to remain in effect as a vested land use control ordinance for those short plats and subdivisions approved in accordance with its provisions but will no longer be assessable electronically on the City’s website. The request to repeal and replace is identical to the process the city used in 2005 for adopting the current critical areas ordinance and repealing the wetland/stream ordinance. Compliance with Title 23 will be required for all new lot line adjustment and subdivision applications submitted after passage of the ordinance adopting the new regulations.
The proposal also includes amendments to other sections of the municipal code that are necessary to support the proposal.

**Issues and Opportunities**
Issues and opportunities for this proposal were initially identified by staff and summarized in a matrix for review by stakeholder groups, the public, and planning commission. The initial discussions helped staff identify those areas of the land division provisions that should be considered for change and also identified provisions that were working well. The final list of issues and opportunities are provided on the Key Issues Matrix (matrix) as included in the record.

The overall objective of this proposal is to establish an efficient method of subdividing lands that promotes the City’s infill strategies while maintaining the overall character of the city consistent with the comprehensive plan. The existing subdivision regulations are dated and lack consistency with state law, city codes and opportunities for administrative authorities that are being incorporated into recently updated municipal codes of other jurisdictions.

New regulations need to have sufficient predictability, while also offering flexibility to entertain alternative solutions that achieve an equal or better result to respond to the diversity and physical challenges of the remaining vacant and underutilized land. The following provisions are proposed in the new regulations. They are intended to improve the outcomes of land division with these challenges and create predictability for the city of Bellingham and the developer:

- Administrative departures and modifications-provide administrative authority to consider minor revision or deviations for all types of subdivisions.
- Performance standards-prescribe objectives for land divisions specific to neighborhood context, preservation of natural features, clearing/grading, orderly extension of public infrastructure, and pedestrian circulation.
- Cluster designation – allow cluster subdivisions to include infill housing types.
- Phasing – implement provisions for the phasing of preliminary plats.
- Final plat – grant administrative authority to approve final plats.
- Decision criteria – establish decision criteria for approvals required by Title 23.
- Model homes – allow the construction of model homes prior to obtaining final plat approval.
- Time limitations – short subdivisions, preliminary plats, final plat, and binding site plans.

**Consistency with the Bellingham Comprehensive Plan**
Title 23 is intended to implement the goals and policies of the Bellingham comprehensive plan. The goals and policies provide guidance and policy direction in the establishment of development regulations. The following are some examples from the 2016 comprehensive plan relevant to the discussion regarding infill and land division.
Land Use Chapter

Public Participation

GOAL LU-1 Support sense of place in neighborhoods.

GOAL LU-7 Protect and restore our community's natural resources (land, water and air) through proactive environmental stewardship.

Residential Development

Policy LU-1 The Single-Family Residential designation permits a range of housing densities to achieve the City's housing diversity and affordability goals. In undeveloped or infill areas, new housing may include single-family detached, single-family attached, townhouses, cottage housing, accessory dwelling units, clustered housing and other small-scale housing forms. Accessory, public and semipublic uses are also allowed.

Policy LU-4 Protect the unique character and qualities of existing neighborhoods, while identifying opportunities for improved livability, safety, and housing affordability and diversity.

Policy LU-6 Support higher-density development with parks, art, schools and other public amenities.

Policy LU-10 To achieve a healthy mix of housing that is affordable to a wide range of incomes, implement and seek new, innovative tools, including, but not limited to:
- Density bonuses;
- Inclusionary zoning;
- Cluster subdivisions that preserve open space, retain natural features and provide other public benefits;
- The Infill Housing Toolkit, which includes small lot homes, townhomes and other housing forms;
- Accessory dwelling units;
- Adaptive reuse of existing buildings;
- Purchase and transfer of development rights (TDR) programs; and
- Public-private partnerships for shared parking facilities, wetland mitigation, and regional stormwater management.

Staff Response: Note: The planning commission finds and concludes that Title 23 and supporting this title proposed by staff and planning commission are consistent with land use goals and policies referenced.
Housing Chapter

Policy H-2 Encourage mixed housing types for new development on greenfield sites, a benefit of which is the integration of people from various socio-economic backgrounds.

Policy H-3 Encourage well-designed infill development on vacant or underutilized properties.

Policy H-4 Continue to support implementation of the Infill Housing Toolkit, which permits innovative housing forms such as small and smaller lot single-family homes, cottages, duplexes, triplexes, common courtyards and townhomes.

Policy H-28 Protect and connect residential neighborhoods to retain identity and character and provide amenities that enhance quality of life.

Policy H-31 Promote high-quality design that is compatible with the overall style and character of established neighborhoods.

Policy H-40 Foster innovative housing and mixtures of housing types that preserve natural resources and consolidate open space (e.g. context-sensitive residential clustering).

Policy H-44 Periodically review and update the City’s residential zoning regulations and design standards to promote quality development with timely and predictable outcomes.

Note: The planning commission finds and concludes that Title 23 and supporting this title proposed by staff and planning commission are consistent with housing policies referenced.

Community Design Chapter

GOAL CD-3 Establish and reinforce district and neighborhood characteristics recognized both within the community and throughout the region.

GOAL CD-4 Provide a well-designed, pedestrian-friendly, and community-oriented environment.

Goal CD-6 Encourage contextually-appropriate infill development projects and property renovations.

GOAL CD-8 Interconnect parks and natural features by establishing an integrated network of trails, parks and open spaces; maintaining existing trees; and incorporating landscaping into new developments.
Policy CD-2  Ensure that land use, fire, and street standards are coordinated to provide greater pedestrian comfort and safety and more attractive alternative modes of transportation. Implementation strategies include:

- Discourage cul-de-sacs where topography allows and encourage well-connected streets in new and existing neighborhoods.

Policy CD-7  Ensure that new development is of a type, scale, orientation, and design that maintains or improves the character, aesthetics, and livability of neighborhoods. While compatibility is more of an issue in established neighborhoods, new development needs to take into account the context of the area and should result in an improvement to the surrounding neighborhood.

Policy CD-14 Provide builders, developers and architects with a set of clear objectives and performance goals which promote the highest attainable standard of quality consistent with economic feasibility for new development.

Policy CD-24 Provide adequate resources to ensure that conditions of approval placed on development projects are monitored and enforced.

Policy CD-32 Provide development standards that are adaptable to a variety of conditions to allow for diversity in building styles within districts and neighborhoods.

Policy CD-33 Encourage the construction of small-scale housing types that fit the context of single-family neighborhoods, such as accessory dwelling units, cottage housing, townhomes, zero lot line homes, and small lot housing.

Policy CD-46 Require developers to provide and maintain publicly-accessible, privately-maintained open spaces (e.g. neighborhood pocket parks and plazas) that are proportionate to the scale and impact of the subject project in commercial zones.

Policy CD-38 Promote the maintenance and improvement of the existing housing stock.

Policy CD-52 Identify and strive to preserve scenic vistas of important natural features such as the Cascade Mountains, Lake Whatcom, Bellingham Bay, Chuckanut Bay, the San Juan Islands and hills that provide the natural backdrop to the City.

Note: The planning commission finds and concludes that Title 23 and supporting this title proposed by staff and planning commission are consistent with community design goals and policies referenced.
Environmental Chapter

Policy EV-28 Provide natural area and open space linkages within developed areas.

Policy EV-34 Encourage the preservation and planting of street trees and trees on private property using the "right tree, right place" concept.

Policy EV-55 Encourage energy-efficient site and building designs to increase efficiency, preserve natural resources, and reduce life-cycle costs.

Note: The planning commission finds and concludes that Title 23 and supporting this title proposed by staff and planning commission are consistent with environmental policies referenced.

Public Comment

Notice of the Planning Commission hearing was mailed to the Mayor's Neighborhood Advisory Commission, registered neighborhood associations, and a list of groups and individuals who expressed interest in the subdivision ordinance review process. The notice was also published in the Bellingham Herald.

The BIAW submitted comments to the city in response to the draft regulations prepared for planning commission's review during the work sessions. Staff has incorporated many of these comments into the draft ordinance with the exception of the recommendations specific to performance standards, phasing and time limitations for vesting purposes.

State Environmental Policy Act (SEPA) Determination

A non-project SEPA Determination of Non-Significance was issued on June 7, 2018. The SEPA review process evaluated potential cumulative impacts resulting from this proposal, recently adopted code changes and known requests for code changes that have yet been adopted. No public comments have been received regarding this determination as of the printing of this report.

II. CONCLUSIONS

The planning commission concludes that the proposed code amendments are consistent with, and will help implement, the land use, housing, community design and environmental goals and policies in the 2016 comprehensive plan.

The planning commission concludes the revisions are consistent with state laws governing subdivisions, RCW 58.17.

The planning commission concludes that the proposed code amendments will help meet the Growth Management Act goals to reduce impacts of sprawl through the implementation innovative lot design strategies and performance standards that maximize the efficient use of the city remaining developable land.
The planning commission concludes the proposed regulations meet the following process goals initially established by the planning commission to guide the update process:

- Establish standards that respond to the unique characteristics of the City's remaining vacant land and opportunities for development within existing neighborhoods.
- Establish performance based regulations that provide alternative and innovative methods for land development.
- Establish a broader range of permitted housing types and land uses within preliminary plat approvals.
- Establish provisions that grant the director administrative authority to deviate from subdivision standards in certain, defined circumstances.
- Establish criteria that determine when modifications to approved subdivisions constitute a new application.
- Establish time lines for staff reviews associated with the final subdivision approval process.
- Establish provisions for those state subdivision rules that are not currently provided in the City's subdivision regulations.
- Remove redundant development regulations from Title 18 that are regulated in other BMC provisions.

The planning commission concludes that the proposed regulations will help retain the established character of the city's neighborhoods and create new neighborhoods, each having the opportunity to create their own identity and character.

The planning commission concludes that the regulations will assist with the city's growth strategies to utilize the remaining undeveloped and underutilized lands through the creation and implementation of predicable regulations.

The planning commission concludes the existing subdivision regulations, Title 18 – Subdivisions, should be repealed in their entirety.

The planning commission concludes that the proposed amendments to Titles 15, 20 and 21 are necessary to support the new land division regulations and should be approved.

III. Recommendations

Based on the findings and conclusions, the planning commission recommends adoption of Title 23 – Land Division, the repeal of Title 18 – Subdivisions and various amendments to Titles 15, 16, 20 and 21 BMC detailed in the attached ordinance with those revisions identified in the approved minutes.
ADOPTED this 13th day of September, 2018.

Planning Commission Chairperson

ATTEST:

Recording Secretary

APPROVED AS TO FORM:

City Attorney