# 20.00.070 - Fairhaven Neighborhood and Urban Village Table Of Zoning Regulations

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<tr>
<th>Area</th>
<th>Zoning</th>
<th>Use Qualifier</th>
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<tr>
<td>1</td>
<td>Industrial</td>
<td>Marine Fairhaven</td>
<td>N/A</td>
<td>Shoreline; design review</td>
<td>Improvements of Harris Ave., linkage with Old Fairhaven Pkwy., via 10th St.</td>
<td>None</td>
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<td></td>
<td>Urban Village</td>
<td></td>
<td></td>
<td>None</td>
<td>None</td>
<td>None</td>
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<tr>
<td>1A</td>
<td>Industrial</td>
<td>Marine, planned, mixed uses</td>
<td>N/A</td>
<td>For all light industrial and commercial uses building height shall not exceed 35 ft. above the existing street grades; for all new development the following conditions shall apply: design review, view, signage; no vehicular drive-through facilities shall be allowed; offices and retail sales shall be limited to or related to items produced on site; no minimum setback requirement for development adjacent to Post Point Wastewater Treatment Plant except for that portion adjoining the facility's public open space area and pedestrian trail abutting 4th St. and then the setback shall be 25 ft.; additional buffering may be required for more intensive industrial uses adjacent to the Wastewater Treatment Plant open space and trail area and along the pedestrian trail abutting 4th St. Signage shall be limited and controlled by the prohibition of billboards, outdoor advertising signs and real signs. Flashing or revolving signs shall not be allowed. No sign shall be erected on building walls facing and lying adjacent to public open space, pedestrian trails or upland residential uses.</td>
<td>Improvement to Harris Ave. to match adjacent arterial street standards on the north. Improvement of west side of 4th St. and improvement of McKenzie Ave. to standards approved by the Public Works Dept. as appropriate for adjacent land use.</td>
<td>*Prohibited uses in Area 1A include: Drive-through eating establishments and other facilities which provide for the ordering, payment or pick-up of goods and/or services for customers staying within motorized vehicles, strip malls, gas stations, automotive repair services and garages, billboards, advertising devices, utility generation and transmission systems, adult entertainment uses, casinos, card rooms and other gambling facilities, and all marine and light industrial conditional uses.</td>
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<tr>
<td>1B</td>
<td>Industrial</td>
<td>Marine, planned, mixed uses*</td>
<td>N/A</td>
<td>Shorelines**; uses; traffic and access; mixed use compatibility; railroad crossing; pedestrian access; view; other; design review</td>
<td>Old Fairhaven Parkway extension</td>
<td><strong>Mixed-Uses:</strong> Commercial uses compatible with the Fairhaven Business District including but not necessarily limited to hotels, motels, convention center, commercial recreation, restaurants, etc. **The &quot;Shoreline&quot; special condition applies to both industrial and commercial uses within the jurisdiction of the Shoreline Management Program. All other special conditions apply only to pre-proposed commercial uses. Other special conditions are: Use: Uses permitted must be marine related within the area subject to the State Shoreline Management Act. Additionally, commercial uses should be destination and tourist types of activities, which will enhance the Fairhaven Business District. Hotels, motels, restaurants, commercial recreation, aquariums and offices (outside of shoreline jurisdiction) are examples of appropriate uses. Because of the historic nature of the area and the anticipated symbiotic relationship with the Fairhaven Business District, period themes should be encouraged. Traffic and access: Harris Ave. presently provides the major access to the site. The carrying capacity of Harris Ave. needs to be evaluated with each project as well as the signal at 11th and Harris Ave. Improvements may have</td>
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EXHIBIT E

**Mixed-use compatibility:** One of the challenges with mixed-use development is to mitigate impacts, which may arise from different uses. Typically, noise, odor, and lighting all pose potential problems which must be addressed. Mitigation measures could include sound attenuators, buffers, or pollution control devices.

**Railroad crossing:** Vehicular access into the area must cross over existing railroad tracks. Each crossing must be looked at and possibly controlled to ensure safe crossing.

**Pedestrian access:** Provisions for pedestrians must be made both within the site (along shoreline areas integrated with Marine Park and the commercial areas) and along Harris Ave. to the Fairhaven Business District.

**View:** Any potential interference with upland residential views from large scale development should be evaluated.

**Others:** Internal access, hydrant dispersal, sewer location and capacity all need to be examined with each project.

| 2A | Commercial Neighborhood, mixed uses (see Special Regulations) | No density restriction for retail or office buildings | Design review; view; height; parking; prohibition of vehicle drive-through facilities; covenant facilities NW of Mill and 10th | None |

1. Mixed uses specifically permitted in this area shall include and be limited to apartments, hotels and noncommercial parking lots constructed to meet the overall parking demands of the commercial area according to a parking plan approved by the City Council.

2. Warehousing when adjacent to Port of Bellingham properties. Access shall be from the west and the Port owned properties. In no case shall warehouse traffic be allowed directly on the streets abutting commercial development.

Special development restrictions and options:

1. No use shall be permitted to have facilities which provide for the ordering, payment or pick-up of goods and/or services for customers staying within motorized vehicles.

2. The standard 35 ft. height restriction may be increased to 54 ft. upon specific approval by the City Council. In order to approve an increase in building height, the Council must find that the following criteria are met:
   a. Approval is preceded by implementation of an area-wide District Parking Plan which demonstrates capacity for the increased parking demand generated by the increase in floor area;
   b. The City Council shall find that the proposed structure will not block more than 20% of the view of the water existing at the time of the proposal from any home in adjacent residentially zoned areas to the north and northwest of the commercial core. (For example, if the deck of a home now has a 45 degree view of the near-shoreline of Bellingham Bay, a new building over 35 ft. in height could block no more than 9 degrees of this view.)
   c. The proposal included the provision for dedication of, or contribution towards needed public amenities within the commercial core in Areas 2A and 2B (as shown on the Amenities Plan Map). Eligible public amenities may include centralized open spaces, public restrooms, street furniture, trails and parks, indoor public spaces, public entry and directional signs, similar amenities, or contribution toward such amenities. The type and amount of amenities shall be determined.
on a case-by-case basis, as recommended by
the Parks and Recreation Dept. The more
intense the uses over the 35 ft. height limit, the
more amenities should be provided.

In no case shall the 35 ft. height limitation
be exceeded for new construction and additions
located north of Mill Ave. between 10th and
12th Sts. or north of Harris Ave. east of 12th St.

2B Commercial
Neighborhood, mixed uses
No density
restriction for retail or
office buildings
Design review; view; height; parking;
prohibition of vehicle drive-through
facilities
None

1. Mixed uses specifically permitted in this area
shall include and be limited to apartments, hotels
in existing buildings (buildings existing as of April
1, 1989), and noncommercial parking lots
constructed to meet the overall parking demands
of the commercial area according to a parking
plan approved by the City Council.

Special development restrictions and options:
1. No use shall be permitted to have facilities
which provide for the ordering, payment or pick-
up of goods and/or services for customers
staying within motorized vehicles.
2. The standard 35 ft. height restriction may be
increased to 54 ft. upon specific approval by the
City Council. In order to approve an increase in
building height, the Council must find that the
following criteria are met: See criteria for Area
2A.

2C Public
Park
N/A
Sympathetic scale, material, color,
and proportion to enhance existing
historic buildings in Area 2B; view
None
None

3 Residential
Multi
Multiple
2,000 sq.ft.
per unit
Completion of Larrabee buffer;
access to Old Fairhaven
Pkywy. via 10th
and Donovan
No use shall be permitted to have facilities,
which provide for the ordering, payment or pick-
up of goods and/or services for customers
staying within motorized vehicles.

Height of buildings shall be restricted to 40 ft. for
commercial uses. There shall be no such height
restriction for industrial uses. For purposes of
this section, a commercial use shall be defined
as one dealing solely in the direct dispersal of
goods and services to the general public. Such
uses shall include those listed in the permitted
use section of the light industrial district (Sec.
20.36.030); numbers 3 through 6 inclusive.

Signage shall be limited and controlled by the
prohibition of billboards (outdoor advertising
signs) and roof signs. Flashing or revolving
signs shall not be allowed. The size and height
of signs shall be limited according to impact. No
sign shall be erected on building walls facing and
lying adjacent to residential areas.

4 Industrial
Light; prohibited
uses*; outdoor
advertising**
N/A
Shoreline; design review; height;
signage; prohibition of vehicle drive-
through facilities

*No use shall be permitted to have facilities,
which provide for the ordering, payment or pick-
up of goods and/or services for customers
staying within motorized vehicles.

Height of buildings shall be restricted to 40 ft. for
commercial uses. There shall be no such height
restriction for industrial uses. For purposes of
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of signs shall be limited according to impact. No
sign shall be erected on building walls facing and
lying adjacent to residential areas.

5 Commercial
Planned, mixed-use;
parking
N/A
Shoreline; design review; limits on
signage; prohibition of vehicle drive-
through facilities
Improvement to
arterial standards on
4th St. and Donovan
No use shall be permitted to have facilities,
which provide for the ordering, payment or pick-
up of goods and/or services for customers
staying within motorized vehicles.

Height of buildings shall be restricted to 40 ft. for
commercial uses. There shall be no such height
restriction for industrial uses. For purposes of
this section, a commercial use shall be defined
as one dealing solely in the direct dispersal of
goods and services to the general public. Such
uses shall include those listed in the permitted
use section of the light industrial district (Sec.
20.36.030); numbers 3 through 6 inclusive.

Signage shall be limited and controlled by the
prohibition of billboards (outdoor advertising
signs) and roof signs. Flashing or revolving
signs shall not be allowed. The size and height
of signs shall be limited according to impact. No
sign shall be erected on building walls facing and
lying adjacent to residential areas.

6A Residential
Multi
Planned (Res. 60-84)
Single family—5,000 sq.ft.
min. lot size;
Multi—2,600 sq.ft.
per unit
Shoreline; Larrabee Ave. should not
be developed for vehicular traffic;
design recommendations*

*Design Recommendations
Alley access should be used in place of direct
access to Donovan Ave. or Larrabee Ave. Between
4th & 8th Sts., the alley right-of-way
should be increased to 30 ft. in width (acquire
dedication on the north). It should be improved
to two travel lanes (approximately 20 ft. total
width) and provide storm drainage. Rather than
the present "T" design, the alley should be
realigned for a more direct access to 4th St.
The improved alley should not be used for
parking maneuvering area; landscaped strips
along the street, either on the right-of-way or
private property, should separate it from parking

May 10, 2012 DRAFT
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<tbody>
<tr>
<td>6B</td>
<td>Residential Multi</td>
<td>Planned, mixed (offices allowed)</td>
<td>Single family – 5,000 sq.ft. min. lot size. Multi – 2,500 sq.ft. per-unit. Offices – 10,000 sq.ft. max. floor area per building. Shoreline. Larrabee Ave. should not be developed for vehicular traffic. Design recommendations* listed here and for Area 6A shall apply. Office buildings shall not exceed 10,000 sq. ft. of gross floor area per building. Offices should be designed to be compatible with the residential character of the neighborhood, and should utilize those exterior finish materials (siding, roofing, etc.) which would be typically utilized in a residential development. Design recommendations listed in Area 6A should also apply.</td>
</tr>
<tr>
<td>7</td>
<td>Residential Single</td>
<td>Detached</td>
<td>6,000 sq.ft. min. detached lot size. None</td>
</tr>
<tr>
<td>8</td>
<td>Commercial</td>
<td>Planned</td>
<td>No more than 10,000 sq.ft. of floor area per building. Limited access onto arterials; shoreline; design review None</td>
</tr>
<tr>
<td>9</td>
<td>Residential Multi</td>
<td>Multiple</td>
<td>2,000 sq.ft. per-unit None</td>
</tr>
<tr>
<td>9A</td>
<td>Residential Multi</td>
<td>Multiple, mixed (offices allowed)</td>
<td>2,000 sq.ft. per-unit Design review None None</td>
</tr>
<tr>
<td>9B</td>
<td>Residential Multi</td>
<td>Multiple, mixed (offices allowed)</td>
<td>1,500 sq.ft. per-unit Design review 1314 Old Fairhaven Pkwy Concomitant Agreement None</td>
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<tr>
<td>10</td>
<td>Public</td>
<td>Open space/parks/ utilities</td>
<td>N/A Shoreline None None</td>
</tr>
<tr>
<td>11</td>
<td>Public</td>
<td>Open space/parks</td>
<td>N/A None None None</td>
</tr>
<tr>
<td>12</td>
<td>Public</td>
<td>Housing</td>
<td>N/A Design review None None</td>
</tr>
<tr>
<td>13</td>
<td>Public</td>
<td>Government services</td>
<td>N/A Design review None None</td>
</tr>
<tr>
<td>14</td>
<td>Commercial</td>
<td>Planned, mixed uses; limited-light manufacturing uses allowed when in conjunction with retailing of same product; parking</td>
<td>N/A Design features compatible with Old Fairhaven theme; signage (see neighborhood plan); prohibition of vehicle drive-through facilities None None</td>
</tr>
<tr>
<td>15</td>
<td>Public</td>
<td>Park</td>
<td>Shoreline; historic and architectural None None</td>
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