

22.110.30 A. - NATURAL Development Regulation Matrix

NATURAL - MARINE

Reach #	Use	Permitted	Setback ¹ (from buffer edge)	Buffer (min - max)	Height	Pub Acc Req'd ²	Hab Rest Req'd ³
Marine 1 & 18-20	Per BMC 20.00 (Zoning Code)	Y	15'	200'	35' max / >35' = variance	subject to 22.08.90	N

NATURAL - FRESHWATER

Chuckanut 2-3	Per BMC 20.00	Y	15'	100 - 250	35' max	subject to 22.08.90	N
Whatcom 6-7	"	Y	15'	150 - 250	>35' = variance	" **	"
Whatcom 8	"	Y	15'	100 - 200	"	" **	"
Squal 6 west 1/2	"	Y	15'	100 - 200	"	" **	"
Squal 6 east 1/2	"	Y	15'	150 - 250	"	" **	"
Squal 7	"	Y	15'	150 - 250	"	" **	"
Squal 8	"	Y	15'	100 - 200	"	" **	"
Lake Padden 2-4	"	Y	15'	200	"	" **	"
Lake Whatcom 1	"	Y	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.

22.110.30 B. - URBAN CONSERVANCY Development Regulation Matrix

URBAN CONSERVANCY - MARINE

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

22.110.30 B. - URBAN CONSERVANCY Development Regulation Matrix

URBAN CONSERVANCY - MARINE - continued

Reach #	Use	Permitted	Setback (from buffer edge)	Buffer (min - max)	Height ¹	Pub Acc Req'd	Hab Rest Req'd ⁴
All marine reaches	W-D, Public W-E in/over water, C- Uses per BMC 20.16	CUP	15'	per reach, above	25'		
Whatcom 1 north upstream of Holly	W-E and N-W-O	Y	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	W-E and N-W-O	Y	5'	100'	"	Y w/ N-W-O	Y w/ N-W-O
Whatcom 1 north btwn Holly/Roeder	W-E and N-W-O	Y	5'	50 - 75'	35' max	Y w/ N-W-O	Y w/ N-W-O
Whatcom 1 south btwn Holly/Roeder	W-E and N-W-O	Y	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)

22.110.30 B. - URBAN CONSERVANCY Development Regulation Matrix - continued

URBAN CONSERVANCY - FRESHWATER

Reach #	Use	Permitted	Setback (from buffer edge)	Buffer (min - max)	Height ¹	Pub Acc Req'd	Hab Rest Req'd ³
Chuckanut 1 & 4	Per BMC 20.00	Y	15'	100' - 250'	35' max	subject to 22.08.90	N
Padden Creek 1	"	Y	15'	100' - 200'	35' max	Y w/ N-W-O	Y w/ N-W-O
Whatcom 2-5	"	Y	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	"	Y	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	"	Y	15'	100' - 200'	" ²	Y w/ N-W-O	Y w/ N-W-O

22.110.30 B. - URBAN CONSERVANCY Development Regulation Matrix - continued

URBAN CONSERVANCY - FRESHWATER - continued

Reach #	Use	Permitted	Setback (from buffer edge)	Buffer (min - max)	Height ¹	Pub Acc Reqd	Hab Rest Req'd ³
Lake Whatcom 4	"	Y	5'	200'	35' max	N	N
Lake Whatcom 5	"	Y	5'	100' - 200'	"	Y w/ N-W-O	Y w/ N-W-O
Lake Padden 1 & 3	"	Y	15'	200'	"	N	N
All UC freshwater	W-D, Public W-E in/over water (Except for Lakes), C-Uses per BMC 20.16	CUP	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 #	Use	Permitted	Setback (from buffer edge)	Buffer (min - max)	Height	Pub Acc Reqd	Hab Rest Req'd ²
Lk Whatcom 2-3 & 6-7 ¹	Per BMC 20.00	Y	5'	100'	35' max	only if creating 4+ SFR lots	Y if required by BMC 16.80 and 15.42
All Shoreline Res designations	C-Uses per BMC 20.16	CUP	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.

22.110.30 D. - URBAN MARITIME Development Regulation Matrix

URBAN MARITIME - WATER ORIENTED ONLY

Reach #	Use	Permitted	Setback (from buffer edge)	Buffer (min - max)	Height	Pub Acc Reqd	Hab Rest Req'd ¹
Marine 4 - portion & Marine 11	W-O	Y	0'	0'	N/A	subject to 22.08.90	N
	W-R and Public W- E in/over water	CUP	0'	0'	N/A	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.

URBAN MARITIME - SHORELINE MIXED USE

Reach #	Use	Permitted	Setback (from buffer edge)	Buffer (min - max)	Height	Pub Acc Reqd	Hab Rest Req'd ¹
Marine 4 - portion	W-D, W-R, W-E & N-W-O including residential	Y	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
	W-R and Public W-E in/over water	CUP	0'	0'	25' as measured from the elevation of the OHWM	subject to 22.08.90	N
Marine 4 - portion	W-O & N-W-O including residential	Y	0'	45'	<35' outright >35'<50' w/view anly >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
	W-E & W-R in/over water	CUP	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.

AQUATIC

Reach #	Use	Permitted	Setback	Buffer	Height	Pub Acc Reqd	Hab Rest Req'd
waterward of OHWM	W-D & Public W-E	Y	0'	0'	25' as measured from the elevation of the MHHT	N	N

