

ORDINANCE NO. 2009-06-037

AN ORDINANCE RELATED TO LAND USE PLANNING AND ZONING, AMENDING THE TITLE 20 ZONING TABLES FOR THE GUIDE MERIDIAN/CORDATA, KING MOUNTAIN, MERIDIAN AND MT. BAKER NEIGHBORHOODS TO ESTABLISH DEVELOPMENT REGULATIONS THAT ALLOW PAYMENT OF A FEE TO THE LAKE WHATCOM WATERSHED PROPERTY ACQUISITION PROGRAM IN EXCHANGE FOR DENSITY BONUSES IN SPECIFIC TRANSFER OF DEVELOPMENT RIGHTS RECEIVING ZONES.

WHEREAS, the City of Bellingham has implemented a number of measures to protect and improve water quality in the Lake Whatcom Watershed; and

WHEREAS, a transfer of development rights program (TDR), was established by the City and Whatcom County to reduce the overall development capacity in the Lake Whatcom Watershed; and

WHEREAS, several years ago, the City and Whatcom County worked together to identify and designate portions of Bellingham's urban growth area as transfer of development rights receiving zones; and

WHEREAS, these TDR receiving zones provide a density bonus option for property owners who use the TDR program to transfer development rights from the Lake Whatcom Watershed; and

WHEREAS, the current TDR program requires private property owners in the receiving zones to work with private property owners in the Lake Whatcom Watershed to use the TDR program; and

WHEREAS, the current TDR program is not accomplishing the watershed protection and density transfer goals of the City for a number of reasons; and

WHEREAS, the City has recently annexed a number of these TDR receiving zones, and

WHEREAS, in 2009 the City commissioned a "feasibility analysis" to determine why the current program is not being used and to identify actions that the City might take to make the program more successful; and

WHEREAS, the feasibility analysis found that market conditions make use of the TDR program, as it is currently designed, unlikely in the recently annexed receiving zones; and

WHEREAS, one of the recommendations from the feasibility analysis was to establish a "fee in lieu of" option whereby property owners/developers in the receiving zones could purchase

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the rights to build a limited number of additional housing units by contributing an established amount to the City's Lake Whatcom Watershed Property Acquisition Program; and

WHEREAS, amendments to the Title 20 zoning tables for the receiving zones are needed to establish the fee in lieu of density bonus option; and

WHEREAS, the State Department of Community, Trade and Economic Development was notified of the proposed development regulation amendments on April 7, 2009, and the City has received no comments from the State; and

WHEREAS, the Bellingham Planning Commission held a duly noticed public hearing on April 9, 2009 and thereafter adopted Findings of Fact, Conclusions and Recommendations to approve the zoning amendments establishing a fee in lieu of option; and

WHEREAS, the fee in lieu of density bonus option is consistent with Bellingham Comprehensive Plan goals and policies that recommend implementation of programs, regulations, and/or incentives that would protect the water quality of the Lake Whatcom Watershed; and

WHEREAS, the Council has reviewed and concurs with the Planning Commission's Findings of Fact document.


NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BELLINGHAM:

Section 1. The Guide Meridian/Cordata Neighborhood zoning table (BMC 20.00.080), King Mountain Neighborhood zoning table (BMC 20.00.095), Meridian Neighborhood zoning table (BMC 20.00.110) and the Mt. Baker Neighborhood zoning table (BMC 20.00.120) are hereby amended as shown in Attachment 1. The amendments establish a transfer of development rights fee-in-lieu-of option.

Section 2. Additional density acquired under this optional development regulation shall be on a one to one ratio as specified in the zoning tables in Attachment 1. That is, one unit of additional residential density shall be allowed for each unit purchased.

Section 3. Fees collected in this program shall be deposited in the Lake Whatcom Watershed Property Acquisition Program Fund as specified in the zoning tables in Attachment 1.

PASSED by the Council this 29th day of June, 2009.



Council President

City of Bellingham
City Attorney
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APPROVED by me this 1st day of July, 2009.

Wendy K. Ph
Mayor

ATTEST: [Signature]
Finance Director

APPROVED AS TO FORM:

[Signature]
Office of the City Attorney

Published:

July 3, 2009

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Guide Meridian/Cordata Neighborhood Zoning Table, Area 22

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Consideration	Special Regulations
22	Residential Single	Planned, mixed	<p>Up to 4 units per acre or 10,000 sq. ft. minimum detached lot size. Density bonuses achieved through incorporation of certain design features (see Att. #3) can be used to increase the number of single family dwelling units to 7 units per acre.</p> <p>Transfer of Development Rights (TDRs) can also be used to increase the number of units from 7 to 10 units per acre.</p> <p>To use the TDR density bonus, a property owner can purchase development rights from a Lake Whatcom Watershed land owner or use the "fee-in-lieu-of" option. Under the fee-in-lieu-of option, a property owner/developer can purchase additional density by paying a fee to the City's Lake Whatcom Watershed Acquisition Program (LWWPAP).</p> <p>The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.</p> <p>An applicant's submittal for planned development review shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWWPAP.</p>	Access, spacing of curb cuts along Northwest Avenue; drainage; wetlands; buffers	<p>Contiguous road from Northwest to Pacific Highway generally along the northern boundary of Area 22 as development occurs; preservation of existing natural drainage ways and wetlands; contribution of land or fees for neighborhood park and trail system. A No Protest LID Agreement signed by the property owners adjacent to Northwest Ave. and a 10 ft. right-of-way dedication for future improvements to Northwest Ave. Mitigation of stormwater impacts from development.</p> <p>General water system improvements will be made by the City to provide the pressure and volume necessary for full development density. Properties abutting on a City owned water or sewer system must extend that system as condition of development. Preservation of existing natural drainage ways and wetlands. Mitigation of stormwater impacts from development.</p>	See Attachment 3 - Area 22 Density Bonus Criteria

			<p>Mixed uses shall be subject to and consistent with city adoption of an Urban/Mixed Residential zoning district, and may include cluster attached/detached (one lot/10,000 sq.ft. overall cluster density), and multi-family units (one unit/3,600 sq. ft.)</p> <p>Density bonuses achieved through incorporation of certain design features (see Att. 3) can be used to increase the number of multi-family units to 18 or 2,500 sq. ft./unit.</p> <p>Transfer of development rights, or payment of fees in lieu of as described above, can also be used to increase the number of units to 24 or 1,800 sq. ft./unit.</p>			
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Guide Meridian/Cordata Neighborhood Zoning Table, Areas 29, 30 and 31

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Consideration	Special Regulations
29	Residential Single	Cluster, cluster attached and cluster detached allowed, mixed (limited duplex and multi family, see special regulations)	<p>7,200 sq. ft. per dwelling unit, up to 3,600 sq. ft. per dwelling unit with Cluster Bonus provisions per Title 18 of the BMC or adopted City TDR program.</p> <p>To use the TDR density bonus, a property owner can purchase development rights from a Lake Whatcom Watershed land owner or use the "fee-in-lieu-of" option. Under the fee-in-lieu-of option, a property owner/developer can purchase additional density by paying a fee to the City's Lake Whatcom Watershed Acquisition Program (LWWPAP).</p> <p>The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.</p> <p>An applicant's submittal for land use review shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWWPAP.</p>	As development occurs, a City of Bellingham parks and Recreation Standard Specification Trail shall be provided to connect with a trail from Area 30 to the south and with Horton Road to the north.		<p>The total allowed dwelling units for the entire site and shall not be constructed until at least 50% of the single family homes on site have been constructed.</p> <p>All duplex and multi family buildings shall be reviewed under the Residential Multi Family Design Guidelines and review process.</p> <p>No more than 4 attached dwelling units allows.</p>

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
30	Residential Single	Cluster, cluster attached and cluster detached allowed, mixed, (limited duplex and multi family, see special regulations)	<p>7,200 Sq. Ft. per dwelling unit, up to 3,600 sq. ft. per dwelling unit with Cluster Bonus provisions per Title 18 of the BMC or adopted City TDR program.</p> <p>To use the TDR density bonus, a property owner can purchase development rights from a Lake Whatcom Watershed land owner or use the "fee-in-lieu-of" option. Under the fee-in-lieu-of option, a property owner/developer can purchase additional density by paying a fee to the City's Lake Whatcom Watershed Acquisition Program (LWWPAP).</p> <p>The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.</p> <p>An applicant's submittal for land use review shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWWPAP.</p>	As development occurs, a City of Bellingham Parks and Recreation Standard Specification Trail shall be provided to connect with a trail from Area 31 to the south and with a trail in Area 29 to the north.		<p>Duplex and multi family units shall not exceed more than 25% of the total allowed dwelling units for the entire site and shall not be constructed until at least 50% of the single family homes on site have been constructed.</p> <p>All duplex and multi family buildings shall be reviewed under the Residential Multi Family Design Guidelines and review process.</p> <p>No more than 4 attached dwelling units allowed.</p> <p>Development of an elementary school shall meet all regulations as approved by Whatcom County Conditional Use Permit (CUP 2005-00022)</p> <p>The school district shall provide a public trail through its site to connect with a trail system on the south and on the north as per the Concomitant Agreement between the City parks and Recreation Department and the Bellingham School District.</p>

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Consideration	Special Regulations
31	Residential Single	Cluster, cluster attached and cluster detached allowed, mixed (limited duplex and multi family, see special regulations)	<p>7,200 Sq. Ft. per dwelling unit, up to 3,600 sq. ft. per dwelling unit with Cluster Bonus provisions per Title 18 of the BMC or adopted City TDR program.</p> <p>To use the TDR density bonus, a property owner can purchase development rights from a Lake Whatcom Watershed land owner or use the "fee-in-lieu-of" option. Under the fee-in-lieu-of option, a property owner/developer can purchase additional density by paying a fee to the City's Lake Whatcom Watershed Acquisition Program (LWWPAP).</p> <p>The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.</p> <p>An applicant's submittal for land use review shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWWPAP.</p>	As development occurs, a City of Bellingham Parks and Recreation Standard Specification Trail shall be provided to connect with the Division Road trail to the south and with a trail in Area 30 to the north.		<p>Duplex and multi family units shall not exceed more than 25% of the total allowed dwelling units for the entire site and shall not be constructed until at least 50% of the single family homes on site have been constructed.</p> <p>All duplex and multi family buildings shall be reviewed under the Residential Multi Family Design Guidelines and review process.</p> <p>No more than 4 attached dwelling units allowed.</p> <p>The West Cordata Green Development shall meet all regulations as approved by Whatcom County in Binding Site Plan #94-002 and the Planned Unit Development #90-002</p>

King Mountain Neighborhood Zoning Table, Area 2

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Consideration	Special Regulations
2	Residential Single	<p>Detached, cluster, cluster attached and cluster detached;</p> <p>mixed: limited duplex and multi-family (see special regulations)</p>	<p>7,200 s. ft. per dwelling unit; up to 4,300 sq. ft. per dwelling unit using cluster bonus provisions in BMC 18.32, adopted city TDR program, or the "fee-in-lieu-of" TDR option. Under the fee-in-lieu-of option, a property owner/developer can purchase additional density by paying a fee to the City's Lake Whatcom Watershed Acquisition Program (LWWPAP).*</p> <p>The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.</p> <p>An applicant's submittal for land use review shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWWPAP.</p> <p>Lots not created by cluster subdivision: 5,000 sq. ft. minimum detached lot size and a maximum density of 7,200 sq. ft. per unit.</p>	<p>In addition to arterial streets, provide local pedestrian and vehicular access between adjacent developments.</p> <p>An east-west residential access road should be developed in this area.</p> <p>Limit access points on arterial streets. Shared access is encouraged.</p> <p>Provide public trails as indicated in the North Bellingham Trail plan with connections to existing city trail systems and new residential developments.</p>	<p>Improvement of James St. Rd. to full secondary arterial standard.</p> <p>Dedication and improvement of Cammack Rd. to minimum standard or greater prior to development of property using Cammack for access.</p>	<p>Duplex and multi-family units shall require planned residential development approval under BMC 20.38 and shall not exceed 25% of the total allowed dwelling units for the entire site.</p> <p>Duplex and multi family building permits shall not be issued until at least 50% of the single family homes on site have been constructed.</p> <p>No more than 4 single family attached dwelling units allowed.</p> <p>*The density bonus may exceed the 50% total maximum under BMC 18.32 but density shall not exceed 4,300 sq. ft. per dwelling unit.</p>

King Mountain Neighborhood Zoning Table, Area 6

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Consideration	Special Regulations
6	Residential Single	<p>Detached, cluster, cluster attached and cluster detached;</p> <p>mixed: limited duplex and multi-family (see special regulations)</p>	<p>7,200 sq. ft. per dwelling unit for detached and cluster lots, up to 4,300 sq. ft. per dwelling unit using cluster bonus provisions in BMC 18.32, adopted City TDR program or the "fee-in-lieu-of" TDR option. Under the fee-in-lieu-of option, a property owner/developer can purchase additional density by paying a fee to the City's Lake Whatcom Watershed Acquisition Program (LWWPAP).*</p> <p>The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.</p> <p>An applicant's submittal for land use review shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWWPAP.</p> <p>Lots not created by cluster subdivision: 5,000 sq. ft. minimum detached lot size and a maximum density of 7,200 sq. ft. per unit.</p>	<p>In addition to arterial streets, provide local pedestrian and vehicular access between adjacent developments.</p> <p>Limit access points on arterial streets. Shared access is encouraged.</p> <p>Provide public trails as indicated in the North Bellingham Trail plan with connections to existing city trail systems and new residential developments.</p>	<p>Improvement of James St. Rd. to full secondary arterial standards.</p> <p>Improvement of E. Bakerview Road to full primary arterial standard.</p> <p>Upgrades to the James Street water Pump Station to serve existing and future lots with fire flow.</p> <p>Improvement of Montgomery Rd. to a minimum standard residential street or greater prior to development of property using Montgomery for access</p>	<p>Duplex and multi-family units shall require planned residential development approval under BMC 20.38 and shall not exceed 25% of the total allowed dwelling units for the entire site.</p> <p>Duplex and multi family building permits shall not be issued until at least 50% of the single family homes on site have been constructed.</p> <p>No more than 4 single family attached dwelling units allowed.</p> <p>*The density bonus may exceed the 50% total maximum under BMC 18.32 but density shall not exceed 4,300 sq. ft. per dwelling unit.</p>

King Mountain Neighborhood Zoning Table, Area 7

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Consideration	Special Regulations
7	Residential Single	<p>Detached, Cluster, cluster attached and cluster detached:</p> <p>mixed, limited duplex and multi family, (see special regulations)</p>	<p>7,200 sq. ft. per dwelling unit; up to 4,300 sq. ft. per dwelling unit using cluster bonus provisions in BMC 18.32, adopted City TDR program, or the "fee-in-lieu-of" TDR option. Under the fee-in-lieu-of option, a property owner/developer can purchase additional density by paying a fee to the City's Lake Whatcom Watershed Acquisition Program (LWWPAP).*</p> <p>The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.</p> <p>An applicant's submittal for land use review shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWWPAP.</p> <p>For lots not created by cluster subdivision: 5,000 sq. ft. minimum detached lot size and a maximum density of 7,200 sq. ft. per unit.</p>	<p>In addition to arterial streets, provide local pedestrian and vehicular access between adjacent developments.</p> <p>Limit access points on arterial streets. Shared access is encouraged.</p> <p>Provide public trails as indicated in the North Bellingham Trail plan with connections to existing city trail systems and new residential developments.</p>	<p>Dedication and improvement of James St. Rd. to full secondary arterial standard.</p> <p>Improvement of E. Bakerview Rd. to full primary arterial standard.</p> <p>Dedication and improvement of Cammack Rd. to minimum standard or greater prior to development of property using Cammack for access</p>	<p>Duplex and multi-family units shall require planned residential development approval under BMC 20.38 and shall not exceed 25% of the total allowed dwelling units for the entire site.</p> <p>Duplex and multi family building permits shall not be issued until at least 50% of the single family homes on site have been constructed.</p> <p>No more than 4 single family attached dwelling units allowed.</p> <p>*The density bonus may exceed the 50% total maximum under BMC 18.32 but density shall not exceed 4,300 sq. ft. per dwelling unit.</p>

King Mountain Neighborhood Zoning Table, Areas 8 and 9

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Consideration	Special Regulations
8	Residential Multi	Planned	<p>4,300 sq. ft. per dwelling unit; up to 1,800 sq. ft. per dwelling unit using cluster bonus provisions in BMC 18.32, adopted City TDR program, or the "fee-in-lieu-of" TDR option. Under this option, a property owner/developer can purchase additional density by paying a fee to the City's Lake Whatcom Watershed Acquisition Program (LWWPAP).*</p> <p>The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.</p> <p>An applicant's submittal for planned development review shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWWPAP.</p>	<p>In addition to arterial streets, provide local pedestrian and vehicular access between adjacent developments.</p> <p>Limit access points on arterial streets. Shared access is encouraged.</p> <p>Provide public trails as indicated in the North Bellingham Trail plan with connections to existing city trail systems and new residential developments.</p>	<p>Improvement of E. Bakerview Rd. to full primary arterial standard.</p> <p>Dedication and improvement of Cammack Rd. to minimum standard or greater prior to development of property using Cammack for access.</p> <p>Dedication and improvement of Prince Ave. as a residential street connecting to Cammack.</p>	<p>* The density bonus may be applied through cluster subdivision or planned development. It may exceed the 50% total maximum under BMC 18.32 but density shall not exceed 1,800 sq. ft. per dwelling unit.</p>

9	Residential Multi	Planned	<p>4,300 sq. ft. per dwelling unit; up to 1,800 sq. ft. per dwelling unit using cluster bonus provisions in BMC 18.32, adopted City TDR program, or the "fee-in-lieu-of" TDR option. Under the fee-in-lieu-of option, a property owner/developer can purchase additional density by paying a fee to the City's Lake Whatcom Watershed Acquisition Program (LWWPAP).*</p> <p>The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.</p> <p>An applicant's submittal for planned development shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWWPAP.</p>	<p>In addition to arterial streets, provide local pedestrian and vehicular access between adjacent developments.</p> <p>Limit access points on arterial streets. Shared access is encouraged.</p> <p>Provide public trails as indicated in the North Bellingham Trail plan with connections to existing city trail systems and new residential developments.</p>	<p>Improvement of E. Bakerview Rd. to full primary arterial standard.</p> <p>Improvement of Telegraph Rd. to full collector arterial standard.</p>	<p>* The density bonus may be applied through cluster subdivision or planned development. It may exceed the 50% total maximum under BMC 18.32 but density shall not exceed 1,800 sq. ft. per dwelling unit.</p>
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King Mountain Neighborhood Zoning Table, Area 10

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Consideration	Special Regulations
10	Residential Multi	Planned	<p>4,300 sq. ft. per dwelling unit; up to 1,800 sq. ft. per dwelling unit using cluster bonus provisions in BMC 18.32, adopted City TDR program, or the "fee-in-lieu-of" TDR option. Under the fee-in-lieu-of option, a property owner/developer can purchase additional density by paying a fee to the City's Lake Whatcom Watershed Acquisition Program (LWWPAP).*</p> <p>The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.</p> <p>An applicant's submittal for planned development shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWWPAP.</p>	<p>In addition to arterial streets, provide local pedestrian and vehicular access between adjacent developments.</p> <p>Limit access points on arterial streets. Shared access is encouraged.</p> <p>Provide public trails as indicated in the North Bellingham Trail plan with connections to existing city trail systems and new residential Developments.</p>	<p>Improvement of James St. Rd. to full secondary arterial standard.</p> <p>Improvement of E. Bakerview Rd. to full primary arterial standard.</p> <p>Improvement of Telegraph Rd. to full collector arterial standard.</p>	<p>* The density bonus may be applied through cluster subdivision or planned development. It may exceed the 50% total maximum under BMC 18.32 but density shall not exceed 1,800 sq. ft. per dwelling unit.</p>

Meridian Neighborhood Zoning Table, Area 7

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
7	Residential Single	Planned	<p>10,000 sq.ft. min. detached lot size or 4 units per acre.</p> <p>Density bonuses, achieved through use of performance criteria for cluster development found in the Bellingham Subdivision Ord. can be used to increase the number of units to 7 units per acre, or 6,200 sq.ft. per unit.</p> <p>Transfer of development rights can also be used to further increase the number of units from 7 to 10/acre.</p> <p>To use the TDR density bonus, a property owner can purchase development rights from a Lake Whatcom Watershed land owner or use the “fee-in-lieu-of” option. Under the fee-in-lieu-of option, a property owner/developer can purchase additional density by paying a fee to the City’s Lake Whatcom Watershed Acquisition Program (LWWPAP).</p> <p>The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.</p> <p>An applicant’s submittal for planned development shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWWPAP.</p>	<p>Access; spacing of curb cuts along Deemer, Telegraph and E. Bakerview Rds; drainage; wetlands; buffers</p>	<p>10’ right-of-way dedication on Bakerview Rd. for future road improvements; 600’ spacing of driveways on Bakerview; no protest LID agreement for Bakerview Rd; water improvement necessary for development greater than 4 units/acre and for fire flow; preservation of existing natural drainage ways and wetlands; mitigation of stormwater impacts; contribution of land or fees for neighborhood park and trail system.</p>	None

Mt. Baker Neighborhood Zoning Table, Area 29

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
29	Residential Single/Multi	Planned	*See Special Regulations	Protection of Baker Creek;	Building and parking setbacks on E. Bakerview shall meet minimum planned development requirements	<p>*The density would allow from 4-10 units/acre (10,000 sq.ft. min. detached lot size or 4 units/acre), plus a multifamily component not to comprise more than 25% of the total dwelling units allowed for property over 2 acres. Conditional uses may be considered through the planned development process.</p> <p>Density bonuses, achieved through incorporation of performance criteria for cluster development in the Bellingham Subdivision Ord. and transfer of development rights can be used to increase the number of units to 10/acre, or 4,356 sq.ft. per unit.</p> <p>To use the TDR density bonus, a property owner can purchase development rights from a Lake Whatcom Watershed land owner or use the “fee-in-lieu-of” option. Under the fee-in-lieu-of option, a property owner/developer can purchase additional density by paying a fee to the City’s Lake Whatcom Watershed Acquisition Program (LWWPAP).</p> <p>The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.</p> <p>An applicant’s submittal for planned development shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWWPAP.</p>