

EXHIBIT F

WATERFRONT DISTRICT DEVELOPMENT REGULATIONS

Article V. Waterfront District Urban Village

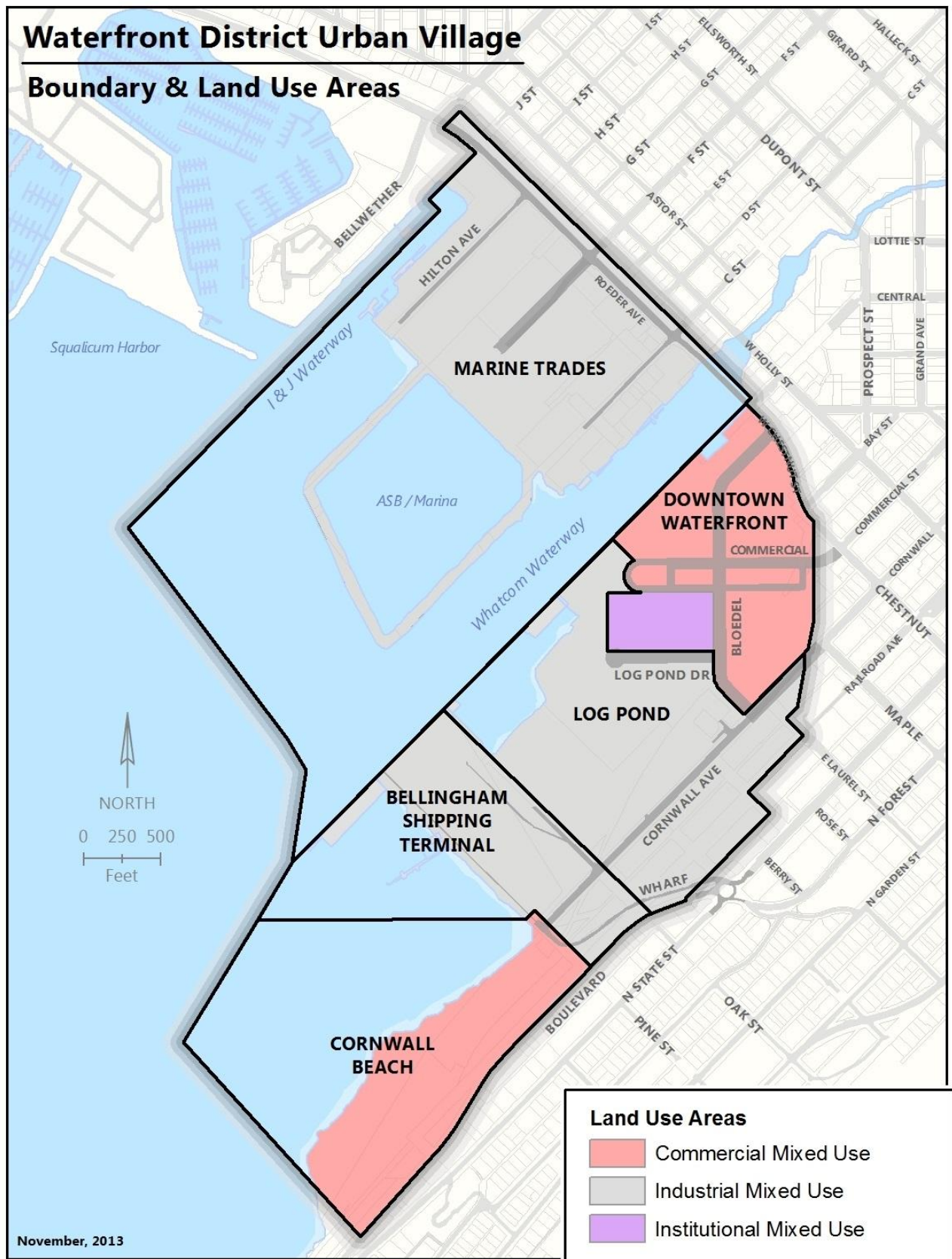
20.37.400 - Waterfront District Urban Village - Applicability

- A. The Regulations specified in this article shall apply to the use of all public and private land within The Waterfront District. Additional development regulations and restrictions apply as outlined in the Development Agreement adopted by **Ordinance No. _____**.
- B. Should the provisions of these Sections conflict with any other provision of the Bellingham Municipal Code, except the Critical Area Ordinance, Shoreline Master Program or Stormwater Regulations, the provisions of these Sections shall apply.
- C. **Nonconformity.** Nonconforming uses and buildings that are damaged or destroyed by sudden accidental cause may be reconstructed to those configurations existing immediately prior to the time the development was damaged, provided, a complete building permit application for repair and reconstruction is submitted within 12 months of occurrence of the damage or destruction. The Planning Director may extend the deadline upon finding that the applicant is experiencing undue hardship from unforeseen circumstances in meeting the deadline. New construction, other than routine maintenance on existing structures or reconstruction due to accidental causes, shall comply with the requirements of this ordinance.
- D. **Amendment.**
 - 1. The following amendments shall follow the annual comprehensive plan amendment process outlined in BMC 20.20:
 - a. Any change within a land use area from one land use classification to another (i.e. Commercial or Institutional Mixed-Use to Industrial Mixed-Use.)
 - b. Any boundary change between unlike land use classifications (i.e. between Commercial or Institutional Mixed-Use and Industrial Mixed-Use.)
 - c. Creation of a new land use area with a new land use classification.
 - 2. The following shall be considered through the rezone procedure in BMC 20.19:
 - a. Changes in the boundaries between like land uses, such as Commercial Mixed-Use and Institutional Mixed-Use.
 - b. Changes in the zoning of an "Area" or portion thereof.
 - c. Changes in permitted uses and/or density rules shall be considered a rezone, regardless of the land use area in which they appear.
 - 3. All other amendments to BMC 20.37.400 through .480 shall be considered through the development regulation amendment procedure in BMC 20.22.

20.37.410 - Waterfront District Urban Village - Establishment of Boundaries and Land Use Areas

- A.** The boundaries of The Waterfront District and associated Land Use Areas are delineated in **Figure .410-A**.
- B.** The Waterfront District is divided into various commercial, institutional and industrial land use areas. The purpose of these areas is to encourage the clustering of compatible uses, establish areas of unique character, and allow for variance in design and development intensity.
 - 1. Generally.** The Waterfront District Mixed-Use designation is intended to implement The Waterfront District Subarea Plan and community vision for the Central Waterfront. The mix of land uses and densities is intended to attract a compatible mix of commercial, institutional, light industrial, recreational, and urban density residential land uses. Parks, trails, public gathering places and areas for public use and enjoyment of the waterfront are encouraged throughout the District. Development and design standards encourage pedestrian-oriented development at street level and preserve water views from public view points within adjacent neighborhoods through the use of view corridors and building height limitations.
 - 2. Industrial Mixed-Use (IND).** The Waterfront District Industrial Mixed-Use designation recognizes the value and unique character of property with access or close proximity to navigable water and reserves this property primarily for industrial uses which depend upon or relate to the waterfront, but also allows public facilities, services, commercial and light-industrial uses which support or are compatible with an industrial setting in areas where infrastructure supports such uses. Development regulations in this area allow the building height and bulk needed to accommodate marine and industrial uses.
 - 3. Institutional Mixed-Use (IM).** The Waterfront District Institutional Mixed Use and Commercial Mixed-Use designations are like land use designations with the exception that IM is intended to accommodate higher-educational institutions and similar institutional uses or business campuses as the primary use. Building placement within such campuses in the Institutional Mixed-use sub-zone may be in accordance with an adopted master plan prepared for the campus area. Research facilities, offices, retail, recreation, business and personal services and residential uses are also encouraged within the district to complement and support the institutional or business campus uses.
 - 4. Commercial Mixed-Use (CM).** The Waterfront District Commercial Mixed-Use designation is characterized by a mix of residential, commercial, offices, recreation and public uses. Eating, drinking, entertainment, retail and service establishments are encouraged at ground level.

Figure .410-A: Waterfront District Urban Village Boundary & Land Use Areas



20.37.420 - Waterfront District Urban Village - Uses

A. Uses are established in **Table .420-A**, and the following:

1. Land use classifications are listed on the horizontal axis. Waterfront District land use areas are shown on the vertical axis.
2. If the symbol “**P**” appears in the box at the intersection of the column and row, the use is permitted subject to general requirements for the use and the use area.
3. If the symbol “**C**” appears in the box at the intersection of the column and the row, the use is permitted subject to the Conditional Use provisions specified in **BMC 20.16** and to general requirements for the use and the use area.
4. If the symbol “**N**” appears in the box at the intersection of the column and the row, the use is not allowed in that area, except for certain short-term uses (see **BMC 20.10.040** Temporary Uses).
5. If a (**number**) appears in the box at the intersection of the column and the row, the use may be permitted in the use area subject to the special limitation indicated in the corresponding “Note” at the end of the table.
6. **Use Determination:** In the case of a question as to the inclusion or exclusion of a particular proposed use in a particular use category, the Planning and Community Development Director shall have the authority to make the final determination. The Director shall make the determination according to the characteristics of the operation of the proposed use as they relate to similar allowed uses within the use area.
7. **Interim Permitted Uses** are allowed in accordance with the Development Agreement approved by **Ordinance No.** _____ or as amended by City Council action.
8. **Shoreline Master Program:** Specific uses allowed in **Table .420-A** may be restricted by the Shoreline Master Program.

Table .420-A Permitted Uses**P=Permitted (#) = See Notes C=Conditional N=Not allowed**

LAND USE CLASSIFICATION	Area			
	Industrial Mixed-use	Commercial Mixed-use	Institutional Mixed-Use	
A. RESIDENTIAL USES				
1. Bed and Breakfast	N	N	N	
2. Confidential Shelters (subject to Section 20.10.047)	N	P	P	
3. Hotel, Motel & Hostel	N	P ⁽¹⁾	P ⁽¹⁾	
4. Residential Uses	N	P ⁽¹⁾	P ⁽¹⁾	
5. Night Watchman or Caretaker Quarters	P	P	P	
B. COMMERCIAL				
1. Adult Entertainment	N	N	N	
2. Commercial Recreation	C ⁽⁵⁾	P	P	
3. Crematory	P	N	N	
4. Day care	N	P	P	
5. Day Treatment Center	N	P	P	
6. Drinking Establishment	P ⁽⁵⁾	P	P	
7. Drive-up/ Drive through facilities such as bank tellers, food and beverage services, laundry pick up, and car washes.	P ⁽⁴⁾	N	N	
8. Eating Establishment	P ⁽⁵⁾	P	P	
9. Live/Work unit	N	P	P	
10. Motor vehicles sales, limited to automobiles, motorcycles, scooters, recreational vehicles.	N	P ⁽⁷⁾	P ⁽⁷⁾	
11. Nightclubs	N	P	P	
12. Offices, including child placement agency, post office & tourism center	P ⁽⁶⁾	P	P	
13. Repair of small equipment & items such as appliances, electronics, clocks, furniture, hand tools and watches.	P	P ⁽²⁾	P ⁽²⁾	
14. Retail sales, except as restricted in B.10. above.	P ⁽⁶⁾	P	P	
15. Services, personal	N	P	P	
16. Service stations and gas stations	P ⁽⁴⁾	N	N	
17. Water-related and water-dependant commercial, recreation and transportation uses such as: boat launching facilities, boat rental and sales, boat charter or cruise facilities, visitor moorage, boat storage, marina, water based transportation, and offices and retail supporting the same.	P	P	P	
C. HEALTH CARE				
1. Doctor, Dentist, Medical & Therapy Office and/or Laboratory	N	P	P	
2. Medical Care Facility	N	P	P	

Table .420-A Permitted Uses**P=Permitted (#) = See Notes C=Conditional N=Not allowed**

LAND USE CLASSIFICATION	Area			
	Industrial Mixed-use	Commercial Mixed-use	Institutional Mixed-Use	
3. Service Care	N	P	P	
4. Veterinary Service, Animal Hospital & Small Animal Care Shop	P ⁽²⁾	P ⁽²⁾	P ⁽²⁾	
D. PUBLIC AND SEMI-PUBLIC ASSEMBLY				
1. Aquarium, Interpretive Center, Library & Museum	P	P	P	
2. Art Gallery, Art School, and Commercial Art Studio	P	P	P	
3. Auditorium, Stadium and Theater	C ⁽⁴⁾	P	P	
4. Church and House of Worship	C ⁽⁴⁾	C	C	
5. Community Center	C	P	P	
6. Convention Center	C	P	P	
7. Institution of Higher Education	P ⁽⁴⁾	P	P	
8. Neighborhood Club and Activity Center	N	P	P	
9. Park, Trail & Playground	P	P	P	
10. Passenger Terminal	P	P	P	
11. Private Club and Lodge	P	P	P	
12. Public Building and Use	P	P	P	
13. School	C	P	P	
E. INDUSTRIAL				
1. Automobile Repair	P	N	N	
2. Automobile Wrecking	N	N	N	
3. Commercial Electrical Power Generation per BMC 20.36.030	P	N	N	
4. Hazardous Waste Treatment & Storage Facility per BMC 20.16.020 G.1.	C	N	N	
5. Manufacture and Assembly	P	P ⁽²⁾	P ⁽²⁾	
6. Mini Storage Facility	P	P ⁽⁸⁾	P ⁽⁸⁾	
7. Monument and Stone Works	P	N	N	
8. Repair of Large Equipment such as vessels, vehicles and floor based tools	P	N	N	
9. Warehousing, Wholesaling & Freight Operation	P	N	N	
10. Water-related and dependent Industrial uses such as: Aquaculture, Barge loading facility, Boat/ship building, Boat Repair, Dry Dock, Net repair, Seafood Processing, Cargo Terminal, Web house, and offices supporting the same.	P	N	N	
F. MISCELLANEOUS USES				
1. Adaptive Uses for Historic Register Buildings per BMC 17.90.080 & 20.16.020	P	P	P	

Table .420-A Permitted Uses

P=Permitted (#) = See Notes C=Conditional N=Not allowed

LAND USE CLASSIFICATION	Area			
	Industrial Mixed-use	Commercial Mixed-use	Institutional Mixed-Use	
2. Agricultural Nursery	P ⁽⁷⁾	N	N	
3. Community Gardens	N	P	P	
4. Community Public Facilities per BMC 20.16.020 J.4.	P	P	P	
5. Parking Facility (nonretail)	P	P	P	
6. Parking Facility (Retail)	P	P	P	
7. Public Utilities on private property	P	P	P	
8. Public Utilities within a public right-of-way or park	P	P	P	
9. District Specific Utilities	P ⁽⁹⁾	P ⁽⁹⁾	P ⁽⁹⁾	
10. Recreational Vehicle Park	N	N	N	
11. Recycling Collection Center	P	P ⁽³⁾	P ⁽³⁾	
12. Recycling and Refuse Collection and Processing	P ⁽³⁾ C ⁽¹⁰⁾	N	N	
13. Wireless Communications Facility per BMC 20.13	P,C	P,C	P,C	

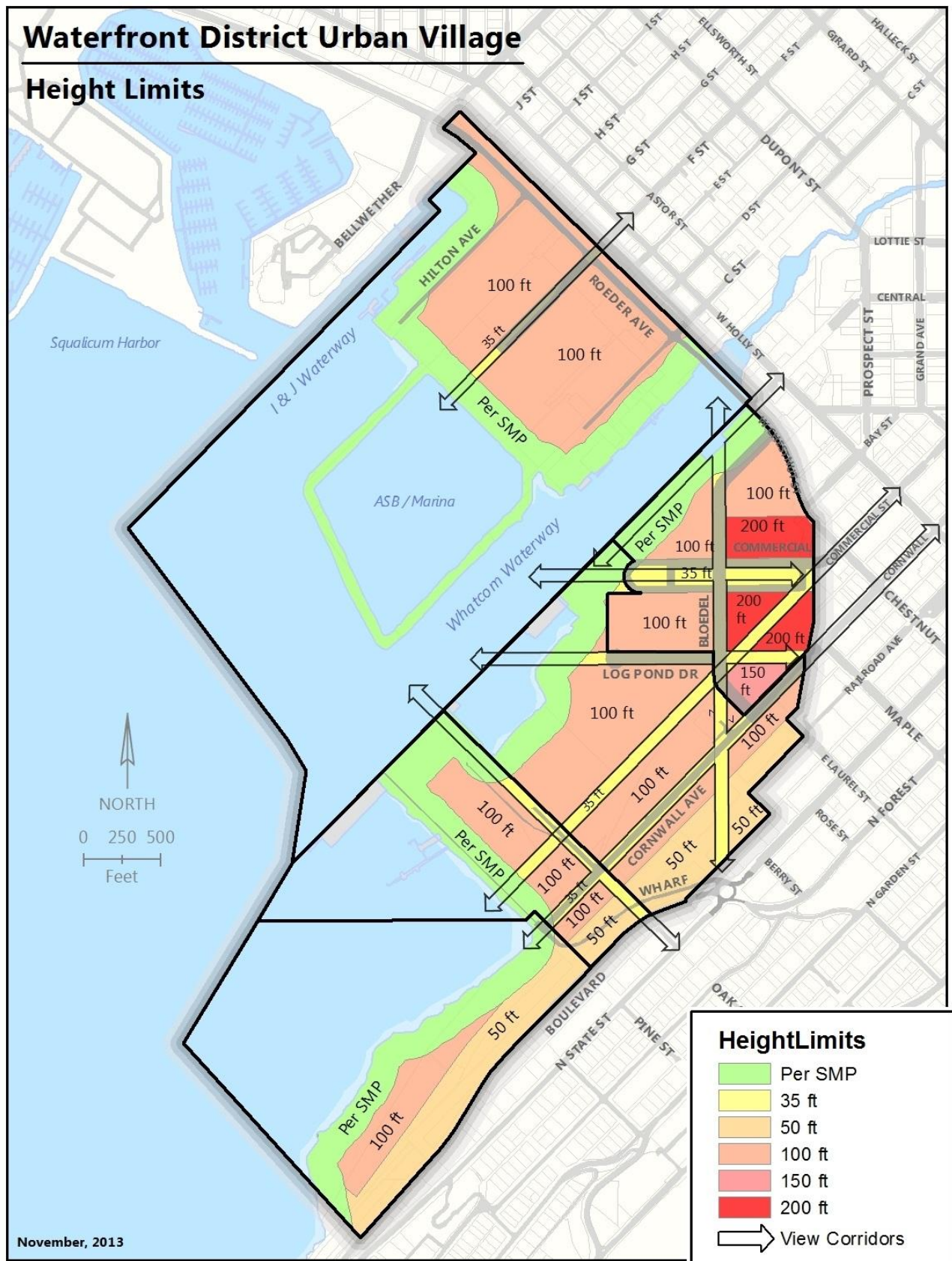
Notes:

- (1) Residential units or hotel rooms may not occupy the street level frontage on Granary or Bloedell Ave.
- (2) Provided noise, smell and other impacts are internalized within an enclosed structure.
- (3) Facilities shall be sized and designed to collect waste from residents, businesses and visitors to the Waterfront District and shall not be used to collect or treat waste imported from outside of the District.
- (4) Provided the project site has frontage on an arterial public street improved to a Type 1A or Type 1B street standard depicted in the Waterfront District Sub-Area Plan, Multi-modal Circulation & Parking Chapter, or an alternate standard approved by the Public Works Director.
- (5) Provided the project site has frontage on an arterial public street improved to a Type 1A or Type 1B street standard depicted in the Waterfront District Sub-Area Plan, Multi-modal Circulation & Parking Chapter, or an alternate standard approved by the Public Works Director, or is located adjacent to the public park and trail planned along the frontage of the new ASB marina. Such uses may not be approved adjacent to the marina until after the marina and associated public access and parking is constructed.
- (6) Provided the office or retail uses are related to construction, shipping, industrial or marine-related activities, or the sale of products manufactured or processed within the district. Retail sales in buildings adjacent to the new ASB marina may include food, alcohol and other commodities intended to serve boaters or marina customers after the marina has been constructed and is open for vessel use.
- (7) When entirely enclosed within a structure.
- (8) The floor area devoted to mini storage shall be less than 50% of the floor area of other permitted use(s) on site, and mini storage uses are prohibited on ground level street frontages except for entry, office and similar active uses.
- (9) As allowed through approval of a Waterfront Utility Master Plan.
- (10) Conditional for facilities that collect or process recycling or refuse imported from outside the district.

20.37.430 - Waterfront District Urban Village - Development Regulations

- A. Applicability.** The regulations of this Section shall apply to the development of any principal and/or accessory use within any area in the Waterfront District Urban Village.
- B. Design Review.** See **BMC 20.25** and **21.10** for applicable design review areas, standards, and procedures.
- C. Subdivision.** Except where the provisions of this Section conflict with any other provisions, the subdivision of land within the District shall comply with RCW 58.17 and BMC Title 18, as applicable.
1. There shall be no minimum lot width, depth or street frontage requirements for lots created for the purposes of residential, commercial, mixed-use, industrial, or institutional uses.
 2. Land divided through the binding site plan shall comply with **BMC 18.24**, except as modified herein.
 - a. Land divided through the binding site plan may include residential uses provided such division of land is compliant with RCW 58.17.035.
 - b. A separate general binding site plan contract is not required. The Waterfront Subarea plan and this Section shall be considered the contract.
 - c. All lots must abut appropriate utilities located in either right-of-way or adequate easements.
- D. Minimum Lot Size.** None.
- E. Maximum Density.** Building floor area ratios shall be consistent with Section **.430 H**.
- F. Setbacks.**
1. There shall be no minimum yards or building setbacks in Commercial or Institutional Mixed-Use sub-zones.
 2. The location and screening of buildings and uses in the Industrial Mixed-Use sub-zone shall comply with **Section .470** - Waterfront District Urban Village - Landscaping.
- G. Maximum Building Height.**
1. Maximum building heights within The Waterfront District are shown on **Figure .430-A** except as provided herein.
 2. Height is measured per Height Definition #1. Exceptions:
 - a. Waterfront topography will be raised during construction in conformance with requirements of the Waterfront District Planned Action Ordinance (**BMC 16.30, Exhibit A**) to account for sea level rise and installation of public infrastructure. Existing grade shall be that which is established with such fill activities when height is not measured from an abutting city sidewalk.
 - b. A building may be divided into modules and stepped with height measured on a per module basis to respond to topography on sloped property.
 3. Solar and wind power generating facilities may be permitted to exceed maximum building height limits, provided they are not located within view corridors.
 4. **View Corridors.**
 - a. View corridors within The Waterfront District are shown on **Figure .430-A**

Figure .430-A: Waterfront District Urban Village Height Limits



- b. Building height within view corridors is limited to 35 feet. Where view corridors fall within public rights-of-way, the view corridor extends to the edge of the right-of-way. View corridors which do not fall within public rights-of-way extend 30 feet on either side of the centerline of the designated view corridor.
 - c. Height within view corridors is measured to the highest point of the building or structure. Encroachment above the height limit into view corridors by rooftop objects such as mechanical equipment, elevator and stair shafts, smokestacks and ventilators is prohibited, other than eaves, cornices, awnings, decks with see-through railings and other similar features not exceeding 4 feet tall.
 - d. **Exempt Structures.** Structures of iconic art and historic waterfront structures that may be preserved and/or moved are exempt from view corridor height limits.
5. Properties within the jurisdiction of the Shoreline Master Program are also regulated by the height limits as defined in the Shoreline Master Program. Where conflicts arise, the more restrictive height applies.
6. Building height is further defined by building step backs, tall building floor plate restrictions and tower location standards as specified in the applicable Design Standards in **BMC 20.25.080**.

H. Floor Area Ratio (FAR)

- 1. Purpose.** The maximum floor area ratio (FAR) standards are intended to allow for modulation in individual buildings and flexibility in how to mass buildings on the site. Floor area ratios, combined with the density bonuses, height limits, view corridors and design standards are intended to implement The Waterfront District Subarea Plan.
- 2. Floor Area Ratio (FAR) Standard.**
 - a.** Base and maximum FAR for each subzone are illustrated on **Figure .430-B**. Industrial Mixed Use land use areas are exempt from FAR.
 - b.** Floor area transfer and bonuses outlined in **Table .430-A** provide the opportunity to increase FAR on individual building sites in the Commercial and Institutional Mixed-Use areas by a maximum of 2.0 FAR to the maximum FAR shown on **Figure .430-B**.
- 3. Transfer of Floor Area.** FAR may be transferred between properties that are part of a single development plan, provided:
 - a.** The designs for the sending and receiving properties are reviewed at the same time.
 - b.** The property owner(s) executes a covenant with the City that is attached to and recorded with the deed of both the site transferring and the site receiving the floor area reflecting the respective increase and decrease of potential floor area.
- 4. Floor Area Bonus Options.** Floor area bonus options summarized in Table .430-A and fully described in **Subsection 4. c.** below are offered as incentives to encourage facilities and amenities that implement The Waterfront District Subarea Plan.
 - a.** Projects may use more than one bonus option unless specifically stated otherwise; bonus floor area amounts are additive.

Waterfront District Urban Village

Floor Area Ratios

Map showing the Waterfront District Urban Village area, including Squalicum Harbor, ASB/Marina, and Whatcom Waterway. The map displays various streets and the designated Floor Area Ratios (FAR) for different zones.

FAR Legend:

- Base = 2 / Max = 4 (Orange)
- Base = 3 / Max = 5 (Red)

Map Labels:

- Streets: J ST, I ST, H ST, G ST, F ST, E ST, D ST, C ST, B ST, A ST, K ST, L ST, M ST, N ST, O ST, P ST, Q ST, R ST, S ST, T ST, U ST, V ST, W ST, X ST, Y ST, Z ST, AA ST, AB ST, AC ST, AD ST, AE ST, AF ST, AG ST, AH ST, AI ST, AJ ST, AK ST, AL ST, AM ST, AN ST, AO ST, AP ST, AQ ST, AR ST, AS ST, AT ST, AU ST, AV ST, AW ST, AX ST, AY ST, AZ ST, BA ST, BB ST, BC ST, BD ST, BE ST, BF ST, BG ST, BH ST, BI ST, BJ ST, BK ST, BL ST, BM ST, BN ST, BO ST, BP ST, BQ ST, BR ST, BS ST, BT ST, BU ST, BV ST, BW ST, BX ST, BY ST, BZ ST, CA ST, CB ST, CC ST, CD ST, CE ST, CF ST, CG ST, CH ST, CI ST, CJ ST, CK ST, CL ST, CM ST, CN ST, CO ST, CP ST, CQ ST, CR ST, CS ST, CT ST, CU ST, CV ST, CW ST, CX ST, CY ST, CZ ST, DA ST, DB ST, DC ST, DD ST, DE ST, DF ST, DG ST, DH ST, DI ST, DJ ST, DK ST, DL ST, DM ST, DN ST, DO ST, DP ST, DQ ST, DR ST, DS ST, DT ST, DU ST, DV ST, DW ST, DX ST, DY ST, DZ ST, EA ST, EB ST, EC ST, ED ST, EE ST, EF ST, EG ST, EH ST, EI ST, EJ ST, EK ST, EL ST, EM ST, EN ST, EO ST, EP ST, EQ ST, ER ST, ES ST, ET ST, EU ST, EV ST, EW ST, EX ST, EY ST, EZ ST, FA ST, FB ST, FC ST, FD ST, FE ST, FF ST, FG ST, FH ST, FI ST, FJ ST, FK ST, FL ST, FM ST, FN ST, FO ST, FP ST, FQ ST, FR ST, FS ST, FT ST, FU ST, FV ST, FW ST, FX ST, FY ST, FZ ST, GA ST, GB ST, GC ST, GD ST, GE ST, GF ST, GG ST, GH ST, GI ST, GJ ST, GK ST, GL ST, GM ST, GN ST, GO ST, GP ST, GQ ST, GR ST, GS ST, GT ST, GU ST, GV ST, GW ST, GX ST, GY ST, GZ ST, HA ST, HB ST, HC ST, HD ST, HE ST, HF ST, HG ST, HH ST, HI ST, HJ ST, HK ST, HL ST, HM ST, HN ST, HO ST, HP ST, HQ ST, HR ST, HS ST, HT ST, HU ST, HV ST, HW ST, HX ST, HY ST, HZ ST, IA ST, IB ST, IC ST, ID ST, IE ST, IF ST, IG ST, IH ST, II ST, IJ ST, IK ST, IL ST, IM ST, IN ST, IO ST, IP ST, IQ ST, IR ST, IS ST, IT ST, IU ST, IV ST, IW ST, IX ST, IY ST, IZ ST, JA ST, JB ST, JC ST, JD ST, JE ST, JF ST, JG ST, JH ST, JI ST, JJ ST, JK ST, JL ST, JM ST, JN ST, JO ST, JP ST, JQ ST, JR ST, JS ST, JT ST, JU ST, JV ST, JW ST, JX ST, JY ST, JZ ST, KA ST, KB ST, KC ST, KD ST, KE ST, KF ST, KG ST, KH ST, KI ST, KJ ST, KK ST, KL ST, KM ST, KN ST, KO ST, KP ST, KQ ST, KR ST, KS ST, KT ST, KU ST, KV ST, KW ST, KX ST, KY ST, KZ ST, LA ST, LB ST, LC ST, LD ST, LE ST, LF ST, LG ST, LH ST, LI ST, LJ ST, LK ST, LL ST, LM ST, LN ST, LO ST, LP ST, LQ ST, LR ST, LS ST, LT ST, LU ST, LV ST, LW ST, LX ST, LY ST, LZ ST, MA ST, MB ST, MC ST, MD ST, ME ST, MF ST, MG ST, MH ST, MI ST, MJ ST, MK ST, ML ST, MM ST, MN ST, MO ST, MP ST, MQ ST, MR ST, MS ST, MT ST, MU ST, MV ST, MW ST, MX ST, MY ST, MZ ST, NA ST, NB ST, NC ST, ND ST, NE ST, NF ST, NG ST, NH ST, NI ST, NJ ST, NK ST, NL ST, NM ST, NN ST, NO ST, NP ST, NQ ST, NR ST, NS ST, NT ST, NU ST, NV ST, NW ST, NX ST, NY ST, NZ ST, OA ST, OB ST, OC ST, OD ST, OE ST, OF ST, OG ST, OH ST, OI ST, OJ ST, OK ST, OL ST, OM ST, ON ST, OO ST, OP ST, OQ ST, OR ST, OS ST, OT ST, OU ST, OV ST, OW ST, OX ST, OY ST, OZ ST, PA ST, PB ST, PC ST, PD ST, PE ST, PF ST, PG ST, PH ST, PI ST, PJ ST, PK ST, PL ST, PM ST, PN ST, PO ST, PP ST, PQ ST, PR ST, PS ST, PT ST, PU ST, PV ST, PW ST, PX ST, PY ST, PZ ST, QA ST, QB ST, QC ST, QD ST, QE ST, QF ST, QG ST, QH ST, QI ST, QJ ST, QK ST, QL ST, QM ST, QN ST, QO ST, QP ST, QQ ST, QR ST, QS ST, QT ST, QU ST, QV ST, QW ST, QX ST, QY ST, QZ ST, RA ST, RB ST, RC ST, RD ST, RE ST, RF ST, RG ST, RH ST, RI ST, RJ ST, RK ST, RL ST, RM ST, RN ST, RO ST, RP ST, RQ ST, RR ST, RS ST, RT ST, RU ST, RV ST, RW ST, RX ST, RY ST, RZ ST, SA ST, SB ST, SC ST, SD ST, SE ST, SF ST, SG ST, SH ST, SI ST, SJ ST, SK ST, SL ST, SM ST, SN ST, SO ST, SP ST, SQ ST, SR ST

Table .430-A Summary of Floor Area Ratio Bonus Options

Bonus Option	Floor Area Bonus
Minimum LEED Platinum or Living Building Certification (or equivalent)	2.0 FAR Bonus
Public Plazas and Open Spaces	Provide 1 Square Foot of public open space; Receive 2.5 Square Feet of building space.
Affordable Housing	Provide 1 Square foot; Receive 4 Square feet bonus
Minimum LEED Gold Certification (or equivalent)	1.0 FAR Bonus
Minimum LEED Silver Certification (or equivalent)	0.5 FAR Bonus
Lake Whatcom Watershed Property Acquisition Program	Receive 1 SF for each Fee Unit paid (see Lake Whatcom Watershed Acquisition fee schedule)

- b. The maximum FAR increase that may be earned through the bonus options shall not exceed the maximum allowed FAR illustrated on **Figure .430-B**.

c. Bonus Options.

- (1) **Public Plazas and Open Spaces.** Floor area may be transferred to and from any property within The Waterfront District when approved by the Planning Director, provided:
- (a) The transferred floor area will result in the provision of a public plaza or open space to remain open to the public in accordance with park hours established in **BMC 8.04.040**.
 - (b) For each square foot of base FAR allowed by the development code transferred from an eligible site, two and one half (2.5) square feet of bonus floor area is earned on the receiving site(s) up to a maximum of 1.0 FAR per receiving site.
 - (c) The property owner(s) executes a covenant with the City that is attached to and recorded with the deed of both the site transferring and the site receiving the floor area reflecting the respective increase and decrease of potential floor area.
- (2) **Affordable Housing.** Development which includes affordable owner-occupied housing or affordable renter-occupied housing which are ensured affordable for a period of not less than fifty (50) years, or for a lesser period established in an adopted state or federal affordable housing finance and monitoring program, and documented through deed restriction and/or covenant, and where such units' affordability is ensured through enforcement and monitoring by a public agency.
- (a) For each square foot of affordable housing, four square feet of bonus floor area is earned, up to a maximum of 0.5 FAR.
 - (b) **"Affordable owner-occupied housing"** means housing units sold at a price affordable to households earning no more than 100% of Bellingham's median household income as published annually by the U.S. Department of Housing and Urban Development ("HUD").

- (c) **“Affordable renter-occupied housing”** means housing units rented to households earning no more than 80% of Bellingham’s household income as published annually by HUD.
- (3) **Leadership in Energy and Environmental Design™ (LEED) Certification or Living Building (or equivalent).** Buildings that incorporate sustainable design may receive a graduated (0.5 to 2.0) FAR bonus. To qualify for this bonus, the proposed project shall be certified by the Planning Director as a minimum LEED Silver, Gold, Platinum or Living Building Challenge certification (or equivalent).
- (4) **Lake Whatcom Watershed Property Acquisition Program (LWWPAP).** Contributors to the LWWPAP receive floor area bonuses when approved by the Planning Director, provided:
 - (a) Bonus floor area earned is paid for on a per square foot basis according to a fee schedule established by City Council resolution.
 - (b) Floor area paid for and floor area earned is at a 1:1 ratio, such that for each square foot paid for, one square foot of floor area is earned on the receiving site up to a maximum 0.5 FAR bonus.
 - (c) The applicant must submit with the application for land use review a letter from the Bellingham Finance Department documenting the amount which will be contributed to the LWWPAP.

I. Building Requirements for a Noise Level Reduction of Thirty (30) dB

1. **Applicability.** New development shall comply with the requirements of this section or **BMC 20.25.080 C.1.h.** (Acoustical Site Planning).
2. **Compliance.** Compliance with this section shall be deemed to meet requirements for a minimum noise level reduction (NLR) of thirty (30) decibels. The requirements of this section shall apply to the design of the exterior envelope of all buildings in the Waterfront District Area designed for residential occupancy.
3. **Exterior Walls.**
 - a. Exterior walls shall have a laboratory sound transmission class rating of at least STC-35.

Exception: Insulated walls that are constructed in accordance with the Washington State Energy Code and that have interior and exterior sheathing of not less than five-eighths (5/8) inch thick, or walls built in accordance with the following, shall be considered to meet the STC-35 requirements:
 - (1) Masonry and concrete walls having a weight of at least forty (40) pounds per square foot. These walls are not required to be furred out on the interior of the wall if at least one (1) surface of the concrete block wall is plastered.
 - (2) Stud walls at least four (4) inches in nominal depth shall be considered to meet the above requirements if built as defined below and to ASTM E497, Standard Practice for Installing Sound-Isolating Lightweight Partitions.
 - (a) The interior surface of the exterior walls shall be covered with gypsum board or plaster at least one-half (1/2) inch thick. If the exterior of the wall is stucco or brick veneer, the interior gypsum board or plaster may be fastened rigidly to the studs. If the exterior is of any other siding, the interior gypsum board or plaster shall be fastened resiliently to the studs.

- (b)** Insulation material at least R-19 or of a higher insulating value when required by the Washington State Energy Code shall be installed continuously throughout the cavity space, installed as specified in the Washington State Energy Code.
- (c)** The outside of the wall shall be covered with a continuous layer of composition board, plywood, gypsum board, or a combination of these materials that is not less than three-quarters (3/4) inch thick.
- (d)** Outside sheathing panels shall be covered with a layer of building paper, or equivalent, installed accordance with the Washington State Building Code Act (RCW 19.27).
- (e)** Siding shall be installed over the building paper.

4. Exterior Windows.

- a.** Windows other than as described in this section shall have a laboratory sound transmission class rating of at least STC-33.

Exception: Windows meeting the criteria listed below shall be considered to meet the STC-33 requirement:

- (1)** A window that is double-glazed with the glass at least one-eighth (1/8) inch thick with not less than a one-half (1/2) inch air space between the glass panels.
- b.** All windows shall be installed to meet the following requirements:
 - (1)** The glass shall be sealed into the frame in an airtight manner with a nonhardening sealant or a soft elastomer gasket, or gasket tape.
 - (2)** They shall be weather-stripped to conform to an air infiltration test not to exceed one-half (1/2) cubic foot per minute per foot of crack length, in accordance with ASTM E-283-65-T.
 - (3)** The perimeter of the window frames shall be sealed to the exterior wall construction in accordance with the Washington State Energy Code.

5. Exterior Doors.

- a.** Doors other than as described in this section shall have a laboratory sound transmission class rating of at least STC-33.

Exception: Doors meeting the following criteria shall be considered as meeting the STC-33 rating:

- (1)** Double door construction, where a minimum space between the double doors shall be not less than three (3) inches, is required.
- (2)** At side-hinged doors, at least one (1) of the doors shall be a solid-core wood, or insulated hollow metal, that is not less than one and three-quarters (1 3/4) inch thick at its thinnest point. The second door may be a storm door. Both doors shall meet all requirements of this section.
- (3)** Glass installed in a solid-core wood door, that has a total area of more than two (2) square feet, shall be not less than three-sixteenths (3/16) inch thick.
- (4)** All glass and glazing shall be sealed in an airtight manner with a nonhardening sealant or in a soft elastomer gasket or glazing tape.

- (5) Exterior sliding glass doors shall be weather-stripped with an efficient airtight gasket system.
 - (6) The double sliding glass doors shall be double-glazed with a separation between glass panels of not less than one-half (1/2) inch. The glass used in the double-glazed glass panels shall be of unequal thickness.
 - b. All doors shall be installed to meet the following requirements:
 - (1) They shall be weather-stripped to conform to an air infiltration test not to exceed one-half (1/2) cubic foot per minute per foot of crack length, in accordance with ASTM E-283-65-T.
 - (2) The perimeter of the doorframes shall be sealed to the exterior wall construction in accordance with the Washington State Energy Code.
6. Roof/Ceiling.
- a. Combined roof and ceiling construction other than described in this section shall have a laboratory sound transmission class rating of at least STC-44.
- Exception: Roof-ceiling assemblies that are constructed in accordance with the Washington State Energy Code, and the following criteria, shall be considered to meet the STC-44 requirement:
- (1) The roof deck shall be sheathed with not less than three-quarters (3/4) inch composition board, plywood or gypsum board sheathing, topped by roofing.
 - (2) Ceiling insulation shall be not less than R-19, and not less than the minimum requirement of the Washington State Energy Code. The insulation shall be installed with not less than six (6) inches average air space between the insulation and the roof deck.
 - (3) Gypsum board or plaster ceilings shall be not less than five-eighths (5/8) inch thick.
 - (4) The ceiling shall be substantially airtight with a minimum of penetrations. Lighting fixtures penetrating the ceiling assembly shall be in accordance with the requirements in the Washington State Energy Code. Other types of penetrations shall be treated in a similar manner to the requirements in the Washington State Energy Code.

20.37.440 - Waterfront District Urban Village - Sustainability

- A. Applicability.** The regulations of this Section shall apply to the development of any principal and/or accessory use within any area in the Waterfront District Urban Village, except when a project incorporates a FAR bonus having LEED Certification or equivalent consistent with **BMC 20.37.430 H.4.c.(3)**.
- B. Intent:** To promote sustainable design and development practices consistent with the LEED Neighborhood Design program and create a framework for environmental stewardship.
- C. Standards:** All new development within The Waterfront District shall meet the following minimum standards for energy and water efficiency and recycling:
 - 1. Light Pollution Reduction-** Lighting in industrial areas shall be directed downward or shielded to avoid unnecessary glare on adjacent residential or mixed-use areas.

2. **Landscape irrigation-** Landscaping with native or drought tolerant plants which do not require permanent irrigation systems is encouraged. If irrigation systems are installed for landscaping or uses such as rooftop and patio vegetable gardens to provide local or personal food production, irrigation systems shall use only captured rainwater, recycled wastewater, or water treated and conveyed by a public agency specifically for non-potable uses. Temporary irrigation systems used for plant establishment are allowed to utilize potable water if removed within three years of installation. All landscaping areas shall be consistent with **BMC 20.37.470**.
3. **Energy Conservation-** To minimize energy use, new development shall be designed to include two or more of the following energy-reduction features:
 - Orient buildings for use of passive and active solar heating systems.
 - Use of solar energy, heat, hot water systems
 - Comply with energy conservation element for LEED, GreenBuilt or other sustainable building program
 - Use of interior motion sensor light switches
 - Use of solar powered walkway or outdoor lighting
 - Use of light tubes for natural lighting
 - Use of Federal Energy Star Label Program
4. **Recycling facilities-** Buildings or building complexes larger than 20,000 square feet shall include at least two of the following for building occupants, and publicize the availability and benefits of the drop-off point(s), station(s), or services:
 - a. A drop-off point for office or household potentially hazardous wastes such as paints, solvents, oil, batteries, and fluorescent light bulbs;
 - b. At least one recycling or reuse station as available to building occupants dedicated to the separation, collection, and storage of materials for recycling including, at a minimum, paper, corrugated cardboard, glass, plastics and metals;
 - c. A collection station available to building occupants dedicated to the collection of landscaping and food wastes and other compostable materials.
5. **Construction waste recycling-** At least 50% of non-hazardous construction and demolition debris shall be recycled. The developer shall prepare and implement a construction waste management plan that, at a minimum, identifies the materials to be diverted from disposal and whether the materials will be stored on-site or commingled, ensures jobsite personnel understand and participate in the program, and retain verification records (waste haul receipts, waste management reports, spreadsheets, etc.) to confirm the diverted materials have been recycled or salvaged as intended. The plan shall be submitted at time of building permit application or as approved in writing by the Director.
6. **District Specific Utilities –** If available and implemented through a Waterfront Utility Master Plan, all new development within the Downtown Waterfront area shall connect to and utilize District Specific Utilities, such as district energy, district heating and non-potable water systems. Uses in other areas may connect to District Specific Utilities as approved by the Public Works Department.

20.37.450 - Waterfront District Urban Village - Parking

- A. **Applicability.** The regulations of this Section shall apply to the development of any principal and/or accessory use within any area in the Waterfront District Urban Village. All parking standards in **BMC 20.12** concerning applicability, general provisions, design

provisions and improvement standards shall apply except as provided herein.

- B.** Uses shall provide parking as follows. Fractions are rounded up to the next whole number.
1. Minimum parking requirements for use designations of the Waterfront District shall be per **Table .450-A** Minimum Parking Requirements.
 2. If a use is not readily classified within the zoning classifications, then the Planning and Community Development Director shall determine the standards which shall be applied.

Table .450-A: Minimum Parking Requirements

Residential	0.5 space per studio unit. 0.75 space per 1-bedroom unit. 1.00 space per unit having 2 or more bedrooms.
Commercial and Institutional	1 space per 500 SF of gross floor area used for offices, retail, services, eating and drinking establishments, cultural or education facilities and similar uses.
Industrial and Manufacturing	1 space per 5,000 square feet of gross floor area or 1 per 2 employees (working at the same time) whichever is greater.
Warehousing and Wholesale	1 space for every 20,000 square feet of gross floor area or 1 per 2 employees (working at the same time) whichever is greater.
Mini-Storage	1 space for every 2,000 square feet of storage area plus 3 spaces for the Manager's office.
Marinas	See Shoreline Master Program
Boat Launches	See Shoreline Master Program

3. Buildings existing as of (**date of adoption of this ordinance**) are exempt from the requirement to provide additional parking due to a use change.
4. The Planning and Community Development Director shall have the authority to waive parking requirements when consistent with an area-wide parking plan and/or district pursuant to **BMC 20.12.010 A**.
5. Existing buildings listed on the Local, State or Federal Register of Historic Places are exempt from required parking for a one-time floor area expansion provided (1) the floor area expansion is limited to an area equal to 10% of the area of the existing building and (2) existing conforming parking on site shall not be displaced except as otherwise may be allowed. If the listed historic building provides 10% or less of the on-site parking that would be required for an equivalent new building, the Planning Director may allow displacement of some or all of the on-site parking.
6. The creation of new improved on-street parking that abuts a project site may count toward on-site parking requirements when the new street parking will increase the

supply of improved on-street public parking. The parking and street design shall be consistent with the standards in **BMC 20.37.460**, and subject to Public Works Department approval.

7. Parking garages or shared parking facilities located within one thousand feet of the uses they serve may be counted toward the on-site parking requirements for the use, provided an off-site or shared parking agreement is approved for use of the facility.

C. Unbundled Parking. Unbundled parking means that the parking required of a project is not assigned to building space; it is sold or leased separately.

1. **Purpose:** To make more efficient use of parking that is required of a project but not otherwise used or needed by tenants of the project.
2. Taking into account that the parking required of a project represents the parking demand added to the general vicinity, any parking space constructed in the Waterfront District can be made available to any on- or off-site use, on a fee or lease basis, to provide more opportunities to satisfy the local parking demand.

D. Shared Parking:

1. **Purpose:** To efficiently utilize parking resources where the potential for shared parking provisions with adjacent land uses has been analyzed and found to be appropriate.
2. Two or more uses may share parking if the number of parking spaces provided is equal to the greatest number of required spaces for uses operating at the same time.
3. The developer shall complete a parking demand analysis to demonstrate that the resultant parking will be adequate for the anticipated uses.
4. To ensure that a parking area is shared, each property owner or party must sign a shared parking agreement in a form acceptable to the City Attorney, stating that his/her property is used for parking by another use(s) on the same property, or a use(s) on adjacent property. The applicant must file this statement with the Whatcom County Assessor's Office to run with the property(s). Shared parking may include use of off-site parking in a commercial parking structure.

E. Parking Reduction Allowed. The Planning Director may administratively reduce parking for projects that, either through adoption of a program or actual parking characteristics of the use, will result in less auto dependence. Such programs or special uses may include implementation of Zipcar™, enhanced bike storage facilities, purchase of WTA transit passes for a minimum of 2 years, car pool or commute trip reduction programs, installation of WTA transit shelters, and senior and affordable housing. The developer shall provide the information necessary to support this administrative decision.

F. Parking Design:

1. The location and screening of parking facilities in the Waterfront District shall comply with **Section .470** - Waterfront District Urban Village - Landscaping.
2. **Commercial and Institutional Mixed-Use areas.**
 - a. Individual surface parking lots or ground-level garages shall not be larger than 2 acres unless they are located under or over space intended for human occupancy.
 - b. To minimize the heat island impact of surface parking lots, a minimum of 50% of all off-street parking spaces shall be:

- 1) Located within a building or parking structure;
- 2) Placed under cover in a structure with a roof having a Solar Reflective Index (SRI) of at least 29;
- 3) Use paving materials with a SRI of at least 29; or
- 4) Shaded by landscaping within 5 years of occupancy.

3. Interim Surface Parking.

- a. **Intent:** Interim surface parking may be permitted on parcels intended for redevelopment and should not remain in excess of 10 years in Commercial and Institutional Mixed Use areas.
- b. **Standard:** Alternative development standards may be approved by the Planning Director for Interim Surface Parking lots provided stormwater is treated in accordance with City stormwater regulations and a clear timeline is established for converting the lot to an alternate use.

G. Bike Parking.

1. **Number of spaces required.** Bicycle parking is required for certain use categories to encourage the use of bicycles by providing safe and convenient places to park bicycles. These regulations ensure adequate short and long-term bicycle parking based on the demand generated by the different use categories and on the level of security necessary to encourage the use of bicycles for short and long stays.
 - a. The required minimum number of bicycle parking spaces for each use category is shown on **Table .450-B**. No bicycle parking is required for uses not listed.
 - b. The required minimum number of bicycle parking spaces is based on the primary uses on a site. When there are two or more separate primary uses that operate at the same time on a site, the required bicycle parking for the site is the sum of the required parking for the individual primary uses.
2. **Exemptions.**
 - a. No long-term bicycle parking is required on a site where there is less than 2,500 square feet of gross building area.
 - b. No bicycle parking is required for unattended surface parking lots.
3. **Bicycle Parking Standards.**
 - a. **Short-term bicycle parking.**
 - (1) **Purpose.** Short-term bicycle parking encourages shoppers, customers, messengers, and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Short-term bicycle parking should serve the main entrance of a building and should be visible to pedestrians and bicyclists.
 - (2) **Standards.**
 - (a) Required short-term bicycle parking shall be located:
 - i. Outside a building;
 - ii. On the site;
 - iii. At the same grade as the sidewalk or at a location that can be reached by an accessible route; and
 - iv. Within 50 feet of the main entrance to the building as measured along the most direct pedestrian access route. For sites that have more than one primary

building, the bicycle parking shall be within 50 feet of a main entrance as measured along the most direct pedestrian access route, and shall be distributed to serve all primary buildings.

- (b) Short term bike parking may be located within the public right-of-way provided the location and design are subject to Public Works Department approval.

TABLE .450-B: Minimum Required Bicycle Parking		
Specific Use	Long-term Spaces	Short-term Spaces
1. Multi-family housing	2, or 0.5 per bedroom and studio unit.	2, or 1 per 20 dwelling units.
2. Commercial: Retail Sales and Service, including Eating and Drinking Establishments	2, or 1 per 12,000 sq.ft. of gross floor area.	2, or 1 per 5,000 sq.ft. of gross floor area.
3. Commercial: Office	2, or 1 per 10,000 sq.ft. of gross floor area.	2, or 1 per 20,000 sq.ft. of gross floor area.
4. Commercial: Off-street parking lots and garages available to the general public without charge or on a fee basis	2, or 1 per 20 automobile spaces.	6, or 1 for each 20 automobile spaces.
Note: Wherever this table indicates two numerical standards, such as "2, or 1 per 5,000 sq.ft. of gross floor area," the larger number applies.		

b. Long-term bicycle parking.

(1) **Purpose.** Long-term bicycle parking provides employees, residents, commuters and others who generally stay at a site for several hours, a secure and weather-protected place to park bicycles. Although long-term parking does not have to be provided on-site, the intent of these standards is to allow bicycle parking to be within a reasonable distance in order to encourage bicycle use.

(2) **Standards.** Required long-term bicycle parking shall be:

- (a) Provided in racks or lockers that meet the standards of Subsection **G.3.c.**;
- (b) Located on the site or in an area where the closest point is within 300 feet of the site;
- (c) Covered. At least 50% of required long-term bicycle parking shall be covered and meet the standards of Subsection **G.3.c.(5)**. (Covered bicycle parking); and
- (d) Secured. To provide security, long-term bicycle parking shall be in at least one of the following locations:
 - i. In a locked room;
 - ii. In an area that is enclosed by a fence with a locked gate. The fence shall be either 8 feet high, or be floor-to-ceiling;
 - iii. Within view of an attendant or security guard;
 - iv. In an area that is monitored by a security camera; or
 - v. In an area that is visible from employee work areas.

c. Standards for all bicycle parking.

- (1) Purpose.** These standards ensure that required bicycle parking is designed so that bicycles may be securely locked without undue inconvenience and will be reasonably safeguarded from intentional or accidental damage.
- (2) Bicycle lockers.** Where required bicycle parking is provided in lockers, the lockers shall be securely anchored.
- (3) Bicycle racks.** Required bicycle parking may be provided in floor, wall, or ceiling racks. Where required bicycle parking is provided in racks, the racks shall meet the following standards:
 - (a)** The bicycle frame and one wheel can be locked to the rack with a high security, U-shaped shackle lock if both wheels are left on the bicycle;
 - (b)** A bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components; and
 - (c)** The rack shall be securely anchored.
- (4) Parking and maneuvering areas.**
 - (a)** Each required bicycle parking space shall be accessible without moving another bicycle;
 - (b)** There shall be an aisle at least 5 feet wide behind all required bicycle parking to allow room for bicycle maneuvering. Where the bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way; and
 - (c)** The area devoted to bicycle parking shall be hard surfaced.
- (5) Covered bicycle parking.** Covered bicycle parking, as required by this section, can be provided inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures. Where required covered bicycle parking is not within a building or locker, the cover shall be:
 - (a)** Permanent;
 - (b)** Designed to protect the bicycle from rainfall; and
 - (c)** At least 7 feet above the floor or ground.
- (6) Signs.** If required bicycle parking is not visible from the street or main building entrance, a sign shall be posted at the main building entrance indicating the location of the parking.

20.37.460 - Waterfront District Urban Village - Complete Streets

- A.** Unless an alternate standard is approved by the Public Works Director, all public and private roads constructed within The Waterfront District shall be open to the public and constructed in accordance with the street standards adopted in **BMC 13.04**.
- B.** Street width, sidewalks and bicycle facilities shall be consistent with the street designs for the various street types depicted in The Waterfront District Sub-Area Plan, Multi-modal Circulation & Parking Chapter. An alternate standard with equivalent pedestrian and bicycle access may be approved by the Public Works Director.
- C.** Except for industrial uses, blocks shall be of similar size or smaller than the blocks in the existing Central Business District. Any block exceeding 240 feet in length or depth shall

include an alley or pedestrian access through the block, and large buildings located on oversize blocks shall include a pedestrian route through the building, unless otherwise approved by the Planning Director.

- D. If any cul-de-sacs are created, bicycle or pedestrian access shall be established to connect the end of the cul-de-sac to an adjacent public street, park or trail, unless access is restricted by steep slopes, the railroad or a water body.
- E. Arterial Streets shall be designed to accommodate transit use, with transit stops or pull-outs located a maximum of 1/4 mile apart.
- F. Where feasible, transit stops shall be located within or adjacent to a building with weather protection or include a partially enclosed shelter to buffer wind and rain, with a bench, lighting, and a kiosk, bulletin board or sign with route information and schedules.

20.37.470 - Waterfront District Urban Village - Landscaping

A. Applicability. This section provides the landscaping requirements for all uses permitted within The Waterfront District.

- 1. Vegetation size, species and planting standards shall be as specified in **BMC 20.12.030 D.** unless specified otherwise herein.
- 2. The provisions of this section shall apply to all new construction and to remodeling when the cost of remodeling exceeds 50% of the assessed valuation of the structure to the extent that there is space available for the landscaping.
- 3. Prior to issuance of a building permit, a scaled landscape site plan shall be submitted and approved by the Planning Department consistent with the provisions herein. Said plan shall specify specie name, size and location.
- 4. Landscaping pursuant to the approved site plan shall either be installed or bonded for (in an amount no less than 150% of cost of material and installation) prior to issuance of a certificate of occupancy or if no certificate is required prior to final inspection approval.
- 5. **Departures from landscaping requirements.** The Director may approve departures from the landscaping requirements pursuant to **BMC 20.25.080 C.**

B. Requirements

1. Commercial and Institutional Mixed Use Areas

- a. Where open maintenance/storage yards, loading areas, internal vehicular circulation or open parking areas abut a street, trail or park, a landscape buffer a minimum of 5' deep shall be planted along the park, trail or street frontage.

2. Industrial Mixed-Use areas

- a. Where buildings containing industrial uses abut an arterial street, trail or park, a landscape buffer having a minimum 20' depth shall be planted along the park, trail or street frontage.
- b. Where open construction/maintenance/storage yards or loading areas abut an arterial street, trail or park, or are adjacent to land zoned CM or IM, a landscape buffer having a minimum 10' depth shall be planted along the park, trail or street frontage.
- c. Where open internal vehicular circulation or parking areas abut an arterial street, trail

or park, a landscape buffer a minimum of 5' deep shall be planted along the park, trail or street frontage.

- d. The Planning and Community Development Director may reduce or eliminate the landscape buffer in subsection **B.2.a.** above if all of the following criteria can be met for the wall length within the yard being reduced:
 - 1) At least 35% of the building wall area on the ground floor contains transparent windows between a height of 2 feet and 7 feet facing the street. The 35% transparent window calculation only applies to the section of building within the reduced yard.
 - 2) When the wall length within the yard being reduced fronts a street, a customer-oriented pedestrian entry faces, and is accessible from, the street.
 - 3) All parking facilities are located to the side or rear of the building having a reduced yard.
 - 4) Unless otherwise prohibited in **Table .420-A** or the Shoreline Master Program, the proposed use is retail, eating or drinking establishment, personal or business services, amusement and recreation, professional offices, the office component of an industrial use, educational facilities, or similar uses as determined by the Planning and Community Development Director.

3. Street Trees.

- a. One street tree shall be provided for every 50' of street frontage.
- b. Street trees within view corridors shall be slow growing species with narrow canopy.

4. Parking Lot Landscaping.

- a. In Commercial and Institutional Mixed Use Areas, surface parking lots with 15 or more parking spaces shall provide internal landscaping at the rate of 20 square feet of landscaped area per parking stall. The landscaping shall include at least one shrub for every 20 square feet of landscaped area and 1 shrub per enclosed bed. One tree shall be required for every 10 open parking spaces. Vegetation ground cover shall be provided for all landscaped areas that will provide 90% coverage within 2 years. This provision may be apply at the discretion of the Planning Director in Industrial Mixed Use areas when developed with a commercial use.
- b. Areas between surface parking lots and adjacent property, except for ingress/egress lanes, shall be landscaped. Planting beds must be at least 5' wide. Exceptions:
 - 1) A single 5' wide landscape bed may installed between adjacent properties when parking thereon is developed in a coordinated fashion.
 - 2) Landscaping between surface parking lots on adjacent properties may be waived by the Planning Director when the parking on said properties will be shared or unbundled as specified in **Sections .450 C. and D.**
- c. For every 10 open parking spaces, one tree shall be installed around the perimeter of the surface parking. These trees may be grouped or spread lineally.
- d. A wall or evergreen hedge designed to be maintained at a height of at least 2.5 feet and not more than 3.5 feet is required along the frontage of any street level open parking lot that fronts on an arterial street or park, or that is located in or across a right-of-way from a Commercial or Institutional Mixed zone. Open trellis work or similar features that can be seen through may extend above the wall. Street trees

with canopies above pedestrian height may be included. Planting beds must be at least 5' wide. (See **Figure .470-A**)

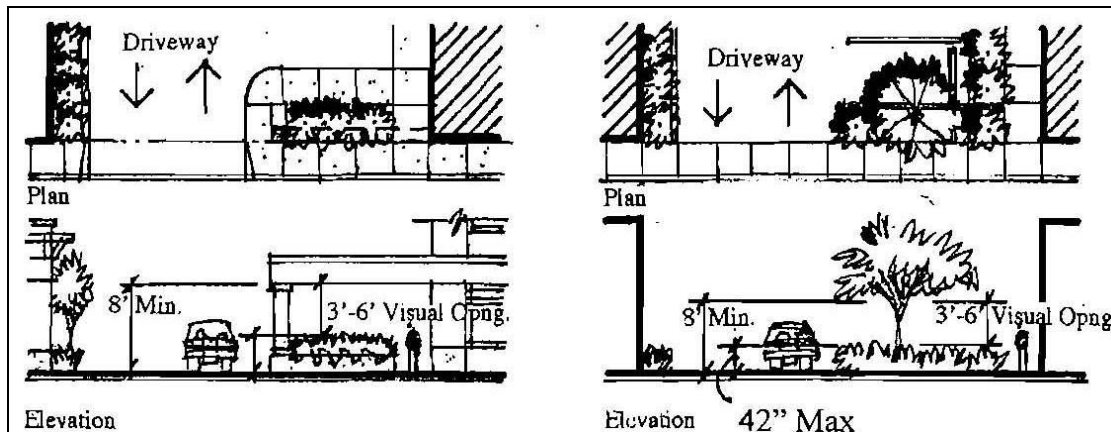


Figure .470-A: Surface Parking

- e. Perimeter landscaping may not substitute for interior landscaping. However, interior landscaping may join perimeter landscaping as long as it extends at least four feet into the parking area from the perimeter landscape line. (Need diagram)
- f. A rain garden, bioswale or low-water use alternative landscaping feature may be used to screen surface parking lots, provided the planting bed is at least 5' wide and includes shrubs or grasses which can be maintained at a height between 2.5' and 3.5' the majority of the year.
- g. **Interim Surface Parking.** Alternative development standards may be approved by the Planning Director for Interim Surface Parking lots provided stormwater is treated in accordance with City stormwater regulations and a clear timeline is established for converting the lot to an alternate use.

4. All Landscaping.

- a. Landscape beds shall include trees and a mix of small, medium and large plantings for a "layered" appearance, except where landscaping standards require a hedge, or an alternative design is approved by the Planning Director.
- b. **Crime Prevention Through Environmental Design (CPTED).** Plant selection and maintenance shall incorporate CPTED principals to provide adequate visibility from sidewalks, trails and adjacent uses, and minimize squatting and loitering.
- c. **Native Vegetation.** Where feasible, landscaping should include drought-tolerant or native plant species.
- d. **Irrigation.** If permanent irrigation systems are installed they shall utilize captured rainwater, treated wastewater or water from other non-potable source. Temporary irrigation systems may be installed for up to three years to allow new landscaping to be established.
- e. **Bioretention facilities.** Bioretention facilities or bioswales for stormwater treatment may be located within public rights of way or parks adjacent to public right-of-way in place of required street trees or landscaping.

20.37.480 - Waterfront District Urban Village - Signs

A. General Provisions. All signage in The Waterfront District shall comply with the provisions

herein. Sign size and location standards may be administratively modified through the Design Review process to minimize view impacts to identified views of significance.

B. Exemptions. The following signs shall be exempt from the provisions of this Title:

1. Traffic signs installed by a government agency.
2. Directional, way finding program signs installed by a government agency if the signs are consistent with the provisions of the Waterfront District Plan.
3. Tenant Panel and Directory Signs when located within a recessed entry.
4. Interior signs including those painted on the interior of glass windows.
5. Building identification signs or cornerstones are permitted as an integral and architecturally compatible part of the building or structure. Cornerstones shall not exceed 4 square feet and building identification signs shall not exceed 32 square feet. These exemptions shall not contain any colors, words, letters, numbers, symbols, graphic designs, logos or trademarks for the purpose of identifying a good, service, product or establishment.
6. Directional Signs.
 - a. Directional signs are limited to 6 square feet per sign face and 3 feet in height if free-standing.
 - b. The message shall not contain the name of the establishment or advertising of any kind. Examples of directional signs include: "Enter", "Service Entrance", "No Parking", etc.
 - c. There is no limit on the number of directional signs.
7. Marine navigational aids.

C. Standards.

1. Unless specified otherwise herein, the following signs are prohibited:
 - a. Off premise, billboard, and rooftop.
 - b. Flashing, video, electronic, revolving, and any other signs that appear to move or vary in intensity. Animated, moving, blinking or electronic (LED or similar) message boards are permitted only in association with theaters, stadiums, arenas, convention centers and similar large public assembly venues.
2. All signage must be an integral, coordinated part of a sign design plan for the entire building or complex under one ownership.
3. All signs shall be mounted against the side of the building except as provided below.
4. One free standing monument or pole sign is permitted at each main entrance. The determination of whether an entrance functions as a main entrance shall be made by the Planning Director. Said sign may be lighted but the message shall be limited to the name of the complex and its occupants, with the exception that if a gasoline station is represented on the sign, the sign may contain gasoline price information. Said sign shall not exceed 60 square feet per face nor 6 feet in height measured from existing grade. A pole sign shall be mounted on at least two posts placed at the outmost sides of the sign face.
5. Master planned areas larger than 4 acres shall be permitted 1 project identification sign at each secondary entrance. Said sign may be lighted and the message shall be limited

to the name of the complex and address. Size, dimension and design requirements shall be the same as that for primary entrance signs.

6. If a gasoline station is located within a multiple use site and is not represented on the center's signs, it shall be allowed one free standing sign. Size, dimension and design requirements shall be the same as that for the center's primary entrance. The message on the sign shall be limited to the name of the use and gasoline prices.
7. Building mounted signs extending over the street right-of-way shall comply with the International Building Code and the requirements of the Public Works Department.
8. Temporary building signs shall not exceed 32 square feet.
9. Real estate signs are limited to one sign per street frontage, shall be unlighted, and shall not exceed 32 square feet.
10. Properties within the jurisdiction of the Shoreline Master Program are also regulated by the sign standards as defined in the Shoreline Master Program. Where conflicts arise, the more restrictive standards apply.