



Request for City Council Action

MEETING DATE: November 13, 2007, 7:00 p.m.

SUBJECT: Adoption of the Wharf District Master Plan and related amendments to the Comprehensive Plan and Title 17, Blaine Municipal Code (BMC).

PROPONENT: City of Blaine & Bellingham Port Authority

SUBMITTED BY: Community Development Services Department
City of Blaine Planning Commission

PREPARED BY: Terry Galvin, Community Development Director

☐ Comments/Communications ☐ Consent ☐ Committee Reports ☐ Unfinished Business
☐ New Business ☐ Public Hearing ☐ Council Action Item

ATTACHMENTS:

Attachment 1: Ordinance # 07-2674
Attachment 2: Port of Bellingham letter - 11/6/07

EXHIBITS:

Exhibit A: Wharf District Master Plan *SEPARATE DOCUMENT*
Exhibit B: Comprehensive Plan Amendment: Wharf District Plan
Exhibit C: Comprehensive Plan Map Amendment
Exhibit D: Title 17 Amendment: Chapter 17.22 Central Business District
Exhibit E: Title 17 Amendment: New Chapter 17.23 CB-Wharf District
Exhibit F: Title 17 Amendment: Chapter 17.06A Design Review
Exhibit G: Title 17 Amendment: New Chapter 17.121 Wharf District Design Standards

NOTE: Complete files are located in the Community Development Services Department

I. OVERVIEW OF PROPOSAL

The proposal is to amend the City of Blaine Comprehensive Plan as follows:

Exhibit A: Adopt the **Wharf District Master Plan** as an appendix to the Comprehensive Plan.

Content: Contains the Wharf District Master Plan; the centerpiece of the proposal.

Exhibit B: Add new text to the Comprehensive Plan: Wharf District Master Plan

Content: Contains new Comprehensive Plan text proposed to be included in the Blaine Comprehensive Plan, Chapter 2 (bottom of page 25). The new text will provide an overview of the Wharf District Master Plan with an emphasis on those components of the Plan that offer the greatest benefit to the community of Blaine.

Exhibit C: Comprehensive Plan Map Amendment

Content: Contains a map designating the **Wharf District** as an official Comprehensive Plan district.

The city proposes to assist in the implementation of the Wharf District Master Plan through the amendment or creation of the following chapters of Title 17, BMC:

Exhibit D: Title 17 Amendment: Chapter 17.22 Central Business District

Content: Eliminates reference to the Wharf district. The result is a chapter that addresses the CB-Market and CB-Transition sub-districts only.

Exhibit E: Title 17 Amendment: New Chapter 17.23 CB-Wharf District

Content: New chapter that applies to the CB-Wharf district. The new language establishes requirements and performance standards for the district and establishes guidelines consistent with the Master Plan.

Exhibit F: Title 17 Amendment: Chapter 17.06A Design Review

Content: Establishes the Port of Bellingham as a member of the design review team when development takes place in the CB-Wharf district.

Exhibit G: Title 17 Amendment: New Chapter 17.121 Wharf District Design Standards

Content: This chapter provides a framework for standards in the Wharf District that address four fundamental elements of development. However, many of the specific new standards have not yet been developed. This effort will commence upon approval of the master plan. The four elements include:

- Streetscapes and public spaces;
- Building envelopes;
- Architectural design;
- Private landscape and parking .

II. PLAN DEVELOPMENT

Staff development. Planning for the Wharf District has been ongoing for almost two years. The plan was initially formulated through a planning charrette, then through several follow up community meetings, work-sessions, and joint meetings with the Port of Bellingham and other stakeholders. In the last year the City and Port staff have cooperatively participated in the plan development. The Port's goal is to update their 1998 Blaine Harbor Comprehensive Improvement Plan and establish a regulatory framework that can successfully implement the plan. The City's goal is to build upon the 98 plan and adopt an integrated development strategy that is summarized in Exhibit A. Both parties agree that these goals can best be achieved through a cooperative planning process.

Planning Commission review. On September of this year staff submitted the completed proposal to the Planning Commission for their review and recommendation. They held a public hearing in September and subsequently scheduled three work sessions to review and revise the plan. In October, Planning Commissioners unanimously voted to forward the final documents to the City Council with a recommendation of approval.

Port of Bellingham review. On September 18 the proposal was submitted to the Port of Bellingham Commission who held a public hearing and indicated support for the document. Upon final approval by the City, the Port will formally approve the Wharf District Master Plan.

The result is the Wharf District Master Plan and related land use regulations that staff, the Port of Bellingham and the Planning Commission support. City Council's approval of this plan will set the stage

for collaborative development in the district to the benefit of both the community of Blaine and the Port of Bellingham. See Exhibit A: Wharf District Master Plan, for additional background.

III. PUBLIC TESTIMONY

Both the City and the Port have received a number of letters addressing the proposed plans for development in the Wharf. The most persistent issues that have been raised include:

- Vehicular access to the Pier: Most letters indicated support for continued vehicular use of the Pier siting the need for their shelter during the 8 months out of the year when it can be cold, rainy and windy. They also pointed out the cultural and historic function the pier serves as a gathering place for the community.
- Parking. Some comments focused on the need to preserve parking along Marine Drive, siting the reduced parking options that have resulted from the recent road improvements.
- Train Depot. Richard Sturgill has requested the City and Port to consider moving the existing train depot from its current location to the site of the proposed Plover Park, where it could serve a variety of marine oriented public use functions.

The city recently received a letter from the Port of Bellingham. They have requested a reconsideration of the height restriction of 40 feet in **Planning Area 6- Shipyard Industrial Park** (see Attachment B). Staff has drafted some alternative language (below) for the Council to consider if they choose to address this request:

Alternative language

17.23. Planning Area 6.E. (Existing language) **Height standards: 40 feet.** (New language) **Higher building heights may be approved by the City Council provided;**

1. **All commercial and residential residents located on Peace Portal Drive within the CB Zoning District are notified of a public hearing addressing the proposal, and;**
2. **The building will serve a water dependent marine industrial use, and;**
3. **The applicant can demonstrate that the proposed building height is a functional requirement for the intended use, and;**
4. **The City Council finds that the building will not have a significant obstruction of views from the upland Central Business District.**

IV. RECOMMENDATION

The Blaine Community Development Director, the Port or Bellingham Planning and Development Director and the Blaine Planning Commission jointly recommend **APPROVAL** of the proposed Wharf District Master Plan and related amendments.

The recommendation is based on the following **FINDINGS OF FACTS**:

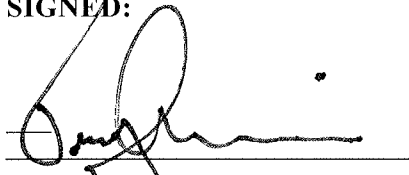
1. Environmental review was conducted and a Determination of Non-Significance was issued and circulated by the City of Blaine's SEPA Official on August 20, 2007 and published in the official paper of record (Bellingham Herald) on August 22, 2007.
2. Pursuant to RCW 36.70A.106 and WAC 365-195-620, the director has notified and transmitted copies of the proposed Comprehensive Plan amendments to the Washington State Office of Community Development.
3. Public Notice was published in the official paper of record, which announced the public hearing scheduled for 7:00 PM September 13, 2007.
4. In compliance with Section 16.04.080 BMC, the City finds that the proposal is consistent with, and meets the criteria for a Comprehensive Plan amendment as follows:

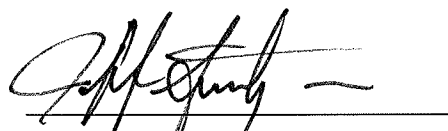
- A. The amendment conforms to the requirements of the GMA, is internally consistent with the Comprehensive Plan, is consistent with the county-wide planning policies, and is consistent with any interlocal planning agreements;
 - B. There is a demonstrable need for the amendment supported either by both changed conditions and as a result of new information developed by the city;
 - C. The public interest will be served if the amendment is approved;
 - 1. The proposed plan will impact the rate and distribution of population growth, employment growth, development and conversion of land as envisioned in the Comprehensive Plan and the Growth Management Act;
 - 2. The city does not foresee unanticipated impacts on schools, water and/or sewer purveyors, fire districts, and can provide adequate services and public facilities including transportation facilities to the Wharf district under the proposed plan; and
 - 3. The impact upon related shorelines, marine habitat and its waters will be reduced as a result of the development proposal for the Wharf district.
 - D. The proposal will contribute to an integrated land use management program for the City of Blaine.
5. The proposal will result in restoration of significant portions of the shoreline, improve water quality, protect and enhance habitat and in increase public access to the City's shoreline in and around the district. The planned and integrated development strategy contained in the Wharf District Master Plan will contribute to improved public health, safety, and the welfare of the Community of Blaine.

V. FISCAL ANALYSIS

No immediate impact on either governing body provided funding can be assembled as indicated in the implementation element of the Master Plan. Long term and direct fiscal benefit to the Central Business District should be significant as this plan is implemented.

SIGNED:


Terry Galvin
Community Development Director


Jeff Arntzen
Planning Commission Chair

REVIEWED BY:

City Manager _____
(Digital Signature)

Finance Director _____
(Digital Signature)

City Clerk _____
(Digital Signature)

COUNCIL ACTION:

Approved ☐,

Denied ☐,

Tabled / Deferred ☐

Attachment 1

ORDINANCE NO. 07-2674

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON, ADOPTING THE WHARF DISTRICT MASTER PLAN, AMENDING THE COMPREHENSIVE PLAN, BMC CHAPTERS 17.22, AND 17.06A, AND ADDING NEW CHAPTERS 17.23 AND 17.121 TO THE BLAINE MUNICIPAL CODE.

WHEREAS, the Wharf District and the downtown core are separated by the railroad and lack effective connectivity; and,

WHEREAS, the City Council has directed staff to update the Comprehensive Plan and related regulations related to the Wharf District to address these issues; and,

WHEREAS, the City of Blaine incorporated the Wharf District into its Central Business zoning district in 2005; and,

WHEREAS, the Port of Bellingham and the City of Blaine agreed to jointly update the Port's Master Plan and expand it to include all of the plans within the Wharf District; and,

WHEREAS, the City of Blaine and the Port of Bellingham have collaborated on the development of the Wharf District Master Plan, the amendments to the Comprehensive Plan and related regularity amendments and jointly submitted those to both city officials and Port of Bellingham officials for approval; and,

WHEREAS, after hearing public testimony, considering the recommendations of staff and carefully reviewing all information in three subsequent work sessions, the Planning Commission unanimously voted to send the amendments forward with their changes to the City Council with a recommendation to approve the ordinance; and,

WHEREAS, on October 22, 2007 the City Council met in a study session to review the Planning Commission's findings and to discuss the issues related to the proposal; and,

WHEREAS, On November 13, 2007 after posting legal notice, the City Council held their own public hearing to hear additional public testimony from interested citizens and, subsequently, unanimously voted to approve the proposal,

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLAINE as follows:

Section 1: The following Findings of Fact are hereby adopted:

1. Environmental review was conducted and a Determination of Non-Significance was issued and circulated by the City of Blaine's SEPA Official on August 20, 2007 and published in the official paper of record (Bellingham Herald) on August 22, 2007.

2. Pursuant to RCW 36.70A.106 and WAC 365-195-620, the director has notified and transmitted copies of the proposed Comprehensive Plan amendments to the Washington State Office of Community Development.
3. Public Notice was published in the official paper of record, which announced the public hearing scheduled for 7:00 PM September 13, 2007.
4. In compliance with Section 16.04.080 BMC, the City finds that the proposal is consistent with, and meets the criteria for a Comprehensive Plan amendment as follows:
 - A. The amendment conforms to the requirements of the GMA, is internally consistent with the Comprehensive Plan, is consistent with the county-wide planning policies, and is consistent with any interlocal planning agreements;
 - B. There is a demonstrable need for the amendment supported either by both changed conditions and as a result of new information developed by the city;
 - C. The public interest will be served if the amendment is approved;
 1. The proposed plan will impact the rate and distribution of population growth, employment growth, development and conversion of land as envisioned in the Comprehensive Plan and the Growth Management Act;
 2. The city does not foresee unanticipated impacts on schools, water and/or sewer purveyors, fire districts, and can provide adequate services and public facilities including transportation facilities to the Wharf district under the proposed plan; and
 3. The impact upon related shorelines, marine habitat and its waters will be reduced as a result of the development proposal for the Wharf district.
 - D. The proposal will contribute to an integrated land use management program for the city of Blaine.
5. The proposal will result in restoration of significant portions of the shoreline, improve water quality, protect and enhance habitat and in increase public access to the City's shoreline in and around the district.
6. The planned and integrated development strategy contained in the Wharf District Master Plan will contribute to improved public health, safety, and the welfare of the Community of Blaine.

Section 2: The Wharf District Master Plan attached herein as Exhibit A is hereby adopted as Appendix K of the Comprehensive Plan.

Section 3: The Blaine Comprehensive Plan is hereby amended to include additional guidance relating to the Wharf District as indicated in Exhibit B.

Section 4: The Wharf District map attached herein as Exhibit C is hereby incorporated into the Official Comprehensive Plan Designations Map.

Section 5: Chapter 17.22 attached herein as Exhibit D is hereby amended.

Section 6: Chapter 17.23 attached herein as Exhibit E is hereby added to Title 17, BMC

Section 7: Chapter 17.06.A attached herein as Exhibit F is hereby amended.

Section 8: Chapter 17.121, attached herein as Exhibit G, is hereby added to Title 17, BMC.

Section 9: If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON on the ____ day of _____, 2007, and approved by the Mayor on the same day.

CITY OF BLAINE, WASHINGTON

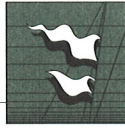
Mike Myers
Mayor

ATTEST/AUTHENTICATE:

APPROVED AS TO FORM:

SHERRI SANCHEZ
City Clerk

JONATHAN SITKIN
City Attorney



PORT OF BELLINGHAM

Washington State

November 6, 2007

Blaine City Council
City of Blaine
344 H Street
Blaine, WA 98230

Attachment 2

Re: Proposed Wharf District Master Plan

Dear Honorable Council Members:

On behalf of the Port of Bellingham's Board of Commissioners we appreciate the time and effort engaged by City staff and the Planning Commission to bring this draft proposal forward for review. Staffs of both the City and Port have been working closely together for over a year on a variety of issues related to the future development of this property.

There is, however, one issue in regard to the 40' fixed height limit in planning area 6 proposed by the Planning Commission which the Port of Bellingham believes needs to be addressed in the final draft of the Wharf District Master Plan and subsequent ordinances. The Port feels that some flexibility should be retained in regard to permissible heights in planning area 6 for those uses that may functionally require some additional height above 40'. For example, with the haul out capacity of the existing marine railway in planning area 6, interior vessel fabrication and repair uses could require 50' or more. The attached picture is an example of Dakota Creek Industries Fabrication building in Anacortes which is 50' to the peak of the roof. The Port of Bellingham would recommend and encourage the City of Blaine also have a mechanism in place in where it could review and approve, on a case by case basis, uses like the Dakota Creek example and not preclude any use based on height which has the potential to bring a number of family wage manufacturing jobs to Blaine's waterfront.

We thank the Council for their consideration and the opportunity to make these written comments. We look forward to working together towards the implementation of the Wharf District Master Plan.

Sincerely;
PORT OF BELLINGHAM



Jim Darling
Executive Director



Exhibit B New Text Blaine Comprehensive Plan - Chapter 4 "Wharf District Plan"

Amend The City of Blaine Comprehensive Plan Chapter 4, page 25 to add the following language:

SPECIAL MANAGEMENT PLANS

Wharf District Special Management Plan

The **Wharf District Master Plan**, attached to this Comprehensive Plan as Appendix K, is hereby adopted as an element of the City of Blaine Comprehensive Plan.

The geographic area identified as the **Wharf District** in Map , is hereby designated as the Wharf District and incorporated into the official Comprehensive Plan Map.

OVERVIEW: The Wharf District Master Plan

Description & Ownership

The Wharf District is located on the waterfront adjacent to the City of Blaine's downtown core and Central Business-Market District with almost two miles of accessible shoreline on Semiahmoo Bay and Drayton Harbor. Significantly, the Burlington Northern Railroad right-of-way cuts right between the two districts functionally restricting circulation access back and forth.

The approximately 93 acres of man-made uplands and marina that comprise the Blaine Wharf District are mostly publicly owned. The City of Blaine owns the 10 acre park and a 2.5 acre commercial property north of the 5 acre Marine Drive right of way. The Port of Bellingham is the owner of the 56 acre Blaine Marina which consists of approximately 23 acres of upland and 33 acres of water surface and moorage facilities. It has owned these properties since the 1940s. The Port of Bellingham also has management authority for approximately 15 acres of State owned aquatic lands which consist of approximately 2.5 acres with upland characteristics and 12.5 acres of water surface. BNSF owns approximately 5 acres.

Existing Condition and Key Issues

While the Port of Bellingham has invested over fifteen million dollars in the marina in the last 10 years since its 1998 Comprehensive Improvement Plan, the area we refer to as the Wharf district remains an unpolished gem with much of it underdeveloped and underutilized. Key issues are summarized below:

- Poor linkage between the Wharf District and the upland downtown area.
- Substandard roads servicing the activities and businesses in the Wharf District with the most westerly 700 feet of Marine Drive in poor repair with deteriorating riprap and no shoulders.
- Inadequate structural capacity to support auto parking on Fisherman's Pier, a popular local gathering area.
- Limited public access to the shoreline and adjacent waterways.
- Underdeveloped trails and water taxi service along the waterfront and waterways. Most notably, no pedestrian access to Fisherman's Pier.
- Underdeveloped Marine Park facilities, many of which are at the end of their life cycle.

Future Vision

If one were to look into the future and see the Wharf district in 20 years this is what they might see if the Wharf is developed consistent with the Master Plan:

The Wharf District is the place where the center of the city reaches out and connects with its waterfront and marine waters. This unique and irreplaceable historic projection includes a 629 slip marina, 10 acres of shoreline park, a historic fishing industry and a mix of related commercial, industrial and recreational activities that either require or are compatible with the shoreline and marine waterways.

Its large wetlands, natural beaches, shoreline parks and fishing pier are a testament to the shared management goals of the City and the Port of environmentally sound shoreline management, improved water quality and more ecologically productive shorelines.

The Wharf District is an essential waterfront component of the City's Central Business district:

- It provides a public powerboat launch, a small craft beach, and marina with over 600 recreational and commercial slips.*
- Its integrated network of roads, trails, boardwalks, sidewalks, bridges, ferries, and parking provides easy and fluid circulation within the Wharf District and to the upland Market District, the marine waters, and Semiahmoo Spit across the channel.*
- It contains strong and continuous public access and recreation linkage along the waterfront and waterways. It offers a wide variety of physical settings, landscaped parks, and pedestrian attractions that are connected by a continuous two mile loop of trails, walkways and promenades along the waterfront's edge.*
- It is a magnet for people who want to explore the wonderfully diverse waterfront activity that a wharf district offers.*

Planning Areas

The Wharf district has been divided into 6 separate but coordinated planning areas to better integrate development in the district and compliment the commercial activities in the upland Market district and on the Spit.

Planning Area 1: Gateway to Waterfront (Visual & Physical Access)

Planning Area 2: Plover Park (Recreation & Boat Launch)

Planning Area 3: Mariner Village (Mixed Use)

Planning Area 4: Harbor Gateway (Marina Support)

Planning Area 5: Water's Edge (Public Access)

Planning Area 5a: Marine Park (Passive Recreation)

Planning Area 5b: Festival Square (Parking & Community Activities)

Planning Area 5c: Lighthouse Park (Active Recreation)

Planning Area 5d: The Wharf (Pedestrian Boardwalk & Fisherman's Pier)

Planning Area 6: Shipyard Industrial Park (Industrial)

Planning Area 7: Dakota Commons (Commercial)

Public Access and Circulation Element

Most significant to the community of Blaine is the emphasis on public access and circulation in the Wharf District Master Plan. The inclusion of this public access and circulation element highlights two important considerations in this plan. First, it recognizes the need for strong transportation linkages between the Wharf District with the downtown Market District, the marine waters and the spit across the channel. Second, it addresses the need for a strong and continuous public access and recreation linkage along Blaine's urban waterfront and waterways.

Circulation Goals

1. The Wharf District should include a system of roads, trails, boardwalks, sidewalks, bridges, ferries, and parking space that provides easy and fluid internal circulation within the Wharf District and the upland Market District, the marine waters and Semiahmoo Spit across the channel.

2. The circulation system should facilitate connectivity between a wide range of water oriented recreational, commercial, and marine activities.

Public Access Goals

1. The Wharf District should provide continuous public access and recreation linkage to Blaine's urban waterfront and waterways.
2. The Wharf District should include a multi-season indoor/outdoor facility for both community and private events.
3. The Wharf District should include well signed public restrooms appropriately distributed throughout the district and Planning Area 1.

High Priority Public Access and Circulation Action Items

Wharf Trail Loop. The most basic component of the public access and circulation plan is a two mile interpretive trail winding through the entire Wharf District.

Pedestrian Bridge. A new pedestrian bridge over the railroad tracks is proposed to improve access between the Market District and the Wharf District. These pedestrian and water connections will strengthen the businesses in all three areas by providing a visitor destination in Central Blaine to draw customers from Semiahmoo, and providing interesting day trips for Blaine Wharf District and Downtown residents and visitors.

Plover Park. A new public park is proposed adjacent to the existing boat launch and restroom facilities. The park would provide a destination for pedestrians using the new pedestrian overpass from the Blaine downtown area, a picnic spot for boat launch and marina visitors, and a recreation area for new Wharf District residents. The park will include pedestrian walkways tied to the network of pedestrian trails within the Wharf District.

Pintail Marsh. This 5 acre degraded wetland will be enhanced to include open water and palustrian emergent wetlands. The Cain Creek outlet can be relocated so that it provides the marsh with a constant source of freshwater. The marsh in turn will flow under the Marine Drive Bridge so that the mudflats receive the Cain Creek water with the same supply and in the same location. The creation of several small upland islands in this marsh should provide excellent resting and nesting habitat for both local and migrating bird species. The aquatic environment will provide habitat for a wide variety of invertebrates, amphibians and some fish species.

Water Taxi Dock. Expanded service and relocation of the ferry terminal to Plover Park. A new water taxi dock is proposed in the vicinity of the boat launch and Plover Park. This new facility would be tied to the construction of the new pedestrian overpass over the railroad and upgrade of the ferry service to a faster, more frequent ferry. This location will be more convenient to the Blaine downtown core and may encourage additional pedestrian use by visitors traveling from downtown Blaine to Semiahmoo.

Festival Area. This 2.5 acre property is owned by the City. It is not intended to be included into the park system but is intended to be used in a manner that compliments and enhances the Water's Edge Recreation Area. In the future this may include buildings, but in the immediate future, this area will serve the public by providing centrally located public parking and, as the need arises, a festival area. The site will include utilities to service such events and related overnight accommodations. This area will be designed to blend into the larger recreation area with easily accessed pedestrian trails to the east, west or south to the marina.

Lighthouse Replica. One of the most notable and cherished landmarks that existed in Blaine was a Victorian Style lighthouse that was located in Semiahmoo Bay and existed between the dates of 1905 to 1944. This lighthouse was lost due to the advancing age of the structure and also due to replacement by more modern technology. The memory and romance of this structure is still held in the minds and hearts of those who have resided in Blaine over the years. The "Semiahmoo Lighthouse Resurrection Society" which is a Nonprofit 501 (a) and 501 (c) 3 Corporation, was created in 2001 with the hope to resurrect the former lighthouse on Marine Drive. The Society's intent is to recreate the former lighthouse in exact size, style and form using donations from the private sector to achieve this worthy and historic goal. The Lighthouse, when completed will provide a historical context for both the park and the district.

Lighthouse Park. Lighthouse Park is intended to be an active park that provides a wide range of recreational activities. The most westerly side of the park is an exact replica of the lighthouse that rested on piers over Semiahmoo Bay for many years in the early 1900s. The Park contains the City's water reclamation facility which has incorporated an atrium on the west side that provides a community gathering area or special events. Between the lighthouse and the atrium is a plaza and waterworks that connects the two. It provides all of the functions normally associated with a plaza.

The Wharf. This planning area includes Marine Drive and its shorelines from the western edge of Lighthouse Park to and including Fisherman's Pier. When finished, the overall look and feel of this linear section will be similar to an actual wharf extending out over the water. The straight and structured character of the wharf section of the road will be very different from that of the curvilinear Marine Drive to the east with its landscaping and water gardens. If done properly, one will have the clear feeling that they are driving or walking from the upland out onto a wharf. The Boardwalk on the north side of the road will provide much needed pedestrian access from Lighthouse Park to Fisherman's Pier at the westerly terminus of the Wharf District.

Fisherman's Pier. The locally popular pier provides a large over-water structure that can be used for fishing, crabbing or viewing. It includes a floating dock that is used by visiting boaters and also serves a pickup and drop-off station for the ferries. The community has been vocal in their support for maintaining automobile access to the pier. However, the Port estimates the cost of doing so to be over 2.5 million dollars of additional improvements to the pier. The choice will be a community decision. Consequently, the Master Plan sets out two alternatives:

Alternative #1 - Auto Access to Fishermans Pier. This option keeps the existing use intact and maintains auto access, but at an additional cost;

Alternative #2 - Linear Park to Fisherman's Pier. This option allows limited parking out on the water but not on the Pier. Under this alternative, approximately 100 feet west of the loading dock a small parking area and turnaround will provide up to 4 parking spaces for Fisherman's Pier. The remainder of the road west of the parking will be converted to a linear park consisting of a curvilinear pathway (10 feet wide) with pockets of grass covered picnic areas leading up to the Pier.

If alternative #2 is implemented, for those without the shelter of a heated car on the pier, the City and Port should consider construction of an enclosed observation shelter on the Pier to accommodate visits during the colder months of the year.

Exhibit C Comprehensive Plan Map Amendment

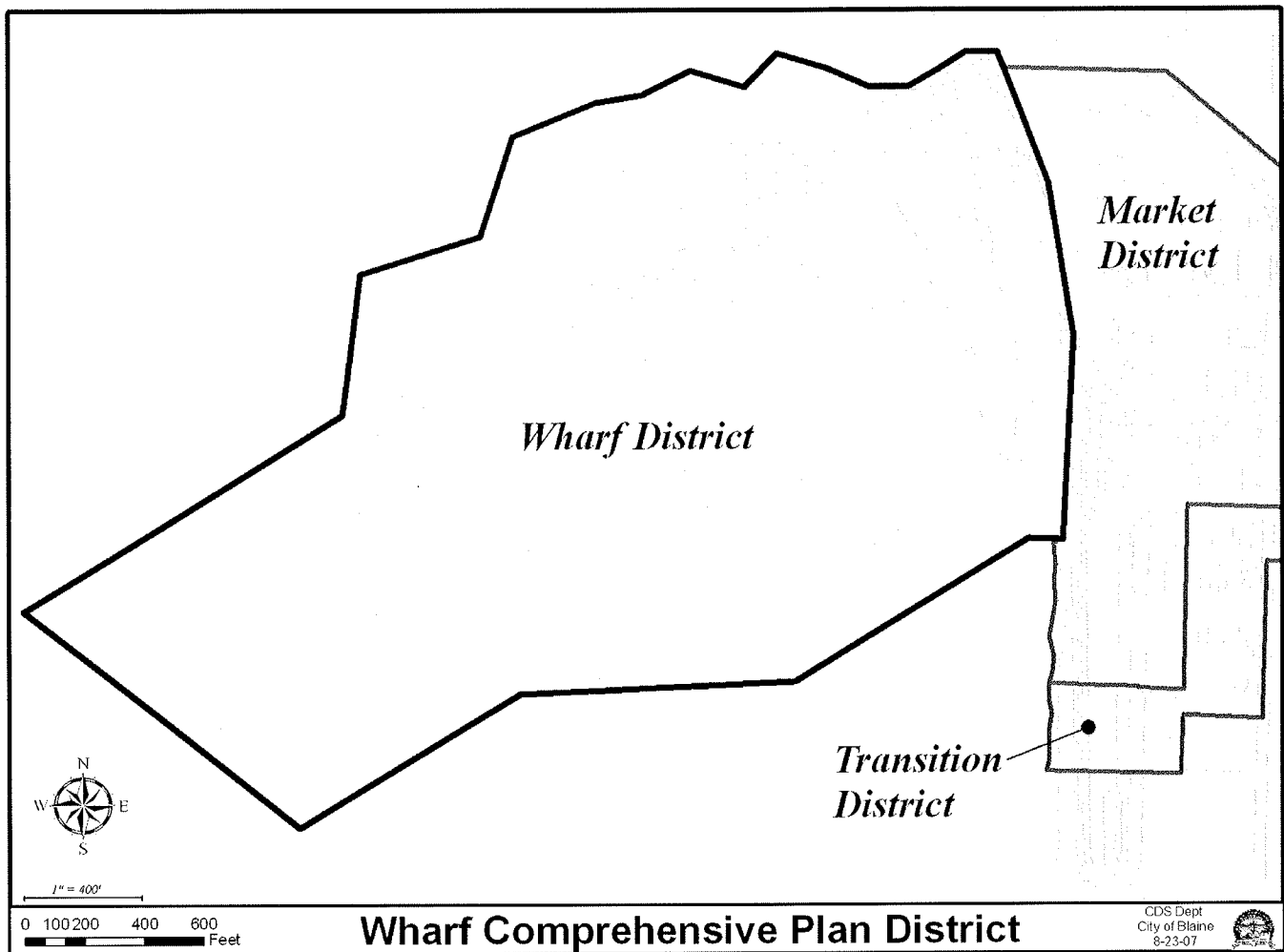


Exhibit D
Chapter 17.22 - CENTRAL BUSINESS DISTRICT (CBD)

Sections:

- 17.22.010 Purpose and intent.
- 17.22.020 Applicability and permit approval in the Central Business District.
- 17.22.030 Uses and facilities that are allowed in the Central Business District.
- 17.22.040 Prohibited uses and facilities.
- 17.22.050 Conditional uses in the Central Business District.
- 17.22.060 Lot size.
- 17.22.070 Setbacks.
- 17.22.080 Building height.
- 17.22.090 Lot width.
- 17.22.100 Open space and view corridors.
- 17.22.110 Parking requirements.
- 17.22.120 Additional requirements in the CB – Transition District.
- 17.22.130 Fees.

17.22.010 Purpose and intent.

The city of Blaine comprehensive plan provides a clear vision for the Central Business District (CBD). Development inquiries should start there to ensure consistency and compliance. The goal for Blaine's Central Business District is for it to grow into an attractive downtown area that is both dynamic and pedestrian-friendly with a small town scale. The intent is to revitalize downtown Blaine around the vision of a turn-of-the-century coastal town in a manner that draws from the town's historically prosperous period circa 1900. To that end, the city has developed clear policy direction in the comprehensive plan, a streetscape plan, parking plan and design standards that together help guide compliance with this chapter in a manner that is consistent with the vision.

The Central Business District has been divided into three integrated subdistricts as illustrated in the Blaine comprehensive plan and official zoning map. The CB-Wharf district is addressed in Chapter 17.23 of this code. This chapter addresses the CB-Market and the CB-Transition districts and their corresponding intent statement area below:

A. CB – Market District. The CB – Market District is intended to concentrate retail stores, offices, financial institutions, service and eating and drinking establishments, recreation facilities, and other similar facilities in a centrally located, pedestrian-oriented area with strong small town flavor and a historic design characteristic. The CB – Market District will conveniently serve citizens and visitors with an exciting selection of goods and services. The regulations for this district are designed to encourage the grouping and development of complementary and related businesses and services, and to discourage development or activities, which can:

1. Disrupt pedestrian/shopper circulation patterns;
2. Create pedestrian or vehicular safety hazards;
3. Diminish the attraction of this district as the retail trade center;
4. Preempt use of significant portions of first-floor store frontage for retail trade.

B. CB – Transition District. The intent of the CB – Transition District is to provide an area for a mix of low impact uses, including housing, office space, and services in buildings that have a design and scale similar to the adjacent residential neighborhood. The effect of this district is to minimize the conflict that inherently exists between highly trafficked commercial areas and quiet residential neighborhoods.

17.22.020 Applicability and permit approval in the Central Business District.

A. Applicability. The provisions of this chapter shall apply to all development and land use activity in the Central Business – Market & Transitional districts.

B. Permit Approval. The purpose of a review process undertaken by the city in the Central Business District is to determine if a project proposal is consistent with the city's vision, goals and policies and compliant with the Blaine Municipal Code. Minor improvements or development that is clearly consistent with downtown policy direction and compliant with applicable regulations should be reviewed and approved quickly and inexpensively.

1. Minor improvements require administrative compliance review prior to issuance of a building permit. Minor improvements include the following:

- a. Minor repair and maintenance to the exterior of a building.
- b. Minor exterior remodels.
- c. Interior improvements.
- d. Landscaping.
- e. Exterior signage.

2. Major improvements require site plan approval and design approval prior to issuance of a building permit. Major improvements include the following:

- a. Major exterior renovation.
- b. New construction.

3. Site Plan and Consistency Review. The director shall determine consistency and compliance in a manner consistent with site plan and consistency review procedure contained in Chapter 17.07 BMC.

4. Design Review. The design review team shall determine compliance with the downtown design standards contained in Chapter 17.120 BMC. The director shall issue a written determination based upon the results of design review conducted pursuant to 17.06A. (Ord. 2600 § 5, 2005; Ord. 2554 § 3, 2003)

17.22.030 Uses and facilities that are allowed in the Central Business District.

Pedestrian-oriented retail stores, offices, financial institutions, service and eating and drinking establishments, recreation facilities, and other similar uses and facilities are allowed upon receiving a notification of compliance from the director. (Ord. 2600 § 5, 2005; Ord. 2554 § 3, 2003)

17.22.040 Prohibited uses and facilities.

A. CB – Market District.

1. Single-family residences;
2. Other living accommodations are prohibited on the first floor unless specifically allowed in other sections of this chapter;
3. Uses or structures that disrupt pedestrian/shopper circulation patterns;
4. Uses or structures that create pedestrian or vehicular safety hazards;
5. Uses or structures that diminish the attraction of this district as historic coastal retail trade center;
6. Uses that preempt use of significant portions of first-floor store frontage for retail trade;
7. Uses that persistently produce off-site noise, light or odor resulting in a significant impact to the quality of residential occupancy in the immediate area.

B. CB – Transition District.

1. High traffic uses or uses that produce noise, light or other off-site impacts.

17.22.050 Conditional uses in the Central Business District.

A. Major development projects.

B. Major development projects in the CB – Market District that do not strictly comply with the development regulations contained in this chapter but are consistent with the purpose and intent statement contained in BMC 17.22.010; the purpose statement contained in BMC 17.120.010; BMC 17.92.050, Standards and criteria for granting conditional use permits; and BMC 17.22.080(B) and (C).

C. Public-use buildings and related facilities.

D. Building projections into city right-of-way beyond those allowed by the International Building Code. (Ord. 2632 § 2, 2006; Ord. 2600 § 5, 2005; Ord. 2554 § 3, 2003)

17.22.060 Lot size.

There is no minimum lot size in the Central Business District. (Ord. 2600 § 5, 2005; Ord. 2554 § 3, 2003)

17.22.070 Setbacks.

Intent: Setbacks help establish the relationship of the building to the street. The street edge in the Central Business District should be defined with a building, landscaping or other pedestrian-oriented amenity. The intent is to create an active, safe pedestrian environment with improved pedestrian circulation. It is also the intent to create visual interest and increased activity and public focal points at street corners.

A. CB – Market District.

1. Front Yard Setback. Buildings shall abut the front property line except that the building may be set back from the sidewalk up to 10 feet to facilitate active pedestrian use when:

a. The setback area is designed and used for pedestrian-oriented space. It can be an extension of the adjacent ground floor use (such as tables for a restaurant, an outdoor display area for goods for sale inside the building), used by private vendors (with owner's permission) or for related public purposes.

b. Vehicle parking, loading or related vehicular use is not allowed within the setback area.

2. Side Yard Setback. Buildings may abut side yard property lines (zero-foot setback).

3. Rear Yard Setback. Buildings may abut rear yard property lines (zero-foot setback).

B. CB – Transition District.

1. Front Yard Setback. Setbacks may be variable provided the average setback is at least 10 feet.

2. Side Yard Setbacks. Five feet, except that where a lot abuts a residential district with no intervening street or alley, a 10-foot setback is required.

3. Rear Yard Setbacks. Ten feet, except where a lot abuts a residential district with no intervening street or alley, a 20-foot rear yard setback is required.

17.22.080 Building height.

A. Allowed Building Height.

1. CB – Market District: 36 feet west of Peace Portal Drive and 46 feet east of Peace Portal Drive.

2. CB – Transition District: 36 feet.

B. Allowed building heights may be increased when the proponent can meet the following conditions:

1. The addition minimizes view obstruction.

2. The addition adds architectural detail to the roof line.

3. Final configuration shall be site-specific and subject to design review approval.

C. An increase in building height must incorporate compensatory site improvements or design changes that further the intent and objectives contained in BMC 17.22.110, Open space and view corridors, and results in a benefit to the community. The proponent shall propose the type of mitigation; however, the city council shall determine the scope and type of mitigation required based upon adopted policy and plan direction.

D. Heights in the Central Business District shall be measured from the front yard curb (or projected curb as determined by the city). (Ord. 2632 § 3, 2006; Ord. 2600 § 5, 2005; Ord. 2554 § 3, 2003)

17.22.090 Lot width.

No minimum lot width is required in the Central Business District. (Ord. 2600 § 5, 2005; Ord. 2554 § 3, 2003)

Rationale: duplication of .020.B4 above.

17.22.100 Open space and view corridors.

Intent: A quality downtown environment requires quality pedestrian access to views, parks, walkways and trails. It requires community gathering areas such as parks and plazas and outdoor amenities like benches, lighting, overhead cover, staging areas, restrooms, etc. Finally, a downtown can become a rich place to stroll through when the city has a wide range of outdoor art and creative landscaping that is accessible to the public. These are the qualities intended for the Central Business District. More specific goals include: (A) preserve, maintain and protect downtown harbor vistas for all future generations. Capitalize on these vistas as a means to preserve the waterfront historic character of the town; and (B) foster the development of a continuous public access way along the water view side (back side) of downtown businesses fronting the west side of Peace Portal Drive between F Street and Boblett Street.

A. Preservation of view corridors shall be carefully reviewed to ensure consistency with the Blaine comprehensive plan.

B. Each project proposal on the west side of Peace Portal Drive shall provide a 12-foot easement on the west side of the proposed building, as determined by the city, to provide for a pedestrian boardwalk or trail between F Street and Boblett Street. (Ord. 2600 § 5, 2005; Ord. 2554 § 3, 2003)

17.22.110 Parking requirements.

Intent: Although the Downtown Master Plan encourages pedestrian-friendly orientation, the automobile still plays a significant role in getting people to and from the downtown area. Therefore, automobile parking needs to be provided both at on-street and off-street locations in the Central Business District.

A. Off-street parking requirements for customer and employee use in the Central Business District shall be suspended until such time that the city has adopted a parking plan which allows for the provision of required parking on-site or in close proximity; by mutual and joint use agreements; and/or through public action such as a special assessment district. Once adopted, all businesses and residents shall be subject to the provisions of the parking plan. Current on-site parking spaces and recorded off-site parking fees shall be incorporated into a pro rata and equitable cost-sharing parking program.

B. In conformance with the purpose of maintaining and encouraging a pedestrian-oriented commercial environment, parking requirements for the Central Business District are to be less stringent than for other commercial areas.

C. On-Street Parking in the Central Business District.

1. On-street customer parking for commercial use is allowed on city streets except in areas specifically signed and marked to provide for orderly and safe movement and operation of automobiles.

2. The city may designate certain areas for long-term or employee parking and reserve areas near and adjacent to retail and service businesses for short-term or customer parking.

3. The city may, if necessary, establish on-street parking time limits in selected areas in the Central Business District.

D. Off-Street Residential Parking in the Central Business District. Each housing unit created in the Central Business District is required to provide a minimum of one and one-half automobile parking spaces at the site of the residential unit or in an off-street location within close proximity to the residential unit. (Ord. 2600 § 5, 2005; Ord. 2554 § 3, 2003)

17.22.120 Additional requirements in the CB – Transition District.

The following special standards apply in the CB – Transition District. All other standards applicable to development in this district and not in conflict with the following also apply:

A. Uses. High impact uses such as taverns and cocktail lounges and outdoor and/or amplified music are prohibited.

B. Height. Building heights may not be increased from 36 feet.

C. Location of Parking. Where feasible, parking facilities shall be located on the side of the property opposite from the residential zoning or in the rear of the property. If the parking is in the rear of the property, screening is required to buffer the parking area from the residential property.

D. Building Design. Buildings shall be compatible in scale and character with the historical residential buildings in the adjacent residential zoning district. (Ord. 2600 § 5, 2005; Ord. 2554 § 3, 2003)

17.22.130 Fees.

The applicant shall pay fees for design review, compliance review and related permits as stipulated in Blaine's unified fee schedule. (Ord. 2600 § 5, 2005)

Exhibit E
(New Chapter)
17.23 CB - WHARF ZONING DISTRICT

Purpose

The Wharf District is established in recognition of the unique and irreplaceable nature of the city's waterfront site. It is intended to provide for a mix of water oriented commercial, industrial and recreational uses that support water related activities that are compatible with shoreline public access and tourism activities. Direction and guidance for development in this district is provided by the Wharf District Master Plan (a component of the Blaine Comprehensive Plan), approved by both the City of Blaine and the Port of Bellingham. The regulatory provisions of this chapter are intended to supplement the master plan.

17.23.010 Applicability and permit approval

Unless determined to be exempt under the City's shoreline program, all development proposals in the Wharf District shall be approved through a Shorelines Permit. No other development permit shall be required. A building permit will not be accepted without prior approval of the Shorelines Permit if applicable.

17.23.020 Approval Criteria

A. A Shorelines Permit in the Wharf district shall be approved subject the administrative provisions of Title 17 and the Shoreline Management Program.

B. A final permit decision by the City must include findings of compliance with the following documents:

1. The Wharf District Master Plan,;
2. The City of Blaine Shoreline Management Plan;
3. Design Standards pursuant to Title 17. Chapter 17.123.

C. When a permit application is submitted for development on Port owned property, the City shall solicit and consider any conditions or related requirements established by the Port before making a final decision.

17.23.030 Minimum Standards

Unless otherwise indicated within each planning area, a development proposal must demonstrate compliance with the following standards:

A. Design Standards.

1. Streetscape and public space standards. All design, placement or construction within a public space must be in compliance with the streetscape and public space standards contained in Chapter 17.121.050 BMC.
2. Building form standards. All buildings within the Wharf District shall conform to the building form standards contained in Chapter 17.121,060, BMC.
3. Architectural standards. All buildings within the Wharf District shall conform to the building form standards contained in Chapter 17.121,070, BMC.
4. Private landscape and parking standards. All private space landscaping and parking areas must conform to the private landscape and parking standards contained in Chapter 17.121,080, BMC.

B. Water quality standards. While each planning area will have different functions and development configurations, all development in the Wharf district shall utilize low impact design techniques and demonstrate that the result will be a stormwater management design that will consistently achieve high water quality runoff over extended periods of time.

C. Lot configuration standards. No minimum lot width or specific lot configuration is required in the Wharf District.

D. Minimum lot area standards. No minimum lot area is required in the Wharf District. However, a project proposal must demonstrate that the intended site adequately accommodates the intended use with sufficient size to meet parking, loading and circulation, landscaping, open space, and related requirements.

E. Unless otherwise determined, setbacks from the shoreline OHWM shall be:

- a. Water dependent buildings: 0 feet.
- b. Water oriented buildings: 25 feet.
- c. Other buildings: 45 feet.

17.23.040. Specific planning area standards. The following standards are specific to each of the seven planning areas within the Wharf District.

Planning Area 1: Gateway to Waterfront (Visual & Physical Access)
See CB-Market requirements.

Planning Area 2: Plover Park (Recreation & Boat Launch)

- A. Special conditions: A landscape and site plan for the entire Plover Park planning area must be approved through a shorelines development permit prior to any development or construction on the site. The plan must meet the approval criteria contained in Section 17.23.020.
- B. Character and use: See Wharf District Master Plan.
- C. Design Standards.
 1. Streetscape and public space standards. Must be approved as a component of an approved landscape and site plan.
 2. Building form standards. Must be approved as a component of an approved landscape and site plan.
 3. Architectural standards. Must be approved as a component of an approved landscape and site plan.
 4. Landscape & private parking standards: Must be approved as a component of an approved landscape and site plan.
- D. Building setback standards:
 1. Setbacks from Marine Drive right-of-way: 10 feet.
 2. Setbacks from Milhollin Drive easement: 10 feet.
 3. Setbacks from shoreline OHWM: Setbacks shall be established at the time of permit approval for the landscape and site plan.
 4. Setbacks from Wetlands: Recreational amenities may be located in or adjacent to wetland with an approved wetland enhancement plan.
- E. Land coverage: 10 percent of planning area.
- F. Buildings heights: Not to exceed 20 feet unless otherwise approved as a part of the landscape and site plan.

Planning Area 3: Mariner Village (Mixed Use)

- A. Character and use: See Wharf District Master Plan.
- B. Design Standards.
 1. Streetscape and public space standards. All standards applicable.
 - a. Milhollin Drive is intended to be an urban street with similar design characteristics to the CB-Market district with street trees, sidewalks and an active pedestrian oriented commercial flavor.
- C. Building form standards. All standards applicable.
- D. Architectural standards. All standards applicable.
- E. Private landscape and parking standards. All standards applicable.

- a. Parking: Parking in this planning area is intended to be located underground if possible. Alternatively parking space can be used to enhance building separation and increase views from the east.
- F. Building setback standards:
 - 1. Setbacks from Marine drive right-of-way: 15 feet
 - 2. Setbacks from Milhollin Drive easement: 10 feet.
 - 3. Setbacks from shorelines OHWM: 45 feet
 - 4. Setbacks from Plover Park Planning Area: 30 feet
- G. Land coverage standards: 90%
- H. Height standards: Buildings shall stair-step from lower heights on the south side of the planning area graduating to greater heights on the north consistent with the Wharf District Master Plan. See Master Plan for detailed height requirements.

Planning Area 4: Harbor Gateway (Marina Support)

- A. Character and use: See Wharf district Master Plan.
- B. Design Standards.
 - 1. Streetscape and public space standards. All standards applicable.
 - 2. Building form standards. All standards applicable.
 - 3. Architectural standards. All standards applicable.
 - 4. Private landscape and parking standards. All standards applicable.
 - a. Parking: Cumulatively, additional development of planning area 4 shall not reduce parking space by more than 15 stalls.
- C. Building setback standards:
 - 1. Setbacks from Marine drive right-of-way: 10 feet
 - 2. Setbacks from shorelines OHWM: see 17.23.030.E.
- D. Land coverage standards. 90%
- E. Height standards. Only single story buildings area allowed with a maximum height of 25 feet.

Planning Area 5: Waters Edge (public access - includes sub-planning areas 5a, 5b, 5c, and 5d.)

- A. Special conditions: A landscape and site plan for each of the four sub-planning areas must be approved through a shorelines development permit prior to any development or construction taking place on the site. The plan must meet the approval criteria contained in Section 17.23.020.
- B. Character and use: See Wharf district Master Plan.
- C. Design Standards:
 - 1. Streetscape and public space standards: All standards applicable.
 - 2. Building form standards: All standards applicable
 - 3. Architectural standards: All standards applicable.
 - 4. Landscape & private parking standards: All standards applicable.
- D. Building setback standards:
 - 1. Setbacks from Marine Drive right-of-way: 30 feet setbacks with the exception of the wastewater treatment facility this shall be setback 10 feet from Marine Drive.
 - 1. Setbacks from shoreline OHWM: Setbacks shall be approved at the time of permit approval for the landscape and site plan for each sub-planning area.
- E. Land coverage standards.
 - 1. Planning Area 5a - Marine Park (Passive Recreation): 10%
 - 2. Planning Area 5b - Festival Square (Parking & Community Activities) 60%
 - 3. Planning Area 5c - Lighthouse Park (Active Recreation): 30%
 - 4. Planning Area 5d - The Wharf (Pedestrian Boardwalk & Fisherman's Pier) 100%
- F. Height standards: Heights shall be approved at the time of permit approval for the landscape and site plan for each sub-planning area.

Planning Area 6: Shipyard Industrial Park (Industrial)

- A. Character and use: See Wharf district Master Plan.
- B. Design Standards:
 - 1. Streetscape and public space standards. Planning Area 6 is reserved for industrial uses. There are no formal streets and the general public should not be encouraged to enter the area. Consequently, the streetscape and public space standards are only marginally applicable. Where the public does have access, and where appropriate, they will be applied.
 - 2. Building form standards: Building form and design in this planning area will be driven by the functional requirements of industry. While the standards in Chapter 17.123 must be considered, where the two are in conflict, industrial design requirements shall prevail.
 - 3. Architectural standards: Building form and design in this planning area will be driven by the functional requirements of industry. Consequently, where these architectural standards conflict with industrial design requirements, the later shall prevail.
 - 4. Landscape & private parking standards: No landscaping required.
- C. Building setback standards:
 - 1. Setbacks from Marine Drive: 10 ft;
 - 2. Setbacks from the shoreline OHWM: see 17.23.030.E;
- D. Land coverage standards. 100% ;
- E. Height standards: 40 feet.

Planning Area 7: Dakota Commons (Commercial)

- A. Character and use: See Wharf district Master Plan.
- B. Design Standards:
 - 1. Streetscape and public space standards. All standards applicable;
 - 2. Building form standards. All standards applicable;
 - 3. Architectural standards. All standards applicable;
 - 4. Landscape & private parking standards: Centrally located parking as indicated in the master plan for both Planning Areas 7 and 5d. (Fisherman's Pier).
- C. Building setback standards:
 - 1. Setbacks from Marine Drive right-of-way: 10 ft.;
 - 2. Setbacks from shorelines OHWM: see 17.23.030.E;
- D. Land coverage standards. 90%;
- E. Height standards: 35 feet.

17.23.050 Appeals.

Appeals of any final decision addressing the provisions of this chapter shall be heard pursuant to BMC 17.06.180, Appeals.

Exhibit F

Chapter 17.06A -DESIGN REVIEW

Sections:

- 17.06A.010 Purpose.
- 17.06A.020 Applicability.
- 17.06A.030 Design review and approval – Central Business District.
- 17.06A.040 Design departures.
- 17.06A.050 Modifications.
- 17.06A.060 Lapse of approval.
- 17.06A.070 Appeals.

17.06A.010 Purpose.

A. The purpose of this chapter is to provide a quick and efficient process for the review of proposed developments, activities or uses that require the application and compliance of the city's design standards.

B. The design review process is structured to allow the city and the applicant to work closely and cooperatively to comply with relevant design standards and to allow for creative design and diversity of project architecture. (Ord. 2600 § 4, 2005)

17.06A.020 Applicability.

A. All development in the Central Business District shall comply with the design standards pursuant to the following chapters:

1. Chapter 17.120 Downtown Design Standards (.020 Adoption and applicability)
2. Chapter 12.121 Wharf District Design Standards (.020 Applicability)

B. Design review within the Central Business District shall be undertaken pursuant to BMC 17.06A.030 when required.

C. When design review is required, the applicant must demonstrate compliance with relevant design standards before a building permit can be approved and issued by the city. (Ord. 2600 § 4, 2005)

17.06A.030 Design review and approval – Central Business district.

A. Design Review Authority.

1. Design review for structures within the Central Business - Market and Transition districts shall be undertaken by a third party review specialist (a private sector licensed architect) and the community development director.

2. Design review for projects within the Central Business District - Wharf district shall be undertaken by a third party review specialist, a representative from the Port of Bellingham, and the community development director.

3. The review specialist must be a licensed architect and selected by the city council for a one-year term.

4. The review specialist shall charge an hourly fee for design review services agreed to under contract.

5. The applicant shall compensate the city for expenses incurred for project-specific design review.

6. The community development director shall fully consider final recommendations of the review specialist before making a final determination of design compliance.

B. Pre-Design Clarification.

1. An applicant is encouraged to meet with the director prior to submitting a project proposal for design review to discuss a project concept, establish which design standards apply to the proposed development, and to determine what drawings, perspectives or other materials the applicant will need to submit with the design review application.

C. Design Review Submission.

1. If a development permit is required, the applicant shall submit to the Community Development Services Department, a conceptual design review application and three sets of related material as an integrated element of the development permit application.

2. If no development permit is required, the applicant shall submit an independent design review application with three sets of related material, prior to submitting an application for a building permit.

D. Design Review.

1. Upon receipt of a complete conceptual design review application, the director will schedule a review meeting within 10 working days of the submission of a complete application. The applicant is encouraged to attend the meeting.

2. The review team shall review the conceptual design review application materials for compliance with the relevant design standards and policy direction and either approve, conditionally approve or deny the proposal.

3. The terms of design review approval will become conditions of approval applying to each subsequent development permit. No subsequent development permit will be issued unless it is consistent with the design approval.

4. The director shall send written notice of decision to the applicant and all other parties who participated in the conference(s) within five working days of the approval. (Ord. 2600 § 4, 2005)

17.06A.040 Design departures.

A. If a design departure is requested by the applicant, the design review decision, including the requested design departure, shall be reviewed and decided upon using the process contained in BMC [17.06A.030](#).

B. The director may grant a design departure only if the director finds that the following requirements are met:

1. The design departure request results in superior design and fulfills the policy basis for the applicable design standards;

2. The design departure will not have any substantial detrimental effect on nearby properties and the city or the neighborhood. (Ord. 2600 § 4, 2005)

17.06A.050 Modifications.

The director may independently approve a modification to a final design if:

A. The modification is minor and will not, in any substantial way, change the proposed development or violate any requirement contained in the design approval decision; and

B. The development that will result from the modification will be consistent with the design standards and comprehensive plan. (Ord. 2600 § 4, 2005)

17.06A.060 Lapse of approval.

A. Unless otherwise specified in the decision granting design review approval, the applicant must begin construction or submit to the city a complete building permit application for development of the subject property consistent with the design review approval within one year after the final design approval or that final decision becomes void. The applicant must substantially complete construction consistent with the design review approval and complete all conditions listed in the final design review approval within three years or the final decision becomes void. "Final decision" means the final decision of the director.

B. Extensions. The applicant may apply for a one-time extension, of up to one year, of the time limits under subsection A of this section. (Ord. 2600 § 4, 2005)

17.06A.070 Appeals.

Appeals of a final decision shall be heard by the hearing examiner as indicated in BMC [17.06.180](#), Appeals. (Ord. 2600 § 4, 2005)

- D. Promote tourism and/or increase the economic vitality of businesses located in Blaine.
- E. Create a compatible architectural identity and relationship between downtown Blaine and the Wharf district.

17.121.050 Streetscape and Public Space Standards.

A. These standards guide the design and location of sidewalks, travel lanes, on-street parking, street trees, street furniture, signage, landscaping and related recreational amenities on public lands and rights of way.

B. Until such time that specific standards are adopted under this section, all development in the Wharf District shall conform to the Blaine Design Guidelines and Sign Ordinance Supplement and relevant code requirements.

17.121.060 Building Envelope Standards

A. These standards guide the location, configuration, features, and functions of buildings that impact public places.

B. Until such time that specific standards are adopted under this section, all development in the Wharf District shall conform to the Blaine Design Guidelines and Sign Ordinance Supplement and relevant code requirements.

17.121.070 Architectural Standards

A. Prominent facades

1. Intent: Prominent facades include all building facades visible from waterways, arterials, and activity centers, and also facades which face the road(s) providing primary access to the building's site. Prominent facades should not be sterile wall planes void of architectural interest. They should have interesting detail with added relief, shadow lines, and visual depth unless screened with landscaping.
2. Apply all design criteria to prominent facades. Prominent facades, whether the front, side or rear of the building, are subject to full design review and shall comply with all design criteria stated herein unless full on-site screening by vegetation can be achieved within three years.

B. Building scale and mass.

Intent: One of the most prominent characteristics of a building's design is its scale and massing. The scale of a building determines its size in relation to surrounding buildings; the massing of a building gives it interest and character. Modern building trends emphasize large-scale designs with no thought toward massing. This imbalance between size and visual character has resulted in visually obtrusive buildings. Large retail boxes epitomize this trend and are considered incompatible with Blaine's small town characteristics. Because buildings can be built with adjacent wall construction, footprints are less important than the configuration of a building. A large building can be built to appear as though it consists of several smaller buildings with diverse architectural styles. Every building project is a unique, creative and personal endeavor. It is not the intent of this section to diminish this creativity. The intent of this section is to provide enough guidance to ensure that new construction has a scale and proportion that respects the historically small-scale character of Blaine over the last 125 years.

1. Avoid long, low wall planes. Unless otherwise approved during design review, prominent facades shall have no wall plane wider than 1.5 times the height of the wall plane.
2. Provide substantial shifts in walls and roof surfaces. Wall and roof surfaces shall be broken down into smaller planes using substantial shifts in building footprints which result in substantial shifts in roof lines as follows:

3. Horizontal Shift. Unless otherwise approved during design review, no portion of a prominent facade may exceed 60 feet in length without a shift in the building footprint (and roofline)

4. Vertical Shift. Unless otherwise approved during design review, no single run of ridge, cornice, or fascia (excluding eave overhang) shall exceed 60 feet without a minimum four-foot transition in height.

5 Roof Treatment. Unless otherwise approved during design review, the proposed building shall provide visual terminus to tops of buildings. In order to avoid a truncated look at the top of the building, all structures shall have a visual cap. This may include either a pitched roof or a flat roof. Pitched roofs shall have the appearance of true hips and gables with a defined ridge where opposing roof planes meet.

C. In addition to, and where they are not in conflict with the standards in this section, development in the Wharf District shall conform to the Blaine Design Guidelines and Sign Ordinance Supplement and related code requirements.

D. Design alternatives that depart from the requirements of this section may be approved by the city provided the design team determines that the scale and mass of the building are consistent with the intent and goal statements in this and related chapters and the Master Plan.

17.121.080 Private Landscape and Parking Standards.

A. These standards help guide private development outside of the building envelope.

B. Until such time that specific standards are adopted under this section, all development in the Wharf District shall conform to the Blaine Design Guidelines and Sign Ordinance Supplement and relevant code requirements.

17.121.090 Appeals.

Appeals of any final decision addressing the provisions of this chapter shall be heard pursuant to BMC 17.06.180, Appeals.

Exhibit G
(New Chapter)
Chapter 17.121 - WHARF DISTRICT DESIGN STANDARDS

Sections:

- 17.121.010 Purpose.
- 17.121.020 Applicability.
- 17.121.030 Design review.
- 17.121.040 Review criteria.
- 17.121.050 Streetscape and public space standards.
- 17.121.060 Building envelope standards.
- 17.121.070 Architectural Standards.
- 17.121.080 Private landscape and parking standards.
- 17.121.090 Appeals.

17.121.010 Purpose.

These standards are intended to be used as a tool in the implementation of the vision and direction established in the Wharf District Master Plan. They are also intended to provide a clear, predictable and achievable standard for each development project that requires City approval.

17.121.020 Applicability.

A. All development in the Wharf District shall comply with the design standards contained in this chapter.

B. Until such time that additional standards are adopted under this chapter, development in the Wharf District shall also conform to the Blaine Design Guidelines and Sign Ordinance Supplement, adopted as part of Ordinance 2554 and incorporated, by reference, as a part of this chapter. Where the Design Guidelines are in conflict with this chapter or Chapter 17.21, the two chapters shall take precedence.

C. Design review in the Wharf district shall be applied in the following manner:

1. Full compliance with these standards is required for new construction and for exterior remodels (or a series of phased remodels) whose value exceeds 25 percent of the value of the existing structure (as determined by the city of Blaine valuation methods).

2. Only that portion of a building subject to an exterior remodel must comply with the design guidelines when the exterior remodel has a value that does not exceed 25 percent of the value of the existing structure (as determined by the city of Blaine valuation methods).

17.121.030 Design review.

A. The design review team shall conduct their project review in a manner consistent with Chapter 17.06A BMC, Design Review.

B. Design departures. A departure from the standards contained in this chapter may be granted contingent upon meeting the requirements contained in 17.06A.040. Design departure requests shall be processed pursuant to BMC 17.06A.030.

C. Minor design modifications. Minor modifications to the standards contained in this chapter may be granted pursuant to Section 17.06A.050 Modifications.

17.121.040 Review Criteria.

In addition to the direction contained in the Master Plan, a development project must demonstrate that the design and site plan for the project proposal contributes to the following goals:

- A. Instill a common community identity through the recognition of Blaine's heritage and a fishing community.
- B. Improve the appearance of the Wharf district by ensuring high-quality and consistent construction and renovation.

- C. Emphasize Wharf district historic marine character in design and development.
- D. Promote tourism and/or increase the economic vitality of businesses located in Blaine.
- E. Create a compatible architectural identity and relationship between downtown Blaine and the Wharf district.

17.121.050 Streetscape and Public Space Standards.

- A. These standards guide the design and location of sidewalks, travel lanes, on-street parking, street trees, street furniture, signage, landscaping and related recreational amenities on public lands and rights of way.
- B. Until such time that specific standards are adopted under this section, all development in the Wharf District shall conform to the Blaine Design Guidelines and Sign Ordinance Supplement and relevant code requirements.

17.121.060 Building Envelope Standards

- A. These standards guide the location, configuration, features, and functions of buildings that impact public places.
- B. Until such time that specific standards are adopted under this section, all development in the Wharf District shall conform to the Blaine Design Guidelines and Sign Ordinance Supplement and relevant code requirements.

17.121.070 Architectural Standards**A. Prominent facades**

1. Intent: Prominent facades include all building facades visible from waterways, arterials, and activity centers, and also facades which face the road(s) providing primary access to the building's site. Prominent facades should not be sterile wall planes void of architectural interest. They should have interesting detail with added relief, shadow lines, and visual depth unless screened with landscaping.
2. Apply all design criteria to prominent facades. Prominent facades, whether the front, side or rear of the building, are subject to full design review and shall comply with all design criteria stated herein unless full on-site screening by vegetation can be achieved within three years.

B. Building scale and mass.

Intent: One of the most prominent characteristics of a building's design is its scale and massing. The scale of a building determines its size in relation to surrounding buildings; the massing of a building gives it interest and character. Modern building trends emphasize large-scale designs with no thought toward massing. This imbalance between size and visual character has resulted in visually obtrusive buildings. Large retail boxes epitomize this trend and are considered incompatible with Blaine's small town characteristics. Because buildings can be built with adjacent wall construction, footprints are less important than the configuration of a building. A large building can be built to appear as though it consists of several smaller buildings with diverse architectural styles. Every building project is a unique, creative and personal endeavor. It is not the intent of this section to diminish this creativity. The intent of this section is to provide enough guidance to ensure that new construction has a scale and proportion that respects the historically small-scale character of Blaine over the last 125 years.

1. Avoid long, low wall planes. Unless otherwise approved during design review, prominent facades shall have no wall plane wider than 1.5 times the height of the wall plane.
2. Provide substantial shifts in walls and roof surfaces. Wall and roof surfaces shall be broken down into smaller planes using substantial shifts in building footprints which result in substantial shifts in roof lines as follows:

3. Horizontal Shift. Unless otherwise approved during design review, no portion of a prominent facade may exceed 60 feet in length without a shift in the building footprint (and roofline)

4. Vertical Shift. Unless otherwise approved during design review, no single run of ridge, cornice, or fascia (excluding eave overhang) shall exceed 60 feet without a minimum four-foot transition in height.

5 Roof Treatment. Unless otherwise approved during design review, the proposed building shall provide visual terminus to tops of buildings. In order to avoid a truncated look at the top of the building, all structures shall have a visual cap. This may include either a pitched roof or a flat roof. Pitched roofs shall have the appearance of true hips and gables with a defined ridge where opposing roof planes meet.

C. In addition to, and where they are not in conflict with the standards in this section, development in the Wharf District shall conform to the Blaine Design Guidelines and Sign Ordinance Supplement and related code requirements.

D. Design alternatives that depart from the requirements of this section may be approved by the city provided the design team determines that the scale and mass of the building are consistent with the intent and goal statements in this and related chapters and the Master Plan.

17.121.080 Private Landscape and Parking Standards.

A. These standards help guide private development outside of the building envelope.

B. Until such time that specific standards are adopted under this section, all development in the Wharf District shall conform to the Blaine Design Guidelines and Sign Ordinance Supplement and related code requirements.

17.121.090 Appeals.

Appeals of any final decision addressing the provisions of this chapter shall be heard pursuant to BMC 17.06.180, Appeals.