

AMENDMENT #1:

22.11.030.F:

WATERFRONT DISTRICT SHORELINE MIXED USES - MARINE SHORELINE MAP 1; REACHES 5-7, CHAPTER 22.11.10

Use	Permitted	Setback (min-max) (from OHWM)	Buffer (min-max) ¹ (from OHWM)	Height ²	Pub Acc Required	Hab Restoration Required ⁴
N-W-O shoreline mixed use structure	Y - if developed concurrently with any of WD / WR / WE use	50' - 150'	25' - 50'	< or = to 35' outright >35' < or = 50' view analysis >50' = variance	Subject to 22.03.30 F.6.h and 22.08.90	Y pursuant to 22.03.30 F.6.h. and consistent with 22.09.100

USE EXCEPTION AREA: Within the Shoreline Mixed Use sub-area between Myrtle Avenue (extended) and the southern corner of the "Log Pond" the following shall apply:

Water-oriented Shoreline mixed use structures Stand-alone non- water-oriented uses	Y	75'	50'	< or = to 35' outright >35' < or = 50' view analysis >50' = variance	Subject to 22.03.30 F.6.h and 22.08.90	Y pursuant to 22.03.30 F.6.h. and consistent with 22.09.100
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¹ For shorelines within the Waterfront District shoreline designation the setbacks and buffers shall be established as specified in section 22.03.30.F.6.f.

² Except for W-D and W-R uses where there is an existing bulkhead or sheet piling or other vertical in-water structure - the required buffer does not apply. Replacement of said structures for a permitted use would not require compliance with the buffer requirement.

³ For Shoreline mixed use buildings, height shall be as specified in section 22.03.30.F.6.g.

⁴ Habitat restoration is outright required for developments where a non-water-oriented use is proposed within a shoreline substantial development pursuant to BMC 22.03.030(F)(6)(h). Each project is meant to mitigate its anticipated impacts per BMC 22.08.020. A subsequent analysis can include or result in required (and additional) restoration.

EXHIBIT A

AMENDMENT #2:

22.03.30.F.4. Uses. See the development regulation matrix; waterfront district in BMC 22.11.030(F), Development regulation matrices.

b. Permitted Uses Within the Waterfront District Shoreline Mixed-Use Sub-Areas.

- i. Those uses specified in subsections (F)(4)(a)(i) through (vii) of this section; and
- ii. Non-water-oriented uses ~~including residential uses~~ within a shoreline mixed-use structure subject to the requirements in subsection (F)(6) of this section.
- iii. Any water-oriented or non-water-oriented use that includes preservation and/or adaptive reuse of historic structures.
- iv. Stand-alone non-water-oriented uses are only permitted within the "Use Exception Area" specified in 22.11.030.F.

OTHER AMENDMENTS TO DEVELOPMENT REGULATION TEXT NECESSARY TO FACILITATE THE RE-DESIGNATION:

22.03.30.F.2: Management Policies

g. The waterfront district site should be redeveloped with a mix of uses including administrative, professional, institutional, housing, retail and water enjoyment development, services, educational and cultural facilities and water-dependent and water-related industrial uses. Certain areas may be utilized for stand-alone non-water-oriented uses where appropriate.

22.03.30.F.6:

m. Non-water-oriented uses shall not occupy the portion of the ground floor of a mixed-use structure that fronts on or is adjacent to the shoreline except within the "Use Exception Area" identified in 22.11.030.F. (Only parking in the rear of the ground floor of a shoreline mixed-use structure is permitted.)

o. Height of a stand-alone non-water-oriented use shall be subject to the requirements in section 22.03.30.F.6.g and the table in 22.11.30.F.

p. Non-water-oriented uses within the "Use Exception Area" shall provide public access and habitat restoration between the subject development and the adjacent shoreline subject to the requirements in subsections (F)(6)(i) through (l) of this section.

For reference - (F)(6)(i - l):

i. When a shoreline mixed-use development is proposed, public access, when required, shall be provided between the subject development and the adjacent shoreline concurrently and shall be consistent with an adopted master plan and/or public access plan. In cases where said public access cannot be provided due to seasonal constraints, including fish windows, the timing with other planned/ongoing soil remediation or implementation of a habitat restoration project, said