



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

Land Use Application

Check all permits you are applying for in the boxes provided. Submit this application form, the applicable materials listed in the corresponding permit application packet(s) and application fee payment.

<input type="checkbox"/> Accessory Dwelling Unit <input type="checkbox"/> Binding Site Plan <input type="checkbox"/> Clearing Permit <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Critical Area Permit <input type="checkbox"/> Minor Critical Area Permit <input type="checkbox"/> Design Review <input type="checkbox"/> Grading Permit <input type="checkbox"/> Home Occupation <input type="checkbox"/> Institutional <input type="checkbox"/> Interpretation <input type="checkbox"/> Landmark – Historic Certificate of Alteration <input type="checkbox"/> Legal Lot Determination <input type="checkbox"/> Nonconforming Use Certificate	<input type="checkbox"/> Parking Adjustment Application <input type="checkbox"/> Planned Development <input type="checkbox"/> Rezone <input type="checkbox"/> SEPA <input type="checkbox"/> Shoreline Permit <input type="checkbox"/> Shoreline Exemption <input type="checkbox"/> Subdivision-Short Plat/Lot Line Adjustment <input type="checkbox"/> Subdivision-Preliminary Plat <input type="checkbox"/> Subdivision-Final Plat <input type="checkbox"/> Temporary Shelter Permit <input type="checkbox"/> Variance <input type="checkbox"/> Wireless Communication <input type="checkbox"/> Zoning Compliance Letter <input type="checkbox"/> Other: _____	Office Use Only Date Rcvd: _____ Case #: _____ Process Type: _____ Neighborhood: _____ Area Number: _____ Zone: _____ Pre-App. Meeting: _____ Concurrency: _____
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Project Information

Project Address N/A. Zip Code _____

Tax Assessor Parcel Number (s) _____

Project Description _____

Applicant / Agent

Primary Contact for Applicant

Name York Neighborhood Association

Mailing Address _____ 336 36th ST #370

City Bellingham State WA Zip Code 98225

Phone 360-961-4440 Email President@YorkNeighborhood.org

Owner (s)

Applicant

Primary Contact for Applicant

Name N/A.

Mailing Address _____

City _____ State _____ Zip Code _____

Phone _____ Email _____

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 inspection 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 Thomas R. Scott Date 10-24-2019

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



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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.
- 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.
See attached.

To strengthen and better describe the existing vision of Subarea 1 of the York
Neighborhood Plan. To better inform and instruct the desire of the City to
actively seek and exploit opportunities to implement the said vision.

4. Are there critical areas, such as wetlands or steep slopes present on the site?
Subarea 1 is bordered to the north by Whatcom Creek.

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.

BELLINGHAM MUNICIPAL CODE - 20.20.040 DECISION CRITERIA

A. 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: N/A Phone: _____
Address: _____
City/State/Zip: _____
Email: _____ Fax: _____

Owner's Authorized Agent/Contact

Name: N/A Phone: _____
Address: _____
City/State/Zip: _____
Email: _____ Fax: _____

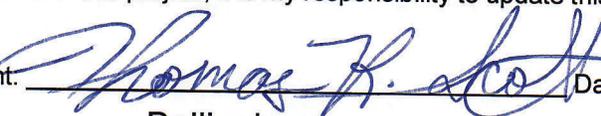
Property Information

1. Assessor Parcel Numbers: N/A
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: York Area Number: 1
Current Comprehensive Plan Land Use Designation: See attached.
4. Proposed Comprehensive Plan Land Use Designation: See attached.
5. Current Zoning: Light Industrial
6. Proposed Zoning: No change at this time.

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: 10-24-2019

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

YORK NEIGHBORHOOD ASSOCIATION

COMPREHENSIVE / NEIGHBORHOOD PLAN AMENDMENT

APRIL 1, 2019

Pre-application conference with City Staff: held March 21, 2019, with Rick Sepler and Greg Aucutt; Anne Mackie representing York Neighborhood Association.

Neighborhood Meeting: Held March 13, 2019 [and October 9, 2019](#)

Comprehensive / Neighborhood Plan Amendment Application form: attached

Provide an explanation of how the proposed Comprehensive or Neighborhood Plan amendment meets one or more of the docketing criteria listed in Bellingham Municipal Code 20.20.030 A. (2).

The proposal meets one or more of the following criteria:

PROPOSAL:

The proposed amendment seeks to clarify the intent of a previously approved section of the Comprehensive Plan, York Neighborhood Plan, that encourages the acquisition by the City of the industrial uses along Whatcom Creek in the northern section of Area 1 of the neighborhood. Amendments are proposed, below:

AREA 1, LAND USE DESIGNATION

“The City should actively encourage As-ownerships change, and the possibility of the City acquiring property along Whatcom Creek ~~should~~ to be pursued for open space, trail, park and riparian corridor purposes. At such time, respectively, rezoning the property(s) to allow uses and site designs that are more compatible with the adjacent creek. The pre-existing, non-conforming uses along a Critical Area Ordinance protected waterway should be revised. The City should consider getting additional easements in the Whatcom Creek area. ~~and single~~ Opportunities for multi-family zoning and Infill Housing forms should be considered along the northern side of Meador Avenue, such as street front transit oriented development with dedication of public open space adjacent to the creek.”

(2) a. “The proposed amendment represents an issue appropriately addressed in the comprehensive plan or in a neighborhood plan.”

The proposal supports an already existing goal of the **Comprehensive Plan, Land Use Designation** for the area along Whatcom Creek in the York Neighborhood. (Area 1, Land Use Designation).

The proposal supports goals of the **Capital Facilities and Utilities Chapter** of the Comprehensive Plan:

Goal CF-3: “Continue efforts to improve the overall water quality throughout Bellingham.”

Goal CF-5: "Provide access to quality of life amenities and foster lifelong learning opportunities for all ages."

Goal CF-8: "Promote the delivery of adequate utilities and encourage the design and siting of private utility facilities in a manner that minimizes impacts on adjacent land uses and the environment."

(2) b. The proposal demonstrates strong potential to serve the public interest by implementing specifically identified goals and policies of the comprehensive plan;

The proposal is consistent with the Growth Management Act in that it will:

"Encourage the availability of affordable housing to all economic segments of the population";

"Assure private property is not taken for public use without just compensation";

"Maintain and enhance natural resource-based industries";

"Encourage retention of open space and development of recreational opportunities";

"Protect the environment and enhance the state's quality of life";

"Encourage the participation of citizens in the planning process";

"Ensure adequate public facilities and services necessary to support development;"

"Identify and preserve lands and sites of historic and archaeological significance"; and

"Manage shorelines of state-wide significance."

(2) 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;

Time is of the essence in moving forward to improve the riparian corridor of Whatcom Creek, which is a salmon habitat important to the needs for a thriving salmon population in Bellingham Bay and the Salish Sea. Washington Governor Jay Inslee's March 2018 Executive Order directed state agencies to "take immediate actions to help the struggling orca population and establishing the Southern Resident Orca Task Force to develop a long-term plan for recovering orcas." The City of Bellingham has an opportunity to be in-step with the State's mandate in supporting the proposed amendment.

(2) d. The amendment addresses changing circumstances, changing community values, or corrects or updates information in the comprehensive plan or a neighborhood plan;

The industrial uses of the properties along Whatcom Creek are dated and no longer consistent with the values of an environmentally conscious community dedicated to protections of our waterways and there is general community support to correct mistakes of the past when the opportunity arises.

(2) 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. [Ord. 2011-08-048]

While state law has not yet directed the City of Bellingham to take action to correct uses along Whatcom Creek that are not consistent with protections of salmon habitat, we envision the strengthening of state mandates and guidance to encourage municipalities to intervene in a positive direction when the opportunity arises.

Supplemental to Comprehensive Plan Amendment Application
(Supplemental to "CPA Final Application")

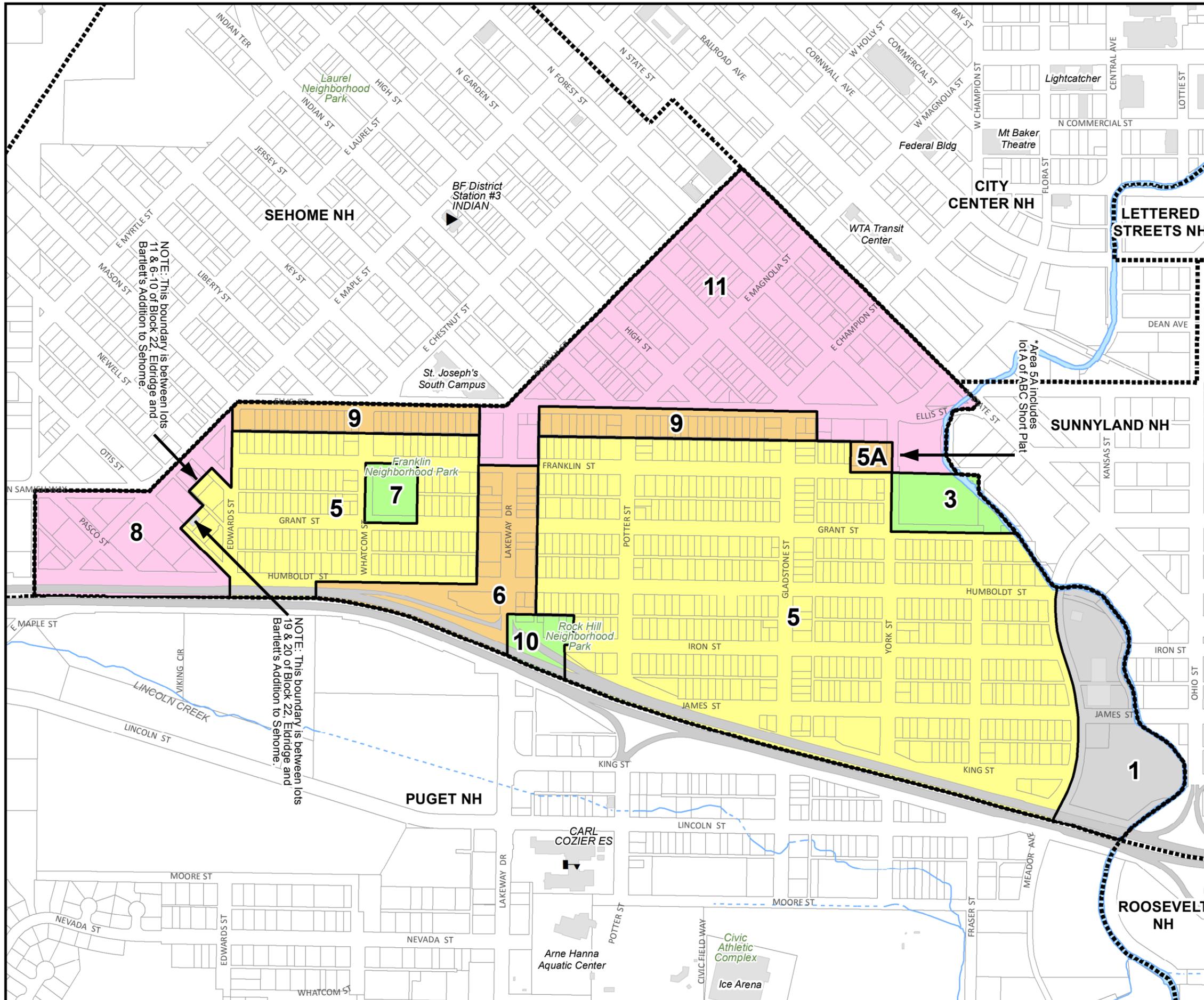
Following is a supplemental to the October 24, 2019 CPA Final Application Item 5.A. ("All of the following criteria have been met") which was previously submitted as having been assured in the positive by inference in the aforementioned CPA Final Application and before that by specific in the April 1 pre-application. Specifically:

- 5.A.2.a "The proposal is consistent with the Growth Management Act in that it will:
- Encourage the availability of affordable housing to all economic segments of the population;
 - Assure private property is not taken for public use without just compensation;
 - Maintain and enhance natural resource-based industries;
 - Encourage retention of open space and development of recreational opportunities;
 - Protect the environment and enhance the state's quality of life;
 - Encourage the participation of citizens in the planning process;
 - Ensure adequate public facilities and services necessary to support development;
 - Identify and preserve lands and sites of historic"
- 5.A.2.b "The industrial uses of the properties along Whatcom Creek are dated and no longer consistent with the values of an environmentally conscious community dedicated to protections of our waterways and there is general community support to correct mistakes of the past when the opportunity arises."
- 5.A.2.c "Time is of the essence in moving forward to improve the riparian corridor of Whatcom Creek, which is a salmon habitat important to the needs for a thriving salmon population in Bellingham Bay and the Salish Sea. Washington Governor Jay Inslee's March 2018 Executive Order directed state agencies to "take immediate actions to help the struggling orca population and establishing the Southern Resident Orca Task Force to develop a long-term plan for recovering orcas." The City of Bellingham has an opportunity to be in-step with the State's mandate in supporting the proposed amendment."
- Recently, the City was afforded and failed to seize the opportunity to mitigate a decades old error endangering a significant local natural resource with impacts downstream and into the Puget Sound. This proposal seeks to better instruct the desire embodied in the last amendment to seize just such an opportunity to improve and protect said natural resource.
- 5.A.2.d This amendment proposal does NOT adversely affect public health, safety or general welfare. Specifically, it at the very least improves same as noted in answer 5.A.2.c above. Further, this is a general plan amendment with no specific development involved.
- 5.A.2.e N/A, no concurrent rezone is requested nor proposed.

YORK NEIGHBORHOOD ZONING

AREA ZONING DESIGNATION

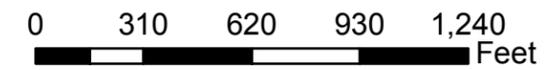
- 1 Industrial, Light
- 3 Public, Govt. Svcs./Housing
- 5 Res. Single
- 5A Residential Multi, Mixed/Multiple
- 6 Residential Multi, Mixed/Multiple
- 7 Public, Park
- 8 Samish Way Urban Village
- 9 Residential Multi, Mixed/Multiple
- 10 Public, Park
- 11 Downtown District Urban Village



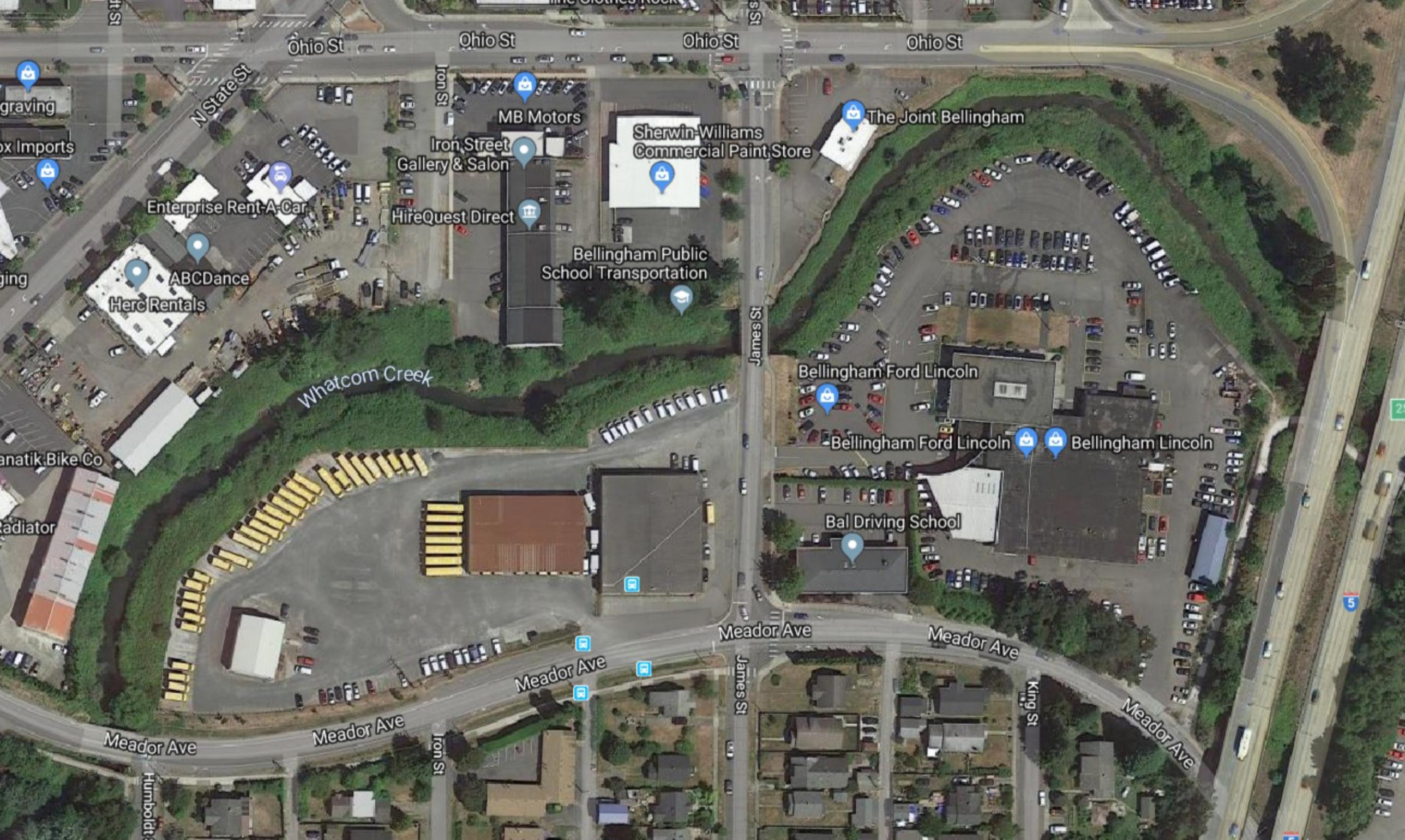
NOTE: This boundary is between lots 11 & 6-10 of Block 22, Eldridge and Bartlett's Addition to Sehome.

NOTE: This boundary is between lots 19 & 20 of Block 22, Eldridge and Bartlett's Addition to Sehome.

*Area 5A includes lot A of ABC Short Plat



The City of Bellingham has compiled this information for its own use and is not responsible for any use of this information by others. The information found herein is provided simply as a courtesy to the public and is not intended for any third party use in any official, professional or other authoritative capacity. Persons using this information do so at their own risk and by such use agree to defend, indemnify and hold harmless the City of Bellingham as to any claims, damages, liability, losses or suits arising out of such use.



Ohio St Ohio St Ohio St Ohio St

N State St

Iron St

James St

Graving

Imports

ging

Anatik Bike Co

Radiator

Enterprise Rent-A-Car

Here Rentals

ABCDance

HireQuest Direct

Iron Street Gallery & Salon

MB Motors

Bellingham Public School Transportation

Sherwin-Williams Commercial Paint Store

The Joint Bellingham

Bellingham Ford Lincoln

Bellingham Ford Lincoln

Bellingham Lincoln

Bal Driving School

Whatcom Creek

Meador Ave

Meador Ave

Meador Ave

Meador Ave

Meador Ave

Meador Ave

Humboldt St

Iron St

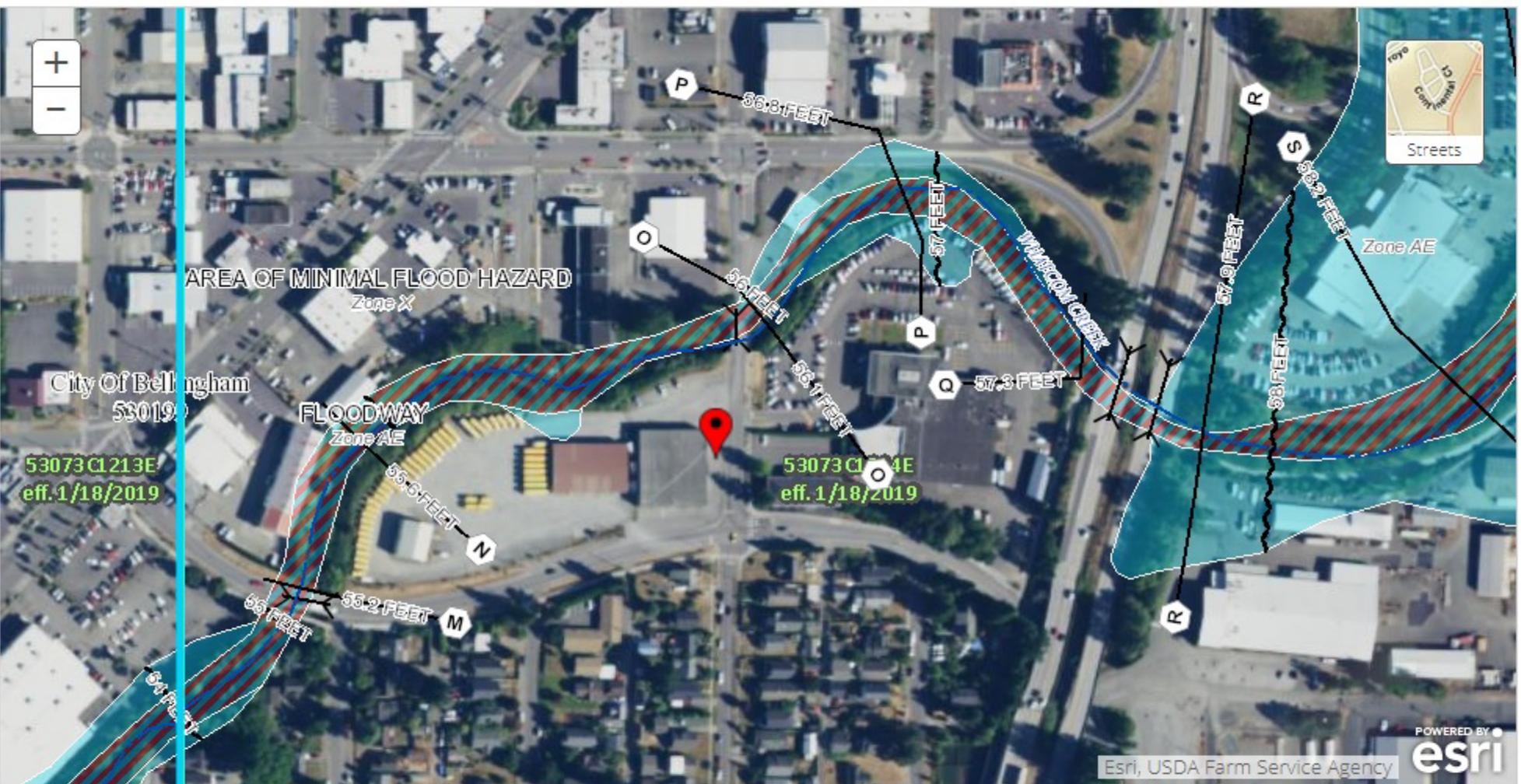
James St

King St

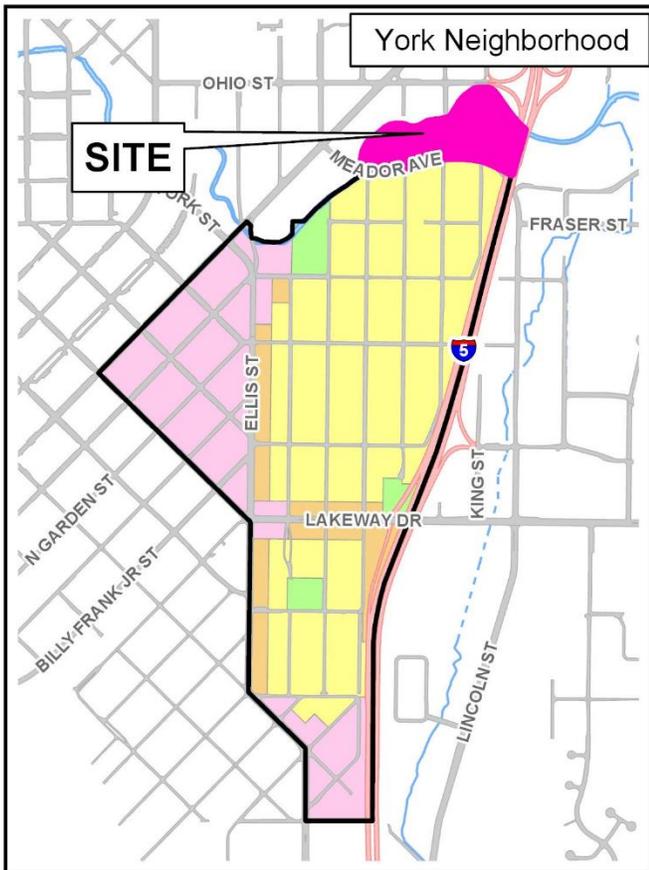
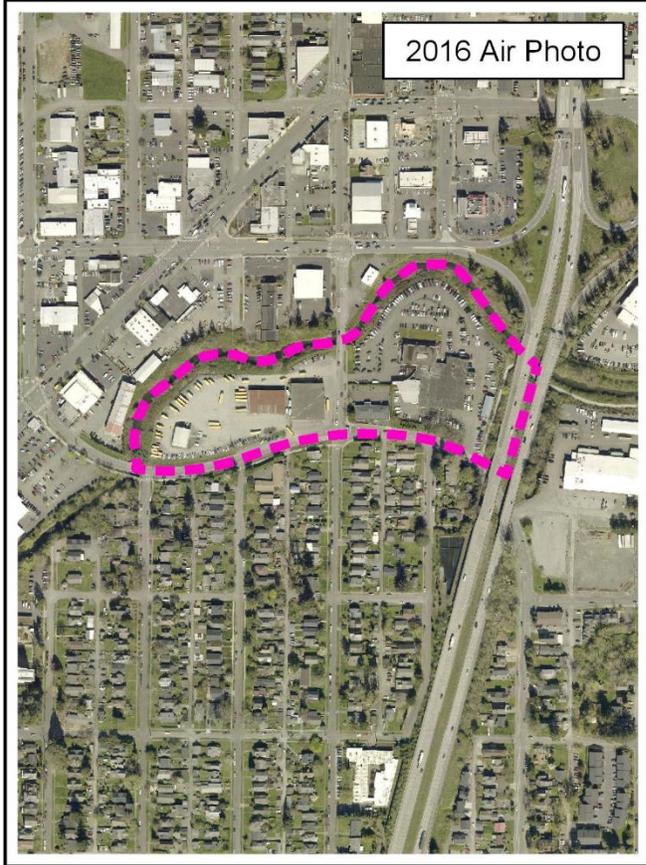
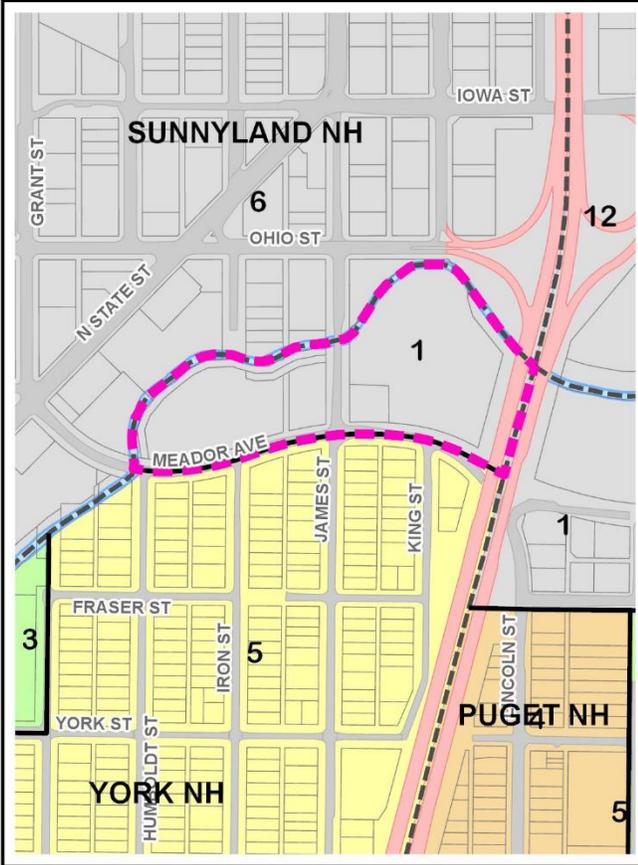
5

Flood Zone Map from FEMA:

<https://msc.fema.gov/portal/search#searchresultsanchor>



<p>PIN</p> <ul style="list-style-type: none"> Approximate location based on user input and does not represent an authoritative property location <p>MAP PANELS</p> <ul style="list-style-type: none"> Selected FloodMap Boundary Digital Data Available No Digital Data Available Unmapped <p>OTHER AREAS</p> <ul style="list-style-type: none"> Area of Minimal Flood Hazard Zone X Effective LOMRs Area of Undetermined Flood Hazard Zone D Otherwise Protected Area Coastal Barrier Resource System Area 	<p>SPECIAL FLOOD HAZARD AREAS</p> <ul style="list-style-type: none"> Without Base Flood Elevation (BFE) Zone A, V, A99 With BFE or Depth Regulatory Floodway Zone AE, AO, AH, VE, AR <p>OTHER AREAS OF FLOOD HAZARD</p> <ul style="list-style-type: none"> 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X Future Conditions 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levee. See Notes. Zone X Area with Flood Risk due to Levee Zone D 	<p>OTHER FEATURES</p> <ul style="list-style-type: none"> 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation 17.5 Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature <p>GENERAL STRUCTURES</p> <ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
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Subject Area	Comm./Indust./Res Multi
Residential Single	Industrial
Residential Multi	Indust./Res. Multi
Res. Single/Res. Multi	Indust./Waterfront Mixed-Use
Urban Village	Institutional
Commercial	Institutional/Res. Multi
Commercial/Industrial	Public
	Public/Waterfront Mixed-Use

York Neighborhood Area 1

Text amendments to the sub-area description for Area 1 (REZ2019-0004)

2019 Comprehensive Plan Amendment Proposal



City of Bellingham
 Planning & Community Development
 2019