

**Development Regulations for the New Whatcom Shoreline Designation**

<b>New Whatcom Water Oriented Uses - black dotted shoreline</b>						
<b>Use</b>	<b>Permitted</b>	<b>Setback (from OHWM)</b>	<b>Buffer * (from OHWM)</b>	<b>Height</b>	<b>Pub Acc Required</b>	<b>Hab Rest Required **</b>
<b>Water-Dependent</b> on land	Y	0'	none	N/A	subj to 22.08.70	N
in a structure	Y	0'	none	<35' outright >35'<50' = view analysis >50' = variance	subj to 22.08.70	N
<b>Water-Related</b> on land	Y	0'	none	N/A	subj to 22.08.70	N
in a structure	Y	50'	none	<35' outright >35'<50' = view analysis >50' = variance	subj to 22.08.70	N
<b>Water-enjoyment</b> on land	Y	0'	none	N/A	Y	N
in a structure	Y	50'	none	<35' outright >35'<50' = view analysis >50' = variance	Y	N
<b>N-W-O</b>	Only if is accessory to a WO use	N/A	N/A	N/A	N/A	N/A

**\*\* Habitat restoration is outright required for developments where a non-water-oriented use is proposed within a shoreline mixed use structure. Any project is meant to mitigate it's anticipated impacts per 22.08.100 and a subsequent analysis which can include or result in required restoration.**

<b>New Whatcom Shoreline Mixed Use - solid black shoreline</b>						
<b>Use</b>	<b>Permitted</b>	<b>Setback (from OHWM)</b>	<b>Buffer * (from OHWM)</b>	<b>Height</b>	<b>Pub Acc Required</b>	<b>Hab Rest Required **</b>
<b>Water-Dependent</b> on land	Y	0'	25' but only that portion necessary for the WD use may encroach the 25' buffer	N/A	Subject to NWDP or public access plan or subject to 22.08.70	N
in a structure	Y	0'	25' but only that portion necessary for the WD use may encroach the 25' buffer	<35' outright <50' = view analysis >50' = variance	Subject to NWDP or public access plan or subject to 22.08.70	N
<b>Water-Related</b> on land	Y	25'	25'	N/A	Subject to NWDP or public access plan or subject to 22.08.70	N
in a structure	Y	50'	25', but only that portion necessary for the use may encroach the 25' buffer	<35' outright <50' = view analysis >50' = variance	Subject to NWDP or public access plan or subject to 22.08.70	N
<b>Water-Enjoyment</b> on land (park, plaza)	Y	25'	25'	N/A	Subject to NWDP or public access plan or subject to 22.08.70	N
in a structure (aquarium, museum)	Y	50'	25'	<35' outright  >35'<50' = view analysis >50' = variance	Subject to NWDP or public access plan or subject to 22.08.70	N
<b>N-W-O</b> shoreline mixed use structure	Y - if develop'd concurrently with a water-oriented use	50'	25'	if <25'	Subject to NWDP or public access plan or subject to 22.08.70	Yes per an approved plan or min of 3 objectives from REST PLAN and consistent with 22.09.140
shoreline mixed use structure	Y - if develop'd concurrently with a water-oriented use	50' + 2' for each 1' in height >25'	25'	up to 35'. 35' to 50' = view analysis. >50' requires variance	Subject to NWDP or public access plan or subject to 22.08.70	Yes per an approved plan or min of 3 objectives from REST PLAN and consistent with 22.09.140
shoreline mixed use structure	Y - if develop'd concurrently with a water-oriented use			total height not to exceed 3 stories except, one bonus story granted <b>IF</b> all parking for N-W-O uses are w/in bldg footprint or w/in shared structure AND still subject to same 35' : 50' : 50+ height requirements, above.	Subject to NWDP or public access plan or subject to 22.08.70	Yes per an approved plan or min of 3 objectives from REST PLAN and consistent with 22.09.140

\* Except where there is an existing pier, wharf, sheet pile or other vertical in-water structure - the 25' buffer does not apply. (Replacement of said structures for a permitted use would not trigger the 25-foot buffer requirement.)

\*\* Habitat restoration is outright required for developments where a non-water-oriented use is proposed within a shoreline mixed use structure.

Any project is meant to mitigate it's anticipated impacts per 22.08.100 and a subsequent analysis which can include or result in required restoration.