

16.80.080- Development Standards for Residential Single Development

Development standards for residential single development shall be as required under BMC Title [20](#), except as modified by this regulatory chapter and as stated below.

A. *Front Yard Setback.* The front yard setback of the main structure for residential single development shall be a minimum of 15 feet from the front property line of any non-arterial street. The front setback for any portion of a garage facing the street shall be the greater of 15 feet from the property line or 20 feet from the back (nonstreet) side of any sidewalk.

B. *Parking.* Tandem parking, one vehicle behind the other, shall be permitted to satisfy the requirement for two on-site parking spaces.

C. Residential single development on individual lots shall be required to provide best management practice for stormwater quality treatment in accordance with the DOE Manual in effect at the time of permitting. Residential single lots that are part of an approved subdivision that has already met this requirement may be exempt, as determined by the public works director.

**D. Septic systems are prohibited in the Lake Whatcom watershed.**

E. *Native Vegetation Protection Area (NVPA) Requirements.* The purpose of retaining a “NVPA” (BMC [16.80.050](#)) is to prevent phosphorus inputs to Lake Whatcom by the interruption, infiltration, and evapotranspiration that forest cover provides. Areas in a “natural forested condition” (BMC [16.80.050](#)) are generally considered the optimum natural condition for minimizing stormwater runoff, including strategies to control the phosphorus leaving the site.

1. *NVPA Minimum Area.*

a. *Fully Engineered Method.*

i. At least 30 percent of the total site area shall meet the “natural forested condition” (BMC [16.80.050](#)) and retained as the NVPA;

ii. See full requirements in BMC [15.42.060\(A\)\(3\)](#); or

b. *Forested Method.*

i. At least 75 percent of the total site area shall meet the prerequisites for “natural forested condition” (BMC [16.80.050](#)) and be retained as NVPA;

ii. See full requirements in BMC [15.42.060\(A\)\(3\)\(b\)](#).

## 2. NVPA Standards.

- a. A site analysis shall be conducted by an ISA-certified arborist, in conjunction with the stormwater engineer and other professionals prior to site design and building permit application submittal. At a minimum, the analysis shall be done to determine the extent to which the NVPA meets the definition of “natural forested condition” (BMC [16.80.050](#)).
- b. The following criteria shall be included in the site analysis report submitted to the city:
  - i. The site analysis shall assess the soils for their capacity to support the NVPA and their ability to provide stormwater attenuation.
  - ii. The site analysis shall evaluate the health and long-term viability of the trees within the NVPA, considering potential changes to adjacent properties and the surrounding vicinity that could impact the NVPA.
  - iii. The site analysis shall include recommendations on tree preservation, tree removal to avoid hazards, and tree replacements to promote long-term forest canopy viability based on factors taken into account by the ISA-certified arborist.
  - iv. The site analysis shall include identification and protection of the critical root zone of trees to be saved using the methodology adopted in the city’s Parks and Trails Design Standards Nos. 02950.06 and 02950.07.
  - v. A site visit prior to activities authorized to occur in the NVPA, such as, but not limited to hazard tree removal, shall be supervised by an ISA-certified arborist. The soil profile, including the organic duff layer, within the NVPA shall not be disturbed unless authorized by the city and in accordance with the ISA-certified arborist recommendations. Subgrade soils may not be placed within the NVPA.
  - vi. If the site analysis results in a determination that the NVPA does not meet the natural forested condition, a full restoration plan to reestablish the site to a natural forested condition is required for approval prior to building permit submittal. The restoration plan shall include the following:
    - c. The restoration plan shall include all components and specifications necessary to achieve a timely reestablishment of the NVPA to a natural forested condition. The minimum monitoring period shall be five years.
    - d. The restoration plan shall be developed and implemented by an ISA-certified arborist or a professional ecological restoration specialist with at least five years of experience in designing and implementing ecological restoration projects or qualified professional as determined by the director.
    - e. The restoration plan shall include cost estimates for fully implementing the restoration plan on which a surety can be based.

f. A financial surety for all required restoration work shall be submitted and approved prior to building permit issuance.

3. *NVPA Permanent Protection.* The NVPA shall be protected during construction and in perpetuity by covenants or conservation easements granted to the city of Bellingham prior to building permit issuance. [Ord. 2009-06-040; Ord. 2007-04-031; Ord. 2001-01-001].