

22.11.30 A. - NATURAL Development Regulation Matrix

NATURAL - MARINE

Reach #	Setback ¹ (from buffer edge)	Buffer (min - max)	Height	Pub Acc Req'd ²	Hab Rest Req'd ³
Marine 1 & 18-20	15'	200'	35' max / >35' = variance	subject to 22.08.90	N

NATURAL - FRESHWATER

Chuckanut 2-3	15'	100 - 250	35' max	subject to 22.08.90	N
Whatcom 6-7	15'	150 - 250	>35' = variance	" **	"
Whatcom 8	15'	100 - 200	"	" **	"
Lake Padden 2-4	15'	200	"	" **	"
Lake Whatcom 1	15'	200	"	" **	"

¹ Except that landscaping, pervious decks, balconies and stairs/steps, and eaves and/or overhangs may encroach into required setback.

² Except that public access is not required for those reaches that are designated NATURAL and zoned PUBLIC. (None in NATURAL MARINE)

³ Mitigation sequencing is required per 22.08.20. A subsequent analysis can include or result in required (and additional) restoration.

22.11.30 B. - URBAN CONSERVANCY Development Regulation Matrix

URBAN CONSERVANCY - MARINE

Reach #	Setback (from buffer edge)	Buffer (min - max)	Height ¹	Pub Acc Req'd	Hab Rest Req'd ⁴
Marine 2-3 ²	5'	150' - 200'	35' max	Y w/ N-W-O	Y w/ N-W-O
	5'	150' - 200'	35' max	"	"
Marine 3 w/in City	5'	50' - 100'	3 stories w/bonus	"	"
Marine 8-9, 14, 16	15'	150' - 200'	35' max	"	"
Marine 10 & 12	5'	100' - 200'	35' max	"	"
Marine 13	15'	200'	35' max	"	"
Marine 15	15'	100' - 150'	35' max	"	"
Marine 17 ³	15'	100' or, top bank +50** whichever is greater	35' max	"	"
Marine 21 ⁵	0'	0'	0'	Y	Y

W-D: water-dependent, W-R: water-related, W-E: water-enjoyment, N-W-O: non-water-oriented uses, CUP: shoreline conditional use permit

¹ For specific regulations on Height in the Urban Conservancy designation please refer to Section 22.03.30 B 5. f-j.

² Marine 2 and a portion of 3 is within the County and currently these shorelines have an "URBAN" designation. Upon annexation into the City these shorelines would have the City's Urban Conservancy designation and requirements.

³ Marine 17 is already protected via an existing shoreline permit. Minimum and Maximum buffers shown reflect the shoreline permit .

⁴ Mitigation sequencing is required per 22.08.20. A subsequent analysis can include or result in required (and additional) restoration.

⁵ Marine 21 is the causeway for the BNSF railroad. If for some reason the use of this causeway changes it shall be for a water-enjoyment use. (Trail)

22.11.30 B. - URBAN CONSERVANCY Development Regulation Matrix

URBAN CONSERVANCY - MARINE - continued

Reach #	Setback (from buffer edge)	Buffer (min - max)	Height ¹	Pub Acc Req'd	Hab Rest Req'd ⁴
All marine reaches	15'	per reach, above	25'		
Whatcom 1 north upstream of Holly	5'	50'	3 story w/in 100' 4 story w/in 100'-200'	Y w/ N-W-O	Y w/ N-W-O
Whatcom 1 south upstream of Holly	5'	100'	"	Y w/ N-W-O	Y w/ N-W-O
Whatcom 1 north btwn Holly/Roeder	5'	50 - 75'	35' max	Y w/ N-W-O	Y w/ N-W-O
Whatcom 1 south btwn Holly/Roeder	5'	50 - 75'	35' max	Y w/ N-W-O	Y w/ N-W-O

W-D: water-dependent, W-R: water-related, W-E: water-enjoyment, N-W-O: non-water-oriented uses, CUP: shoreline conditional use permit

¹ For specific regulations on Height in the Urban Conservancy designation please refer to Section 22.03.30 B 5. f-j.

² Marine 2 and a portion of 3 is within the County and currently these shorelines have an "URBAN" designation. Upon annexation into the City these shorelines would have the City's Urban Conservancy designation and requirements.

³ Marine 17 is already protected via an existing shoreline permit. Minimum and Maximum buffers shown reflect the shoreline permit .

⁴ Mitigation sequencing is required per 22.08.20. A subsequent analysis can include or result in required (and additional) restoration.

⁵ Marine 21 is the causeway for the BNSF railroad. If for some reason the use of this causeway changes it shall be for a water-enjoyment use. (Trail)

22.11.30 B. - URBAN CONSERVANCY Development Regulation Matrix - continued

URBAN CONSERVANCY - FRESHWATER

Reach #	Setback (from buffer edge)	Buffer (min - max)	Height ¹	Pub Acc Req'd	Hab Rest Req'd ³
	15'			subject to 22.08.90	
Chuckanut 1 & 4		100' - 250'	35' max		N
Padden Creek 1	15'	100' - 200'	35' max	Y w/ N-W-O	Y w/ N-W-O
Whatcom 2-5	5'	100' - 200'	3 story w/in 100' 4 story w/in 100'-200'	Y w/ N-W-O	Y w/ N-W-O
Squalicum 1	5'	75' - 100'	3 story w/in 100' 4 story w/in 100'-200'	Y w/ N-W-O	Y w/ N-W-O
Squal 2-5 & 9-11	15'	100' - 200'	" ²	Y w/ N-W-O	Y w/ N-W-O
Squal 6 west 1/2	15'	100 - 200	"	" **	"
Squal 6 east 1/2	15'	150 - 250	"	" **	"
Squal 7	15'	150 - 250	"	" **	"
Squal 8	15'	100 - 200	"	" **	"

22.11.30 B. - URBAN CONSERVANCY Development Regulation Matrix - continued

URBAN CONSERVANCY - FRESHWATER - continued					
Reach #	Setback (from buffer edge)	Buffer (min - max)	Height ¹	Pub Acc Req'd	Hab Rest Req'd ³
Lake Whatcom 4	5'	200'	35' max	N	N
Lake Whatcom 5	5'	100' - 200'	"	Y w/ N-W-O	Y w/ N-W-O
Lake Padden 1 & 3	15'	200'	"	N	N
All UC freshwater	per reach, above	per reach, above	25'	subject to 22.08.90	subject to 22.08.100

W-D: water-dependent, W-R: water-related, W-E: water-enjoyment, N-W-O: non-water-oriented uses, CUP: shoreline conditional use permit

¹ For specific regulations on Height in the Urban Conservancy designation please refer to Section 22.03.30 B 5. f-j.

² Those portions of Squalicum reaches 2 and 3 that are within single-family zoning are limited to 35' in height - otherwise: height is limited to 3-stories and bonus story is available if all parking for subject N-W-O use is within the building footprint or within a shared parking facility and as stated in 22.03.30 B 5, i.

³ Mitigation sequencing is required per 22.08.20. A subsequent analysis can include or result in required (and additional) restoration.

22.110.30 C. - SHORELINE RESIDENTIAL Development Regulation Matrix

SHORELINE RESIDENTIAL					
Reach #	Setback (from buffer edge)	Buffer (min - max)	Height	Pub Acc Req'd	Hab Rest Req'd ²
Lk Whatcom 2-3 & 6-7 ¹	5'	100'	35' max	only if creating 4+ SFR lots	Y if required by BMC 16.80 and 15.42
All Shoreline Res designations	5'	per reach, above	per reach, above	only if creating 4+ SFR lots	Y if required by BMC 16.80 and 15.42

CUP: shoreline conditional use permit

¹ The portion of Lake Whatcom 6 and all of Lk Whatcom 7 are currently within the County and are also designated SHORELINE RESIDENTIAL. Upon annexation into the City, these shorelines would have the City's Shoreline Residential designation and requirements.

² Mitigation sequencing is required per 22.08.20 AND BMC 16.80 and 15.42 may require establishment of a NVPA or engineered stormwater system.

22.11.30 D. - URBAN MARITIME Development Regulation Matrix

URBAN MARITIME - WATER ORIENTED ONLY					
Reach #	Setback (from buffer edge)	Buffer (min - max)	Height ²	Pub Acc Req'd	Hab Rest Req'd ¹
Marine 4 - portion & Marine 11	0'	0'	60'	subject to 22.08.90	N
Over water structures as permitted in 22.03.30.D.4. (Use Table)	0'	0'	25' as measured from the elevation of the OHWM	subject to 22.08.90	N

W-D: water-dependent, W-R: water-related, W-E: water-enjoyment, N-W-O: non-water-oriented uses, CUP: shoreline conditional use permit

¹ Mitigation sequencing is required per 22.08.20. A subsequent analysis can include or result in required (and additional) restoration.

² Exept existing buildings may be modified provided their current maximum height is not exceeded.

URBAN MARITIME - SHORELINE MIXED USE

Reach #	Setback (from buffer edge)	Buffer (min - max)	Height	Pub Acc Req'd	Hab Rest Req'd ¹
Marine 4 - portion	0'	45'	35' max >35'<=50' w/ view analysis >50' = variance	subject to 22.08.90	yes per appr'd plan or min of 3 objectives from REST PLAN and consistent with 22.09.160
	0'	0'	25' as measured from the elevation of the OHWM	subject to 22.08.90	N
Marine 4 - portion	0'	45'	<35' outright >35'<50' w/view anlys >50' = variance	subject to NWDP or public access plan or per 22.08.70	yes per appr'd plan or min of 3 objectives from REST PLAN and consistent with 22.09.140
	0'	0'	N/A	subject to 22.08.70	N

¹ Mitigation sequencing is still required per 22.08.100 and a subsequent analysis can include or result in required restoration.

URBAN MARITIME - RECREATIONAL USE

Marine 11 - portion	0'	45'	<35' outright >35'<50' w/view anlys >50' = variance	subject to NWDP or public access plan or per 22.08.70	yes per appr'd plan or min of 3 objectives from REST PLAN and consistent with 22.09.160
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¹ Mitigation sequencing is still required per 22.08.100 and a subsequent analysis can include or result in required restoration.

22.11.30 E. - AQUATIC Development Regulation Matrix

AQUATIC

Reach #	Setback	Buffer	Height	Pub Acc Req'd	Hab Rest Req'd
waterward of OHWM	0'	0'	25' as measured from the elevation of the MHHT	N	N

