

# EXHIBIT E

## WATERFRONT DISTRICT DESIGN STANDARDS

### 20.25.080 WATERFRONT DISTRICT

**A. Purpose.** This section is intended to implement The Waterfront District Subarea Plan by:

1. Creating a safe, vibrant mixed-use urban district which is welcoming to businesses, residents and visitors.
2. Promoting diverse pedestrian and transit-oriented development at street level.
3. Optimizing public access and views to and from the waterfront.
4. Encouraging a variety of interesting design styles, features and amenities.
5. Promoting sustainable design and development practices consistent with the LEED for Neighborhood Development program.

**B. Applicability**

1. All new construction located within Commercial and Institutional Mixed-Use land use areas of The Waterfront District is subject to design review under Bellingham Municipal Code 20.25 and the Design Standards within this section unless an institutional master plan with an alternate design standard has been approved by the City Council for an institutional or business campus.
2. The design and layout of buildings within institutional or business campuses may vary from the Waterfront District Design Standards if a master plan or character plan is completed for the campus area with an alternate standard which implements the policies and implementation strategies of the Waterfront District Sub-Area Plan.
3. New construction within the Industrial Mixed-Use land use area is subject to design review if the uses within the proposed building or facility include retail, personal services, cultural or entertainment uses, or if the building is located within 20 feet of an existing or proposed arterial street or park. In these situations the Director shall determine which requirement statements are applicable and which portions of the development are subject to review based on the context of the use district, the context of the street or park frontage, and the type of development proposed.
4. The following activities are exempt from design review:
  - a. Interior alterations which do not affect the exterior design of the building.
  - b. Normal maintenance and repair.
  - c. Industrial, manufacturing and warehouse facilities, including boat servicing, repair and accessory offices located within the Industrial Mixed-use land use area, provided the buildings are set back at least 20 feet from adjacent arterial streets, trails, or parks, and the street frontage, trail or park is buffered by landscaping.
  - d. Buildings and activities which are exempt from design review shall comply with the site lighting standards regarding shielded outdoor lighting.
5. The following design standards are intended to carry out the goals and policies of the Waterfront District Sub-Area Plan, and shall be used by the Design Review Board and Planning Director as the standards for design review under BMC 20.25. Should the

provisions of this Section conflict with any other provision in BMC 20.25, the provisions of this Section shall apply.

**B. Departures from design requirements.** The Director may approve departures from the design requirements in BMC 20.25.080. All requests for departures shall be identified in the application and reviewed by the Design Review Board following the process in BMC 20.25.030.A.1.b. unless the request involves a building on the City, State or National register of historic places, in which case it shall be reviewed by the Historic Preservation Commission. A departure may only be allowed if the Director determines that the applicant has demonstrated that either:

1. In response to difficult physical circumstances relating to the size, shape, topography, location or surroundings of the subject property, an alternative solution is required that meets the intent of the requirement to the greatest extent practical, or
2. An alternative design will provide an equal or better solution that:
  - a. Meets the intent of the standard;
  - b. Enhances the character and livability of the Waterfront;
  - c. Enhances the character and environment for pedestrians;
  - d. Enhances or protects the character of the neighborhood or vicinity by protecting natural features, historic sites, open space, or other resources; and
  - e. Will not have any substantial detrimental effect on nearby properties and the City or the neighborhood.

## **C. Specific Standards**

### **1. Site Design**

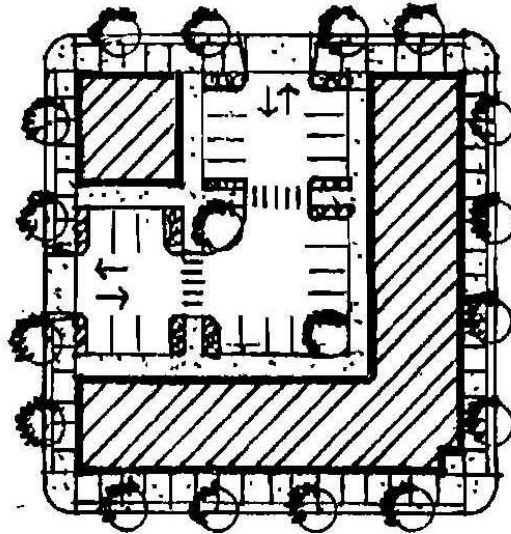
#### **a. Orientation to Street**

- i. **Intent:** Reinforce pedestrian activity, orientation to ground floor activities and enhance the liveliness of the street through building location.
- ii. **Guideline:** Locate new structures to contribute to a strong “building wall” edge to the street such that they align at the front lot line and built out to the full width of the parcel, to the side lot lines. Although small gaps may occur between some structures, these are the exception. This should not preclude the provision of a wider sidewalk, public space, landscaping, art or outdoor seating.
- iii. **Guideline:** Locate the primary building entrance at street level facing a public street. The primary entrance should be more articulated and highlighted (size, material, recessed, lighting) than secondary entrances.
- iv. **Guideline:** Commercial buildings facing public streets or trails in commercial mixed use areas shall have entrances from the street or trail every 75 feet, on average.

#### **b. Surface Parking**

- i. **Intent:** Ensure that surface parking lots are not a dominant element within the Waterfront District and minimize the impact of surface parking on the pedestrian environment.

- ii. **Standard:** Parking shall be located to the rear or side of buildings . Surface parking lots shall not be located at intersections nor include more than 120 feet of street frontage along any arterial street (See Figure 20.25.080(A)). Access should be from a local street or alley where feasible.

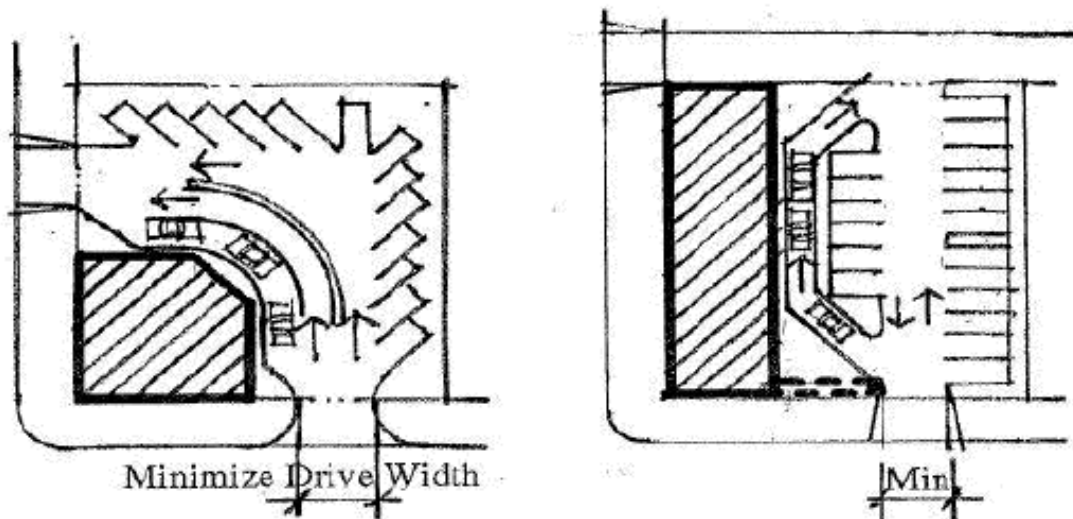


**Figure 20.25.080(A):** Surface Parking - Parking Area Interior to Site

- iii. **Standard:** Long-term off-street surface parking lots shall not be located adjacent to Commercial Street or Bloedel Avenue. Interim surface parking lots may be permitted along Commercial Street and Bloedel Avenue for up to ten years on parcels intended for redevelopment.

**c. Drive-Through Facilities**

- i. **Intent:** Diminish the impact of automobiles on the pedestrian environment.
- ii. **Standard:** Access and stacking lanes for drive-through services shall not be located between the street and the building or between the building and a residential zone. (See Figure 20.25.080(B))



**Figure 20.25.080(B):** Drive-Through Facilities

**d. Refuse Enclosures**

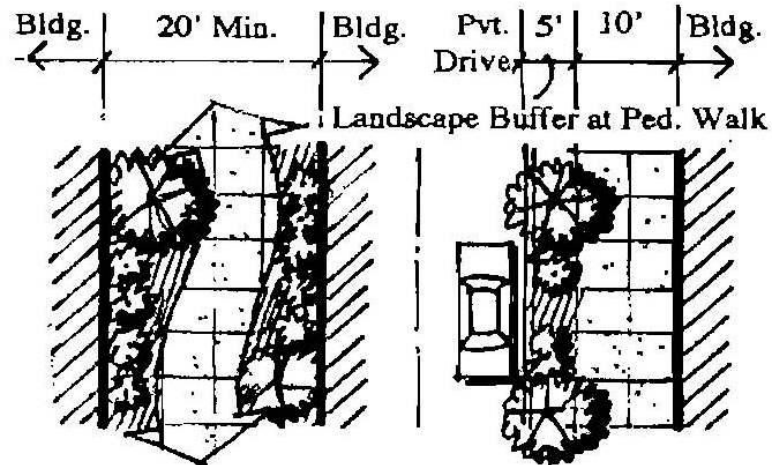
- i. **Intent:** Reduce the impact and view of trash and recycling storage areas.
- ii. **Guideline:** Locate refuse and recycling storage areas to the rear of the site, screened from arterial streets and pedestrian walkways.
- iii. **Standard:** Refuse containment areas shall be placed in a building or enclosed within a structure that is of similar architectural character to the major structures on the site.

**e. Rooftop Screening**

- i. **Intent:** Roof tops and mechanical equipment should not detract from the appearance of the building and should be designed with consideration of the appearance from the adjacent bluff.
- ii. **Standard:** Screen mechanical equipment by extending the parapet walls or other roof forms that are integrated with the architecture of the building to a height that equals or exceeds the height of the mechanical equipment. Utilize roof top vegetation, screening or roofing materials which minimize glare from roof tops.

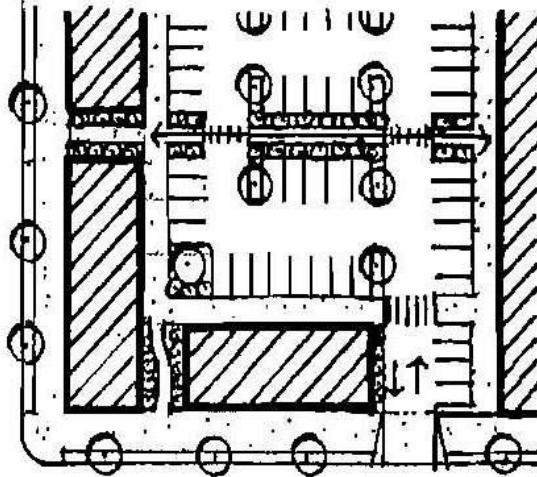
**f. Pedestrian Connectivity**

- i. **Intent:** Create a network of safe, convenient and attractive off-street linkages for pedestrians.
- ii. **Guideline:** When a development encompasses a site greater than 240 feet wide or deep, incorporate pedestrian access through the site to connect to alleys, streets or neighboring properties. (See Figure 20.25.080(C))



**Figure 20.25.080(C): Pedestrian Connectivity**

- iii. **Guideline:** Provide walkways connecting building entrances to adjacent streets, parks and buildings. Locate walkways in active and well lighted areas visible from adjoining public spaces. (See Figure 20.25.080(D))



**Figure 20.25.080(D): Pedestrian Connectivity**

- iv. **Standard:** Pedestrian through-block connections shall include a walkway at least 5 feet wide and shall be clearly defined by use of material, elevation (6" raised) or landscaping borders. The space between two buildings adjoining a through-block walkway shall be a minimum of 20 feet, unless a shorter distance is approved through design review.
- v. **Standard:** Pedestrian access shall be provided between the building main entry and the public sidewalk. If walkways cross parking lots or driveways, the walkway shall be separated from the parking area by landscaping or by raised pavement, or when crossing driving lanes, by a change in pavement texture or material.

**g. Site Lighting**

- i. **Intent:** Provide architectural character, safety and encourage evening activity while minimizing impacts to neighboring properties and the darkness of the night sky.
- ii. **Guideline:** Shielded low intensity lighting should be provided for entries, walkways, parking garage entrances, parking lots, alleys and refuse enclosures.
- iii. **Guideline:** Parking lot lights should generally be no more than 18 feet in height and lower for pedestrian walkways.
- iv. **Guideline:** Lighting should be directed away from the sky, dwellings and neighboring development. The use of LED or low energy use fixtures with cut off shades which meet LEED standards and dark sky criteria is strongly encouraged.
- v. **Guideline:** Light fixtures should contribute to the overall design of the building and may be used to highlight special architectural features.

**h. Acoustical Site Planning**

- i. **Intent:** Employ site planning, design, and building orientation techniques in new residential development to minimize the potential for noise impacts from off-site noise-generating sources such as industrial operations and the railroad.
- ii. **Guideline:** Site residential units at some distance from noise-generating sources, or closer to quieter and less traveled roadways, planned parks and green spaces.



- iii. **Guideline:** Acoustical noise reducing concepts could be incorporated in the architectural design of individual buildings. These concepts could include room arrangement, window placement, and balcony and courtyard design. For example, placing bedrooms and living rooms in the part of the residential building farthest from the noise source, while placing kitchens and bathrooms closer to the noise source.
- iv. **Guideline:** Acoustical construction treatments could be used for various parts of the residential buildings to reduce interior noise impacts. Treatments could include the use of walls, windows, doors, ceilings, and floors that have been treated to reduce sound transmission into a building (the use of dense materials and the use of airspaces within materials are the principal noise-reducing techniques of acoustical construction).
- v. **Guideline:** Non-living portions of residential buildings (such as garages, commercial spaces, and recreational facilities) could be placed between the residences and noise-generating sources.

## 2. Building Design

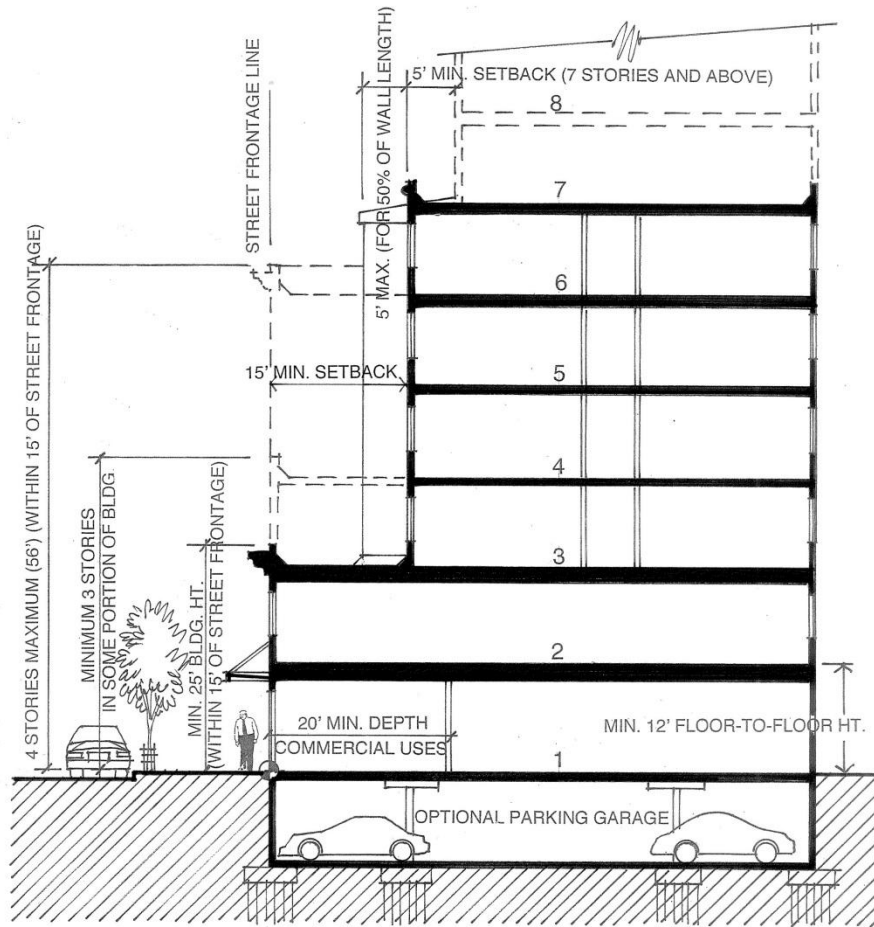
### a. Building Scale

- i. **Intent:** Establish a building scale consistent with a highly urban downtown context.
- ii. **Guideline:** Develop a primary facade that is in scale and maintains alignments with surrounding buildings. Although a new building may tower above the surrounding buildings, the first several stories should visually relate to the surrounding context.
- iii. **Standards:** (See Figure 20.25.080(E))
  - (A) Minimum building height within 15' of the street frontage of arterial streets in the Commercial Mixed-use Sub-zone is 25'.
  - (B) Buildings within the Commercial Mixed-Use Sub-zone should have at least 3 stories of occupied space in some portion of the building. This standard does not apply to buildings located within parks, view corridors or shoreline jurisdiction.

### b. Massing and Articulation

- i. **Intent:** Reduce the apparent mass of large buildings to provide visual interest and pedestrian scale.
- ii. **Guideline:** Buildings should convey a visually distinct base and top.
- iii. **Guideline:** Roof parapets and eaves are encouraged to vary in height to avoid long, straight lines at the maximum building heights.
- iv. **Guideline:** Buildings with facades longer than 50' should be divided into "modules" that are expressed three dimensionally throughout the building facade. Modules could vary in width.
- v. **Guideline:** Reduce the apparent mass of buildings facing adjacent public spaces by stepping down building height and reducing the area of wall planes.
- vi. **Standards:**

- (A) The maximum height within 15' of any arterial street right-of-way is 4 stories and 56 feet. A maximum of 50% of wall length above the 4th story may encroach 5' into the setback (not including decks). (See Figure 20.25.080(E))



**Figure 20.25.080(E): Massing & Articulation**

- (B) Buildings over 7 stories in height shall incorporate at least one additional set back at or above the 7<sup>th</sup> floor, and incorporate features that create a visually distinct roof form (see Figure 20.25.080(E)). The following are examples of such features:

- (1) Terraced set backs
- (2) Pitched or curved roof elements
- (3) Projecting cornice elements
- (4) Trellises along the parapet
- (5) Geometric forms
- (6) Change of material or color on the top floor

- (C) The street level floor of buildings within Commercial Mixed-Use sub-zones shall have a minimum floor to floor height of 12'.

- (D) The floor plate for any portion of a building exceeding 100' in height is limited to 14,000 square feet. (See Figure 20.25.080(F))

- (E) Any portion of a building exceeding 100' must be located at least 100' from any portion of an existing or approved building face which exceeds 100'. (See Figure 20.25.080(F))



**Figure 20.25.080(F):** Floor plate standards for buildings over 100' tall.

**c. Variations on Building Design**

- i. **Intent:** To avoid repetition and monotony, create a range of different forms similar to the variety of buildings and styles found in traditional downtowns which evolved over time.
- ii. **Guideline:** When a development includes three or more buildings, the buildings within a development should not use identical footprints or elevations. Changes in textures and colors may be appropriate. While there may be some elements that provide a commonality to the entire development, variety shall be visually evident.

**d. Commercial Street Frontage Standard.**

- i. **Intent:** To encourage pedestrian-oriented activity at street level along arterial streets in the Downtown Waterfront area.
- ii. **Guideline:** The front twenty feet of building space at sidewalk-level along Commercial Street and Bloedel Ave. shall be designed for commercial or public uses, including retail, service, office, government, or similar non-residential uses. Lobbies for residential uses and hotels and parking garage entries are exempt from this provision. Hotel guest rooms, dwelling units and structured parking garages shall not occupy street level building space fronting on Commercial Street or Bloedel Ave.

**e. Ground Floor Details**

- i. **Intent:** Reinforce the character of the streetscape by encouraging the greatest amount of visual interest along the ground level of buildings facing streets.



- ii. **Guidelines:** Ground-floor, street-facing facades of commercial and mixed use buildings shall incorporate elements such as lighting or hanging baskets, medallions, belt courses, plinths for columns, kick plates, projecting sills, tile work, pedestrian scale signs, planter boxes or other vegetation, or other elements that meet the intent.

**f. Structured Parking**

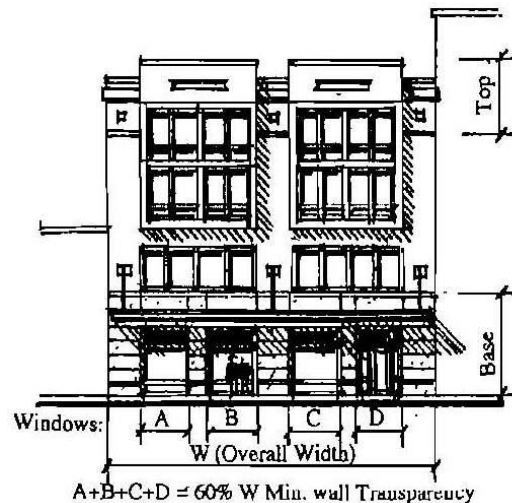
- i. **Intent:** Reduce the visual impacts of structured parking on public streets and open spaces.
- ii. **Guideline:** Where feasible, parking garages should be located on local streets or alleys or integrated within a building with occupied building space along the ground level street frontage.
- iii. **Guideline:** Structured parking levels that are adjacent to an arterial street or open space, or a public street within a Commercial or Institutional Mixed zone, shall be screened or treated architecturally by window openings, landscaping or art work designed to screen the façade.

**g. Building Material**

- i. **Intent:** Create a vibrant Waterfront District through the use of good design and quality materials.
- ii. **Guideline:** Design architectural features that are an integral part of the building and discourage features that appear to be "tacked on" or artificially thin.
- iii. **Guideline:** Material selection should exhibit high quality, particularly at street level. Examples include stone, brick, tile, concrete, metal, or transparent glass. Avoid residential lap siding on the ground floor of commercial or mixed use buildings.
- iv. **Guideline:** Encourage the use of recessed windows that create shadow lines.

**h. Transparency**

- i. **Intent:** Provide a visual link between business spaces and public sidewalks to create visual interest at the pedestrian level.
- ii. **Standard:** A minimum of 60% of the building wall between 2' and 7' above the sidewalk facing an arterial street in the Commercial Mixed-Use sub-zone shall be transparent or lightly tinted glazing. Windows into parking garage space shall not qualify. If windows are not appropriate, glass display cases, decorative art (for example, murals or relief sculpture), significant architectural detailing or wall-covering landscaping may be used. (See Figure 20.25.080(G))



**Figure 20.25.080(G): Transparency**

**i. Weather Protection**

- i. **Intent:** Provide pedestrians rain protection, integrate individual buildings into the streetscape, and define the pedestrian zone.
- ii. **Guideline:** Weather protection should be located between 8 and 12 feet above the walkway but a higher placement may be considered if the width of the protection is increased.
- iii. **Standard:** Where commercial uses or parking garages are located at street level along an arterial street, buildings shall provide pedestrian weather protection covering at least a 4' width of sidewalk along at least 75% of the street level frontage. Minimum adjustments needed to accommodate trees or other overhead objects may be allowed. Materials shall be limited to metal, glass, Plexiglas or equivalent "hard" durable materials.

**j. Blank Walls**

- i. **Intent:** Provide visual interest and avoid the negative impacts of blank walls.
- ii. **Standard:** A blank wall is a wall or a portion of wall that is either (1) at least 400 square feet in area with a length and a width of at least 10 feet that does not include a window, door, building modulation or other architectural feature or (2) at the ground floor and over 6' in height with a horizontal length greater than 15' that does not include a window, pedestrian entry door, building modulation or other architectural feature. Any blank wall within 50' of, and visible from, a public street, public park or trail shall be treated with at least one of the following:
  - (A) Artwork, such as bas relief sculpture, mural or similar feature.
  - (B) A landscaping bed containing trees, shrubs and/or vines on a trellis that will cover at least 60% of the wall within 3 years. Landscape beds shall be at least 5' in width, open to the sky and use draught resistant plants or include irrigation with reclaimed water.
  - (C) Architectural detailing incorporating trims, textures, reveals, contrasting materials, or other special detailing that provides visual interest.
  - (D) An alternative method of providing visual interest at the pedestrian level approved through design review.

## **k. Public Open Spaces**

- i. **Intent:** Buildings adjacent to public open spaces such as public parks, plazas, and trails shall be oriented to promote activity and interaction, and provide visual interest to and from buildings so as to avoid the back-of-building effect.
- ii. **Guideline:** Locate some ground level features such as entries, windows, decks, patios or similar features on buildings that interface with the public open space.

## **l. Projections into the Public Right-of-way**

- i. **Intent:** Provide adequate separation between private residential spaces, such as balconies, and the public walkway in order to make both the private and public spaces comfortable. Projections should not interfere with street amenities such as street trees, lighting or important public views. (Street encroachments are also regulated by the building code and BMC Title 13.)
- ii. **Standards:** No portion of a building may extend into the street right of way except:
  - (A) Decks and balconies shall not project more than 2' into the right-of-way unless a fixed awning covers the entire space directly below the deck or balcony at the ground floor level. A deck or balcony may not in any case project more than 4' into the right-of-way.
  - (B) Bay windows and similar architecture features with a horizontal width of not greater than 12' that project no more than 4' into the right-of-way from the face of the exterior wall, provided they are separated from like features by at least an equal width may protrude into the right-of-way.
  - (C) Columns, cornices, trellises, eaves and similar minor and/or decorative features, provided that arcades shall not be located in the street right-of-way.
  - (D) Steps, stoops and similar ground level features provided there is a minimum 12' of horizontal clearance to the street curb edge.
  - (E) Awnings, marquees and signs, subject to compliance with other codes, provided no ground mounted support structures for these features shall be located in the right-of-way.

## **m. Residential Design**

- i. **Intent:** Residential projects should have an active and direct link to the street pedestrian system while maintaining an appropriate transition from public to private space.
- ii. **Standards:**
  - (A) Buildings containing residential uses shall have at least one covered front residential entryway facing a public right-of-way and accessed directly from the adjoining sidewalk.
  - (B) Open exterior entry/exit balconies that face a right-of-way are prohibited.
  - (C) Residential units built within 10' measured horizontally of an adjoining right-of-way or public space (property line) shall be constructed so that the finished floor elevation is at least 24" above the adjoining sidewalk.
  - (D) Ground floor residential units fronting on a street shall have a private main entry to the sidewalk consisting of a stoop or porch. Patio access doors shall not be considered a main entry.

**(E)** When private interior courtyards interface the street edge, use a landscape hedge, ornate fencing, architectural walls, or a combination of the above to carry the wall line at the street edge and define the private space.