

**EXHIBIT I  
Cordata Neighborhood Table of Zoning Regulations  
Bellingham Municipal Code BMC 20.00.045**

**IX. Cordata Neighborhood**

- A. Cordata Neighborhood Zoning Map**
- B. Cordata Neighborhood Table of Zoning Regulations**

Ordinance No. 2004-12-087 effective January 1, 2005 as amended by:

Ordinance 2008-05-050, 2009-06-037, 2009-07-044, 2009-12-079, and 2010-04-023

CORDATA NEIGHBORHOOD – Amended through Amended by Ordinance

# A. Cordata Neighborhood Zoning Map

CORDATA NEIGHBORHOOD – Amended through Amended by Ordinance

2A-2

**B. Cordata Neighborhood Table of Zoning Regulations**

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
1	Residential (mixed), Commercial, Industrial	Planned, Cordata Business Park, Stage II, PUD Amendment #2. (See Exhibit "AG")	Density as specified in the Cordata Master Plan, Development and Design Guidelines and the PUD conditions in Exhibit AG.	All development shall comply with the Cordata Master Plan, Conditions adapted for the area by the City of Bellingham, (Exhibit "AG") Protective Covenants, the Design and Development Guidelines, and Bellingham's Wetland and Stream Ordinance. The Cordata Design Review Committee shall review all proposed development and shall give final approval prior to issuance of a building permit.	All conditions of the Cordata Master Plan as amended and shown in Amendment #2 shall be met as required in the phasing schedule, provided that the appropriate alignment of the east-west Slater Connector arterial route with the intersection at Meridian Street shall be determined.	See attached Exhibit AG
2	Public	Park	N/A	Cordata Park Master Plan	A sewer main will need to be extended along W. Horton Road to provide service. The sewer main extension may connect to the Horton Pump Station. A water main will need to be extended to provide service.	None
3	Residential	Planned; Cordata Business Park, Stage II, PUD. (see Exhibit AG)	Density as specified in the Cordata Master Plan, Development and Design Guidelines and the PUD conditions in Exhibit AG.	All development shall comply with the Cordata Master Plan, Conditions adapted for the area by the City of Bellingham, (Exhibit "AG") Protective Covenants, the Design and Development Guidelines, and Bellingham's Wetland and Stream Ordinance. The Cordata Design Review Committee shall review all proposed development and shall give final approval prior to issuance of a building permit.	All conditions of the Cordata Master Plan as amended shall be met as required in the phasing schedule.	See attached Exhibit AG

**B. Cordata Neighborhood Table of Zoning Regulations Cont.**

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
4	Institutional/ Residential	Planned; Cordata Business Park; Stage II, PUD, (see Exhibit AG)	Density as specified in the Cordata Master Plan, Development and Design Guidelines and the PUD conditions in Exhibit AG.	All development shall comply with the Cordata Master Plan, Conditions adapted for the area by the City of Bellingham, (Exhibit "AG") Protective Covenants, the Design and Development Guidelines, and Bellingham's Wetland and Stream Ordinance; The Cordata Design Review Committee shall review all proposed development and shall give final approval prior to issuance of a building permit	All conditions of the Cordata Master Plan as amended shall be met as required in the phasing schedule.	See attached Exhibit AG

## EXHIBIT A6 TO CORDATA ZONING CODE – Area 1, 3, and 4

### CORDATA ANNEXATION NORTH OF HORTON ROAD

The documents and conditions included in the Cordata Business Park Master Plan, associated Environmental Impact Statement, Cordata Business Park Development and Design Guidelines and the documents that make up the Cordata PUD Amendment #2 (the PUD amendment application, EIS documents and Conceptual Site Plan and Open Space Concept dated August 28, 1995) shall function as the Planned Unit Development or Planned Development approval for that portion of Cordata located north of Horton Road. This approval may be amended through procedures contained in the City's Planned Unit Development regulations or other applicable ordinances. Prior to adoption of a Planned Unit Development ordinance by the City, the procedures of Planned Development shall be used to consider any proposed amendments.

The following represents the Cordata PUD conditions of approval as adopted by Whatcom County that are generally applicable to the section of Cordata north of Horton Road. Some conditions also apply to the whole of Cordata, both south and north of Horton Rd., and were associated with the first approval of Cordata in 1986 (PUD 1-84.) Other conditions were added during the 1996 Cordata PUD Amendment #2 for the majority of the Cordata site north of Horton Rd. The condition language has been modified to 1) reflect conditions that have already been satisfied, 2) adapt the language to City of Bellingham codes and procedures and 3) eliminate conditions no longer applicable.

Trillium Corp., as developer, or its successors and assigns in interest to Cordata and all persons owning or developing property within Cordata shall comply with the provisions of the approved PUD as referenced above and the following conditions:

(Condition numbers reference the County documents from which they were taken. The "A.1" and "A.11" conditions are from the 1986 PUD 1-84. The "B" conditions are from the 1996 Cordata PUD Amendment #2.)

#### General Provisions

B(Note 1) Approval of Cordata PUD Amendment #2 does not nullify the original conditions of PUD1-84.

A.1(1) All construction activities, including but not limited to road, drainage, and land alteration improvements, shall follow the design standards and construction procedures outlined in City of Bellingham development standards.

A.1(3) Whenever public agency regulations, policies, or other requirements are applicable to development under the Cordata PUD, definitions found in public documents shall prevail over those found herein or in the documents provided by the developer in cases of conflict or to resolve ambiguities that may arise.

A.1(4) All division of land for sale or lease shall require approval by the City through binding site plan, subdivision, short plat or other appropriate procedures consistent with City codes. Property that has received general binding site plan approval but not specific binding site plan approval from the County shall obtain specific binding site plan approval from the City prior to the issuance of building permits on that site.

All construction or development on the site must secure a certificate of consistency from the Cordata Design Review Committee (DRC) and approval by the Planning and Community Development Department prior to permit issuance. Development proposals shall be reviewed by the City Technical Review Committee for conformance with the Cordata PUD prior to approval of the Planning and Community Development Department.

A.1(6,7, 36-38,40) The City of Bellingham acceptance of the PUD as zoning for the site relies on the County record that the development has complied with the following PUD conditions:

- a. The Development and Design Guidelines, protective Covenants, and Design Review Committee Regulations were to be reviewed by the appropriate County departments for compliance with the PUD ordinance, the conditions within the PUD permit, and any other applicable laws.

- b. Recording of the approved Restrictive Covenants,
- c. Amending the building height and grade definitions in the Development Design Guidelines to conform to County zoning definitions,
- d. Addition of the following statement to the Protective Covenants: "No relaxation granted by the DRC shall be interpreted as a variance from the minimum standards of official Whatcom County regulations or City of Bellingham regulations unless such minimum standard regulations have already been altered by flexibility authorized by the PUD ordinance and permit approval,"
- e. Amendment to the Protective Covenants, Section 20, EXEMPTION, shall limit the developer's actions to require minor improvements for marketing purposes, not for building construction and the like, and
- f. Plan Review Submission Requirements, Section B on Page 8 of Design Review Procedures, shall be supplemented with a note that these requirements are supplemental to WCC 20.80.
- g. The definitions of Section A(1)(f) and section B.6 in the Development and Design Guidelines for building height and building grade shall be amended to conform to those of Title 20.85, Whatcom County Zoning Ordinance.

All future or amended Design Review Committee Guidelines must be consistent with the PUD permit and existing laws and regulations at the time of the creation or modification of the Design Review Committee Guidelines.

The developer shall comply with the applicable state and local laws of any other governmental entity, which has jurisdiction over a portion of the site, to ensure that all requirements of each of the governmental entities will be met.

All future development, building, uses or other changes to the site must conform to the conditions in this PUD permit, to any Binding Site Plans approved for the appropriate phase of the development, and any other conditions imposed by law in order to comply with this PUD permit. All future development shall further conform to the guidelines issued by the Design Review Committee at the time of the development and shall comply with the requirements set out in the final Environmental Impact Statement.

The chief executives of the City and County shall appoint the public sector members of their respective jurisdictions to the Design Review Committee. The composition of the Design Review Committee should include three members from the City of Bellingham departments associated with development review, one member from Whatcom County, two from the Cordata Business Park Association, one from the Trillium Corporation, or its heirs and assigns, and one member at large to be appointed by the other members of the DRC.

Protective Covenants shall allow periodic review of the terms of the covenants to allow minor changes to meet changing conditions. Major changes to the covenants, as determined by the Planning and Community Development Director shall require review of the TRC. Covenants shall be consistent with the approved PUD. The covenants shall remain in effect until termination is approved by the City of Bellingham.

Design Review Committee plan submittal requirements are supplemental to City of Bellingham permit application submittal requirements. Recycling of waste materials shall be encouraged under Section 8.10 Reuse, of the Protective Covenants.

A system of signs for identifying the location of each residential unit and other uses on the site shall be established, based on considerations of crime prevention and the needs of emergency vehicles.

The parking space requirements set forth in the Cordata Development and Design Guidelines in Section 2.8.2 are hereby approved as minimum parking standards. The Design Review Committee, however, has the authority to increase these requirements for a particular use under review if the minimums do not prove adequate with concurrence and approval of the City Technical Review Committee.

All buildings, signs, or other improvements to the property must obtain proper building permits and comply with all applicable City, County, State or Federal regulations and the appropriate design management documents, which are part of the PUD approval and any other laws which may be applicable at the time of construction.

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Permitted Uses

B(27)

Land uses on the 239 acre Cordata Amendment #2 site shall conform to the PUD application and the "Cordata Business Park P.U.D. Amendment North of Horton Road" Conceptual Site Plan and Open Space Concept dated 8-28-95, except as provided for in the "Industrial land use option" specified in condition B(28) below. A list of the uses allowed is attached as Appendix "A."

B(28)

The PUD Amendment #2 provides for an "Industrial land use option." The PUD amendment authorizes the construction of 1,779 residential units, along with the other commercial, institutional, and recreational development described in the application, on the northern 239 acres of the Cordata Business Park. It also recognizes that areas A1 and H1 (SFEIS, p. 20), which total 19.7 acres, will be developed with industrial uses, as contemplated under the original PUD approval, without a reduction in the 1,779 residential units approved herein. However, the applicant shall also have the right to exercise an "Industrial land use option" requested by the City of Bellingham. This option permits the applicant to develop areas A2, H2, F, and G (SFEIS, p. 20), which total 47.8 acres, with industrial uses as approved under the original PUD (PUD 1-84), in lieu of developing these areas with residential uses. Areas A2, H2, F, and G are planned for "medium to high density" residential development of 7 to 18 units per acre under the amendment application. If the applicant chooses to revert back to the Industrial uses authorized on these parcels under the original PUD approval (PUD 1-84), such industrial uses shall be subject only to the original conditions of PUD 1-84, with the understanding that the Design Review Committee shall give particular attention to buffering these industrial uses when they are adjacent to non-Industrial uses and non-Industrial zones. Additionally, if the applicant chooses to develop these areas with industrial uses, seven residential units shall be eliminated for every acre of land in areas A2, H2, F, and G that is devoted to industrial use.

Density

B(32)

The maximum number of dwelling units in the entire 626.7 acre Cordata Business Park site shall be limited to 2,651. No more than 1,779 of the total 2,651 residential units are planned for the 239 acre amendment site.

Streets and Access

A.11 (1-4, 22)

The City acknowledges the following requirements of the PUD have been completed:

- a. Construction of Kellogg Road.
- b. Installation of a traffic control signals at the Kellogg/Meridian intersection, the Cordata Parkway/W. Bakerview Road intersection and the Meridian/Westerly Rd. intersection.
- c. Improvement of the Cordata Parkway/Bakerview intersection consisting of a left turn lane and upgraded right turning movements.
- d. Construction of Horton Road.

A.1(20)

The primary on-site public road system for the entire Cordata site shall include the following four-lane wide routes:  
Cordata Parkway (north/south spine road extended) from Kellogg Rd. to the Kline Road (all but the north section has been completed);  
Horton Road east of Cordata Parkway to Guide Meridian (this section has been completed);  
Stuart Road east of Cordata Parkway to Guide Meridian;  
Kline Road east of Cordata Parkway to Guide Meridian;  
Left turn lanes shall be provided at major intersections. Two-lane routes shall include: Horton/Thomas; Stuart/Kellogg loop; Allans Road and June Road. The access road system shall either be comprised of private or public roads, which shall be decided at the engineering alignment, plan approval stage of each road facility.

A.1(21)

The Trillium Corporation, as developer, or its successors and assigns, acting as developer, shall share the cost of the following improvements, in proportion and manner to be determined after reaching a threshold of building construction build-out of 3.25 million square feet. No further building permits beyond the 3.25 million square feet shall be issued until an agreement is approved between the Trillium Corporation as the developer, the City and the County as to the method of construction and financing of the following road sections:

a. Stuart Road between the Guide Meridian and east property boundary. The improvement shall be a four-lane arterial constructed at the same time the connection is underway in an easterly direction within the development site.

b. Thomas Road (an extension of Horton Rd. westerly) between the west property boundary and Aldrich Road. This facility shall be a minor collector.

c. Allans Road (Eliza Ave.) between the south property boundary and Bakerview Road. This facility shall be a minor collector.

d. June Road between the west property boundary and Aldrich Road. This facility shall be a minor collector.

A.1(23)

When Cordata reaches twenty-five (25%) build-out (3.25 million square feet), as determined by building permit tally, a transportation study will be prepared in which The Trillium Corporation will participate in a proportionate share to determine the comprehensive sources of impacts to the City and County road systems and alternative methods of mitigating such impacts. Specifically, off-site roads to be included in such study will include the following:

a. Kline Road between the west boundary of the project and Aldrich Road. This facility shall be a major collector.

b. Aldrich Road reconstruction between Northwest Road and Kline Road. This facility shall be a major collector constructed either in stages as the east/west collectors are built or a full length project.

The City acknowledges that the following improvements have been completed:

c. Aldrich Road/Northwest Drive intersection alignment. This project will include right-of-way and roadway construction. Left turn lanes will be provided as needed.

d. W. Bakerview Road between I-5 and Cordata Parkway.

A.1(24)

In the event that the developer of Cordata is eligible for off-site road improvements reimbursement from other property owners in accordance with RCW 35.72, upon a request for an approval by the City of Bellingham or Whatcom County, as appropriate, the developer shall be responsible for the information gathering in formulating such reimbursement contracts as directed by the County or City Engineer, as appropriate.

A.1(25)

Internal road and off-site roads shall be constructed to an all weather standard in order to avoid weight limit restrictions during certain weather conditions. This will apply to the truck routes as designated in the Master Plan (Plan No. 6.01).

A.1(28)

For internal road construction, the City of Bellingham standards shall apply.

A.1 (35)

Private roads, drainage facilities, and other community facilities which will be privately maintained under an owner or community association or similar type entity shall require plans to be submitted to the City of Bellingham Public Works Dept. which detail the maintenance program, and said program shall be approved by the City Engineer prior to implementation.

A.1(5)

Access points along Kellogg Road between Cordata Parkway and Guide Meridian shall be limited to one mid-block 30 foot wide driveway or roadway on each side of the street. Street lighting shall not be placed in the road median. Two additional right in, right out accesses along this section of road shall be permitted with appropriate curb cuts.

A.1(6)

The Whatcom Transportation Authority shall be consulted for incorporation of bus pull outs along bus routes within Cordata if deemed appropriate by said Authority. The developer shall be responsible for the installation of such improvements.

- B(1) All streets, drainage and utilities shall be designed to City standards and be consistent with the Cordata Development and Design Guidelines, where applicable.
- B(2) Transportation impact fees shall be paid to the City of Bellingham at building permit issuance. Additionally, the developer shall participate on a fair share basis in the funding of traffic signals at Horton Road and Guide Meridian, and at Cordata Parkway and Kellogg Road. The City of Bellingham shall determine the timing of the installation of these signals based on signal warrants. Payment of the developer's proportionate share shall be made at the time of signal construction.
- B(3) The applicant shall construct Cordata Parkway to secondary arterial standards. Cordata Parkway shall have left turn bays at major intersections, for both public and private streets. Cordata Parkway may be constructed in phases, if approved by the Public Works Director.
- B(4) The east-west connector (in the vicinity of the Kline Road/Waldron Road alignment) shall be constructed to principal urban arterial standards within the City and to rural major collector standards in the County. Phasing of the development shall be coordinated with construction of the east-west connector, as follows:
  - a. Construction of Cordata PUD Amendment #2 Phase II shall not commence until the east-west connector has been constructed between Cordata Parkway and the Guide Meridian.
  - b. Construction of Cordata PUD Amendment #2 Phase III shall not commence until the east-west connector has been constructed between Cordata Parkway and Northwest Drive.
- B(Note #2) For purposes of administering the conditions of Cordata, Phase I, II and III of the Cordata PUD Amendment #2 site shall be defined as follows:  
Phase I - consists of approximately 187 single-family units, 188 duplex units, 375 multi-family units, a congregate care facility, a 10,000 square foot recreation building, and 7,500 square feet of convenience retail/office space, a community center building, an athletic facility and a 100-seat restaurant. When total daily trips from the 239 acre amendment site reach 7,400, the project shall be deemed to have completed Phase I (see SFEIS, Appendix A, Transportation Impact Study, Table 4, Projected Trip Generation Estimates - Phase I, p. 23).  
Phase II - consists of 150 single-family units, 150 duplex units, 300 multi-family units, and 2,500 square feet of convenience retail/office space. Total daily trips for the uses specified in Phase II will be determined in the traffic study required by recommended condition 6. When total daily trips reach the number calculated for Phase II, the project shall be deemed to have completed Phase II.  
Phase III - consists of 65 single-family units, 64 duplex units, and 300 multi-family units.
- B(5) The developer's financial participation in construction of the east-west connector roadway shall be as follows:
  - a. In the event that Whatcom County and/or the City of Bellingham construct the east-west connector prior to the time the road is required to develop Phase II and/or Phase III of Cordata PUD Amendment #2, the developer shall contribute a pro-rata share to facilitate construction of this road.
  - b. In the event that the east-west connector is not constructed prior to the time the road is required to develop said Phase II and/or Phase III, the developer may either construct the east-west connector in phases as specified in conditions B(4) a. and B(4) b. above or delay development until the east-west connector is constructed.
- B(6) Prior to any construction of Cordata PUD Amendment #2 Phase II, the developer shall provide an updated traffic study, to be reviewed by both the Whatcom County Division of Engineering and the City of Bellingham Public Works Dept. The purpose of the traffic study shall be to re-evaluate traffic impacts and to determine the applicant's level of financial participation in off-site road improvements. The study shall specifically address the following road improvements:
  - a. Constructing the east-west connector (in the vicinity of the Kline/Waldron Road alignments), from Guide Meridian to Northwest Drive;
  - b. Widening Guide Meridian (SR 539) to a minimum 4-lane configuration (5 lanes at major intersection) to Smith Road;
  - c. Signaling the intersection of Northwest Drive and Smith Road;

d. Signalizing the intersection of Northwest Drive and Slater Road;  
 e. Re-channeling and widening eastbound and westbound intersection approaches at the intersection of Guide Meridian (SR 539) and Smith Road. Providing protected left-turn movements on all legs of the intersection;  
 f. Providing a three-lane approach eastbound (left, through, and right turn lanes) at the intersection of Guide Meridian and the east/west connector roadway;  
 g. Signalizing the intersection of Aldrich Road and the east/west connector roadway; and  
 h. Any other intersection or road improvement identified by Whatcom County or the City of Bellingham.

If the developer, the Whatcom County Division of Engineering, and the City of Bellingham Public Works Dept. cannot agree on the applicant's level of financial participation in road improvements recommended by the above referenced traffic study, then the matter shall be referred to a joint Bellingham City Council and Whatcom County Council meeting, who shall decide the applicant's level of financial participation. The above referenced study shall also calculate the daily trips associated with Cordata PUD Amendment #2 Phase II, in order to define when Phase II has been completed.

B(7) Private roads with an average daily traffic of 1,000 vehicles or more shall have vertical curbs and gutters to provide an added measure of safety for pedestrians.

B(8) All signing and striping shall be installed per MUTCD standards at the applicant's expense.  
 A.1(32) Public transportation access should be encouraged. The Developer shall take into consideration the access requirements of Whatcom Transportation Authority, including special transportation, in designing roads and driveways.

A.1(26) Before existing rights-of-way are vacated on the Cordata site, the substitute right-of-way shall be dedicated.

Drainage and Wetlands  
 B(9,22) All development shall comply with the provisions of BMC 16.50 (wetlands and streams) and BMC 15.42 (storm water). Provisions for maintenance of the stormwater system shall be submitted and approved.

B(10) Fill and Grade Permits, Clearing Permits, and Revocable Encroachment Permits shall be obtained when required. Clearing and grading activities shall comply with the provisions of BMC 16.60 (clearing), BMC 16.70 (grading).

B(11) Erosion control plans shall be submitted and approved prior to any clearing or grading on the site.

A.1(13) The Trillium Corporation or Cordata Business Park Association shall submit a biannual drainage maintenance program to the City Engineer for approval. The City shall have the right to bill the Association for any maintenance work done under City authorization that the Association fails to perform after a reasonable time beyond written notification by the county.

A.1(14) There shall be no outside storage of potentially polluting materials and no toxic wastes shall be allowed to enter the sewer system in compliance with the protective Covenants, Development Guidelines, local, state, and federal laws.

A.1(16) Oil and grease separators shall be required at collection points of water from parking lots, garages, and similar places where oils are likely to accompany surface water drainage.

A.1(17) Cordata Business Park Association shall be responsible for developing a program for containment and recovery of spills of toxic or dangerous materials that have a potential for entering the drainage system in compliance with the protective Covenants, Development Guidelines, local, state and federal laws.

A.1(11) Storm water run-off shall be managed to mitigate post development runoff rates and impacts to adjacent building sites or properties by implementation of storm detention, retention, and surface collection systems. Orifice to the outflow control structures shall be calibrated based upon the allowable discharge rate of 0.2 cfs per acre. On-site drainage systems shall collect run-off and transmit such to management facilities and prevent site drainage from impacting adjacent developments or properties.

- A.II(12) Downstream drainage facilities shall be evaluated and up-sized by the developer, if necessary, to carry the designed outflow from the development.
- A.II(13) Storm water collection devices shall provide oil/water and floatable solids separation. A structured maintenance management program for collection devices shall be approved by the appropriate governing body.
- A.I(11) The developer shall provide to the City all comprehensive drainage studies and plans (including location, size and type of detention facilities and location and size of major drainage pipe systems) that were submitted to the County under the conditions of the PUD. Further drainage studies may be required for individual subareas of the site. An adequate drainage plan shall be demonstrated for each drainage area before any binding site plan or building permit is approved for that area.
- A.I(12) A drainage study on the downstream impacts on the Silver Creek drainage basin was required to be submitted to the County Engineer prior to the issuance of any building permits. The Developer shall provide a copy of this information to the City Engineer.
- A.I(18) The developer was required to provide the following information to the County and Dept. of Game: Surface water quality base-line information shall be collected and provided for all site discharge points of surface water drainage prior to final PUD approval (issuance of building permits) in compliance with the Protective Covenants, Development Guidelines, local, state, and federal laws. The Developer shall provide a copy of this information to the City.

Binding Site Plans and Subdivisions

- B(12) All fences along the property lines and easements shall be shown on the final mylar along with the standard fence disclaimer note if a discrepancy exists.
- B(13) Road name proposals for unnamed new roads must be submitted for approval.
- B(14) All road, drainage facilities, and grading plans shall be designed and stamped by a state licensed engineer and submitted for approval prior to construction. As-built road plans and a letter of certification from a licensed engineer must be submitted to the County Engineer prior to acceptance of any roads into the County Road System.
- B(15) The developer shall consult with the post office for the location of mail boxes.
- B(16) Addressing shall be coordinated with the City Building Services Division.
- B(18) The Cordata Parkway and east-west connector rights-of-way shall be vacated and re-dedicated in the proposed alignment on the General Binding site Plan and Final Plat.
- B(24) The school mitigation/impact fee requirement shall be disclosed on the face of each Final Plat, General Binding Site Plan, and Specific Binding Site Plan.
- B(26) Development shall take place consistent with the "Cordata Business Park development and Design Guidelines". Additionally, in order to provide flexibility from underlying zoning requirements, the developer shall propose minimum setbacks, maximum height limits, and minimum lot sizes when each Final Plat and/or Specific Binding site plan is submitted for approval. The City shall review and approve setbacks, height limits, and lot sizes. The approved setbacks, height limits and lot sizes shall be disclosed on the face of the Final Plat or Specific Binding Site Plan, as appropriate.
- B.(30) Binding site plans developed with condominiums shall contain thereon the following statement:  

All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of the City, town or county having jurisdiction over the development of such land, and in accordance with such other governmental permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. Upon completion, the improvements on the land shall be included in one or more condominiums or owned by an association or other legal

entity in which the owners of units therein or their owners' association have a membership or other legal or beneficial interest. This binding site plan shall be binding upon all now or hereafter having any interest in the land described herein.

B.(35) Approval of the preliminary long plat shall become invalid unless a final plat is submitted in proper form for final approval within three years of the date of preliminary plat approval, except if extended pursuant to applicable City codes. Re-division of the three tracts in the long plat that are intended for residential uses shall be accomplished through the standard preliminary/final plat procedure and/or the general/specific binding site plan procedure, whichever is appropriate.

B(34) The general binding site plan has been approved by Whatcom County. The last specific binding site plan shall be filed no later than 15 years after recordation of the general binding site plan with the possibility of a one-year extension if requested in writing within 30 days of the date the binding site plan is scheduled to expire. The one-year extension may be granted upon a finding by the administrator that the applicants have been diligent in their attempt to finish by the expiration date and that the extension would not be detrimental to the public interest.

Fire Department Requirements

A.11(7) The PUD requires pump facilities to be installed as necessary to provide a minimum base level of fire flow. Any such facilities shall be installed prior to the issuance of building permits for the subject development.

B(19) Fire suppression water (fire flow) and hydrant placement shall be provided in accordance with the City of Bellingham Public Works standards and approved by the City of Bellingham Fire Department.

B(33) Condition 33 of the original PUD approval requires the developer to deed to Whatcom County Fire District #8 a site for a fire station within the Cordata boundaries. As a condition of this amendment, the timing for compliance with this previous condition shall be as follows: The fire station site shall be deeded to Fire District #8 prior to issuance of any building permit for development authorized pursuant to this PUD amendment approval, unless waived in writing by the Chief of Fire District #8. An October 21, 1996 memo from the Fire Chief of Whatcom County Fire District #8 states, "Whatcom County Fire District 8 does not need or require the property set aside and located in the Cordata North area for a future fire station. We would request that you touch base with the Chief of the Bellingham Fire Department since this area is scheduled to be annexed into the city in the near future." The final determination of whether a fire station site shall be dedicated to the City shall be deferred until the completion of a fire protection services master plan to be developed between the Bellingham Fire Department and the rural fire districts. (See 12/97 Interlocal Agreement.) This provision shall not be construed to prohibit development of sites within the PUD prior to completion of the fire protection services master plan.

Utilities

B(17) Public water and sewer shall be provided to all sites. On-site septic systems shall not be permitted. The developer shall upgrade the Horton Road sewer pump station, as required by the City of Bellingham.

B(20) and A.1(42) All utilities shall be underground.

A.11(8) Water mains shall be sized in accordance with City of Bellingham standards with minimum fire flow conveyance to far reaches of the site accomplished.

A.11(9) Hydrants which meet the City standards shall be spaced and located along streets as the streets are constructed according to a plan approved by the Bellingham Fire Department.

A.11(10) Sanitary sewer shall be extended in accordance with City of Bellingham standards.

School Impact Fees

B(23) The developer has provided the mitigation agreements required in the following PUD Amendment #2 condition. These agreements are attached as Appendix "B."

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"Prior to recording either the Plat or General Binding Site Plan, the developer shall enter into mitigation agreements with the Ferndale School District and the Meridian School District to provide temporary space in portable classrooms and other school facilities as needed in order to house or otherwise accommodate the students that may reside in the proposed development. Unless other terms are mutually agreed to by the School District(s) and the developer, the agreement shall contain substantially the same terms as the Draft Mitigation Agreement example included in the record. The mitigation fee shall be set at \$850 per single family residence, \$850 for each unit in a duplex, and \$450 per multifamily unit; provided that the mitigation agreement shall specify that the amount of the mitigation fee shall be subject to review upon request of either the developer or the school district at intervals of no less than five years and may be adjusted upward or downward based on such economic and social factors as inflation, need for classroom space, and family size. The mitigation fee shall mitigate the significant adverse environmental impacts as identified in the SEPA process as specified in Chapter 43.21 C RCW and Chapter 197-11 WAC. The fee for each unit shall be paid prior to the issuance of a building permit for that unit. Units located within the Ferndale School District area shall pay the mitigation fee to the Ferndale School District. Units located in the Meridian School District area shall pay the mitigation fee to the Meridian School District. Any units in the Cordata Business Park Amendment #2 area restricted to "seniors only" through enforceable covenants that have been approved by Whatcom County or the City of Bellingham shall not be required to pay the mitigation fee. However, said covenants restricting units to "seniors only" may only be removed if prior notice is given to the City of Bellingham, Meridian School District, and Ferndale School District. Additionally, said covenants shall specify that the mitigation fee in effect at the time the covenant is removed shall be immediately paid to the appropriate school district at such time as the "seniors only" covenant is removed for those units which have not paid the fee. The covenant shall also specify who is responsible for paying the fee. In the event that the City of Bellingham were to adopt a school impact fee based on Chapter 82.02 RCW, that applies to the subject property, the developer agrees to pay to the school districts the impact fees based on Chapter 82.02. Payments made to the school districts under the provisions of Chapter 82.02 shall be in lieu of the payments under the provisions of SEPA, Chapter 43.21C RCW, set forth above, to mitigate significant adverse impacts to schools as identified through the SEPA environmental review process."

Development within the Bellingham School District shall be subject to the payment of school impact fees as required by Bellingham Ordinance No. 10333 or in accordance with any subsequent ordinance in effect at the time fee payment is due. School impact fees shall be paid prior to building permit issuance.

Prior to the issuance of any building permit for a single family residence, duplex or multifamily residential structure (defined as triplex or larger) outside the Bellingham School District, the applicant for the building permit shall submit proof from the School District that the school mitigation fees have been paid or that the residential unit is exempt from the fee because it is a "senior only" unit, as set out above.

Landscaping, Open Space, Parks and Buffers

**B(29)** Perimeter buffering shall be provided as required in the Cordata Business Park Development and Design Guidelines.

**B(31)** A minimum of 103 acres of open space shall be designated on binding site plans and/or plats (both long and short) in the overall 626.7 acre Cordata Business Park PUD. A minimum of 42 acres of open space shall be designated on binding site plans and/or plats in the northern 239 acre PUD Amendment #2 site, including a six-acre park. Open space designated under the terms of this condition shall remain open space in perpetuity and be maintained as such.

**A.(19)** Map #6.04 of the Master Plan shall serve as guideline for the preservation of the open space network within the Cordata PUD. At such time that applications are submitted to the DRC, a site plan shall be presented that designates common open space area to be deeded to the Cordata Business Park Association. The dedication of the open space to the Business Park Association shall occur through the submittal of a survey to be consistent with the survey requirements associated with the Binding Site Plan provisions of City code.

**B. Cordata Neighborhood Table of Zoning Regulations Cont.**

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
5	Industrial	<p>Planned; Cordata Business Park, Stage II, PUD. (see Exhibit G)</p> <p>Planned; Whatcom County PUD Ord., chapter 20.85; Whatcom County Subdivision Ord., Chapter 21.30</p>	<p>Density as specified in the Cordata Master Plan, Development and Design Guidelines and the PUD conditions in Exhibit G.</p> <p>Density as specified in the Cordata Master Plan and Protective Covenants.</p>	<p>All development shall comply with the Cordata Master Plan. Conditions adapted for the area by the City of Bellingham, (Exhibit "C") Protective Covenants, the Design and Development Guidelines, and Bellingham's Wetland and Stream Ordinance; The Cordata Design Review Committee shall review all proposed development and shall give final approval prior to issuance of a building permit</p> <p>All development shall comply with the Cordata Master Plan Conditions, Protective Covenants, and all design and development guidelines; the Cordata Design Review Committee shall review all proposals and give final approval prior</p>	<p>All conditions of the Cordata Master Plan as amended shall be met as required in the phasing schedule.</p> <p>All stage 1 conditions of the Cordata Master Plan shall be met as required in the phasing schedule.</p>	<p>See attached Exhibit G</p> <p>None</p>

CORDATA NEIGHBORHOOD – Amended through Amended by Ordinance

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	Residential Single	Cluster, cluster attached and cluster detached allowed, mixed (limited duplex and multi-family, see special regulations)	7,200 square feet dwelling unit; up to 3,600 square feet per dwelling unit with Cluster Bonus provisions per Title 18, or the BMC or adopted City TDR program.	to issuance of a building permit.	The total allowed dwelling units for the entire site and shall not be constructed until at least 50% of the single family homes on site have been constructed.  All duplex and multi family buildings shall be reviewed under the Residential Multi Family Design Guidelines and review process. No more than 4 attached dwelling units allowed.
		To use the TDR density bonus, a property owner can purchase development rights from a Lake Whatcom Watershed land owner or use the "fee-in-lieu-of" option. Under the fee-in-lieu-of option, a property owner/developer can purchase additional density by paying a fee to the City's Lake Whatcom Watershed Property Acquisition Program (LWW/PAP).	As development occurs, a City of Bellingham Parks and Recreation Standard Specification Trail shall be provided to connect with a trail from Area 30 to the south and with Horton Road to the north.		As development occurs, a City of Bellingham Parks and Recreation Standard Specification Trail shall be provided to connect with a trail from Area 7 to the south and with Horton Road to the north.

**B. Cordata Neighborhood Table of Zoning Regulations Cont.**

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
6 (cont)			The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.  An applicant's submittal for planned development review shall include a letter from the			

7	Residential Single	Cluster, cluster attached and cluster detached allowed, mixed (limited duplex and multi family, see special regulations)	Bellingham Finance Department documenting the amount to be contributed to the LWMPAP.  7,200 square feet dwelling unit; up to 3,600 square feet per dwelling unit with Cluster Bonus provisions per Title 18, of the BMC or adopted City TDR program.  To use the TDR density bonus, a property owner can purchase development rights from a Lake Whatcom Watershed land owner or use the "fee-in-lieu-of" option. Under the fee-in-lieu-of option, a property owner/developer can purchase additional density by paying a fee to the City's Lake Whatcom Watershed Property Acquisition Program (LWWP)			Duplex and multi family units shall not exceed more than 25% of the total allowed dwelling units for the entire site and shall not be constructed until at least 50% of the single family homes on site have been constructed.  All duplex and multi family buildings shall be reviewed under the Residential Multi Family Design Guidelines and review process.  No more than 4 attached dwelling units allowed.  Development of an elementary school shall meet all regulations a approved by Whatcom County Conditional Use Permit (CUP 2005-00022). The school district shall provide a public trail through its site to connect with a
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**C. Cordata Neighborhood Table of Zoning Regulations Cont.**

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
7 (cont)			The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be allowed for each unit purchased through use of this option.  An applicant's submittal for planned development review shall include a letter from the			trail system on the south and on the north as per the Concomitant Agreement between the City Parks and Recreation Department and the Bellingham School District.  As development occurs, a City of Bellingham Parks and Recreation Standard Specification Trail shall be provided to connect with a trail from Area 6 to the north and with a trail in 12 to the south.

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			Bellingham Finance Department documenting the amount to be contributed to the LW/PAP.			
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CORDATA NEIGHBORHOOD – Amended through Amended by Ordinance

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**B. Cordata Neighborhood Table of Zoning Regulations Cont.**

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
8	Residential	Planned: Whatcom County PUD Ord., chapter 20.85; Whatcom County Subdivision Ord., Chapter 21.30	Max. density no greater than 1,400 sq. ft. per unit	All development shall comply with the Cordata Master Plan Conditions, Protective Covenants, and all design and development guidelines; the Cordata Design Review Committee shall review all proposals and give final approval prior to issuance of a building permit.	All stage 1 conditions of the Cordata Master Plan shall be met as required in the phasing schedule. All conditions of the Cordata Master Plan for stage-1 shall be met as required in the phasing schedule.	None
9	Institutional	Planned: Whatcom County PUD Ord., chapter 20.85; Whatcom County Subdivision Ord., Chapter 21.30	Density as specified in the Cordata Master Plan and Protective Covenants.	All development shall comply with the Cordata Master Plan Conditions, Protective Covenants, and all design and development guidelines; the Cordata Design Review Committee shall review all proposals and give final approval prior to issuance of a building permit.	All stage 1 conditions of the Cordata Master Plan shall be met as required in the phasing schedule.	None
10	Industrial	Planned, light: Whatcom County PUD Ord., chapter 20.85; Whatcom County Subdivision Ord., Chapter 21.30	Density as specified in the Cordata Master Plan for light Impact Industrial zoning, design and development guidelines and Protective Covenants.	All development shall comply with the Cordata Master Plan Conditions, Protective Covenants, and all design and development guidelines; the Cordata Design Review Committee shall review all proposals and give final approval prior to issuance of a building permit.	All stage 1 conditions of the Cordata Master Plan shall be met as required in the phasing schedule.	None

**B. Cordata Neighborhood Table of Zoning Regulations Cont.**

<b>Area</b>	<b>Zoning</b>	<b>Use Qualifier</b>	<b>Density</b>	<b>Special Conditions</b>	<b>Prerequisite Considerations</b>	<b>Special Regulations</b>
11	Residential, Commercial, Industrial	Planned, mixed, Cordata Business Park, PUD (See Exhibit B)	Density as specified in the Cordata Development and Design Guidelines and the PUD conditions in Exhibit B.	None	None	<p>Cordata PUD, including the Master Plan, PUD conditions and the Development and Design Guidelines, all as amended by Exhibit B.</p> <p>The binding site plan process (BMC 18.24) may be used for division of residential condominium projects consistent with state law.</p> <p>All development shall comply with the Development Agreement approved by Ordinance No. 2009-12-079.</p>

**Special Regulations – Exhibit B for Area 11 EXHIBIT B – Area 17F**

Cordata Village Rezone – Area 114ZF

The documents and conditions included in the zoning regulations for Area 11, Cordata Neighborhood, Cordata Business Park Master Plan, associated Environmental Impact Statement, and the Cordata Business Park Development and Design Guidelines shall function as the Planned Unit Development for Area 11 of the Cordata Neighborhood.

The following represents conditions of approval in addition to the Cordata PUD conditions of approval as adopted by Whatcom County in 1986 (PUD 1-84) that applicable to Area 11.

All development within this subarea shall be consistent with the City of Bellingham Comprehensive Plan and comply with the Bellingham Municipal Code. Trillum Corp., as developer, or it's successors and assigns in interest to Cordata an all persons owning or developing property within Cordata shall comply with the provisions of the approved PUD as referenced above and the following conditions:

Final Site Plan Approval

A revised site plan for Area 11 shall be submitted for Planning Director approval prior to any land disturbance within Area 11. The revised plan shall be generally consistent with the conceptual Area 11 Master Plan and shall include modifications necessary to bring the site plan into compliance with issued critical area permits from the City, State, and Federal agencies; PUD conditions and any other applicable provisions of the BMC. The revised site plan shall be processed through the Type II, Planned Permit, process and at a minimum identify access locations to public streets, public and private open space and trail(s), road layout, building types, surface parking areas, and stormwater facilities consistent the PUD approval.

General Provisions

C (Note 1) Approval of the 2009 Comprehensive Plan Amendment and Rezone does not nullify the original conditions of PUD 1-84.

C (1) All development shall comply with a Director approved site plan.

C (2) A system of signs for identifying the location of each residential unit and other uses on the site shall be established, based on considerations of crime prevention and the needs of emergency vehicles.

Cordata Design Review and Governing Documents

C (3) All future or amended Design Review Committee Guidelines must be consistent with the PUD permit and existing laws and regulations at the time of the creation or modification of the Design Review Committee Guidelines.

Permitted Uses

C (4) Permitted uses within Area 11 shall conform to those listed in the Master Plan and Development and Design Guidelines.  
A list of the uses allowed is attached as Appendix "A".

Density

C (5) The maximum number of dwelling units in the entire 626.7 acre Cordata Business Park site shall be limited to 2,651. No more than 1,779 of the total 2,651 residential units are allowed in the 239 acre Amendment #2 area, generally north of Horton Road.  
Residential uses associated with mixed use buildings shall not count toward the density allocations. (NOTE: A mixed use building is defined as having ground floor commercial space with residential uses above.)

Streets and Access

- C (6) The City of Bellingham street standards shall be met for all construction, as necessary to comply with engineering and emergency access requirements.
- C (7) Prior to or concurrent with the Final Site Plan approval, the property owner shall identify the cumulative impacts the proposed development would have beyond the level of development provided for in the PUD.
- C (8) Cordata Parkway shall have left turn bays at major intersections, for both public and private streets.
- C (9) Private roads with an average daily traffic of 1,000 vehicles or more shall have vertical curbs and gutters to provide an added measure of safety for pedestrians.
- C (10) All signing and striping shall be installed per MUTCD standards at the applicant's expense.

Stormwater Management and Wetlands

- C (11) All development shall comply with the provisions of BMC 16.55 (Critical Area Ordinance) and BMC 15.42 (storm water management). Provisions for maintenance of the stormwater system shall be submitted to and approved by the City of Bellingham.
- C (12) Fill and Grade Permits, Clearing Permits, and Revocable Encroachment Permits shall be obtained when required. Clearing and grading activities shall comply with the provisions of BMC 16.60 (clearing), BMC 16.70 (grading).

Binding Site Plans and Subdivisions

- C (13) Road name proposals for unnamed new roads must be submitted for approval.
- C (14) The developer shall consult with the post office for the location of mail boxes.
- C (15) Addressing shall be coordinated with the City Building Services Division.
- C (16) The school mitigation/impact fee requirement shall be disclosed on the face of each Final Plat, General Binding Site Plan, and Specific Binding Site Plan.
- C (17) Development shall take place consistent with the "Cordata Business Park Development and Design Guidelines". Additionally, in order to provide flexibility from underlying zoning requirements, the developer shall propose minimum setbacks, maximum height limits, and minimum lot sizes when each Final Plat and / or Specific Binding site plan is submitted for approval. The City shall review and approve setbacks, height limits, and lot sizes for conformance with city codes. The approved setbacks, height limits and lot sizes shall be disclosed on the face of the Final Plat or Specific Binding Site Plan, as appropriate.

- C (18) Binding site plans developed with condominiums shall contain thereon the following statement:

All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of the City, town or county having jurisdiction over the development of such land, and in accordance with such other governmental permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. Upon completion, the improvements on the land shall be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owner's association have a membership or other legal or beneficial interest. The binding site plan shall be binding upon all now or hereafter having any interest in the land described herein.

- C (19) The general binding site plan has been approved by Whatcom County. The last specific binding site plan shall be filed no later than 15 years after recordation of the general binding site plan with the possibility of a one-year extension if requested in writing within 30 days of the date the binding site plan is scheduled to expire. The one-year extension may be granted upon a finding by the administrator that the applicants have been diligent in their attempt to finish by the expiration date and that the extension would not be detrimental to the public interest.

**Fire Department Requirements**

- C (20) All development shall comply with the Bellingham Municipal Code Title 17.20.
- C (21) Fire suppression water (fire flow) and hydrant placement shall be provided in accordance with the City of Bellingham Public Works and Fire Department Standards.

**Utilities**

- C (22) Public water and sewer shall be provided to all sites in accordance with plans approved by the City of Bellingham. On-site septic systems shall not be permitted. The sewer mains serving the site are sized and designed in accordance with City of Bellingham Development Guidelines and Improvement Standards. Any off-site improvements needed to provide adequate capacity for conveyance of sanitary sewer purposes shall be made by the developer and become part of the basic requirement for service.
- C (23) All utilities shall be underground.

**Impact Fees**

- C (24) School impact fees, in an amount established by ordinance, shall be paid to the City of Bellingham at building permit issuance.
- C (25) Traffic impact fees, in an amount established by ordinance, shall be paid to the City of Bellingham at building permit issuance.
- C (26) Park impact fees shall be provided in accordance with Bellingham Municipal Code Chapter 19.04.

**Landscaping, Open Space, Parks and Buffers**

- C (27) Perimeter buffering shall be provided as required in the Cordata Business Park Development and Design Guidelines.
- C (28) A minimum of 103 acres of open space shall be designated on binding site plans and/or plats (both long and short) in the overall 626.7 acre Cordata Business Park PUD. A minimum of 42 acres of open space shall be designated on binding site plans and/or plats in the northern 239 acre PUD Amendment #2site, including a six-acre park. Open space designated under the terms of this condition shall remain open space in perpetuity and be maintained as such.
- C (29) Open spaces shall be provided in a manner consistent with the City of Bellingham Comprehensive Plan, Open Space Chapter and shall be shown on the Final Site Plan.

**B. Cordata Neighborhood Table of Zoning Regulations Cont.**

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
12	Residential Single	Cluster, attached and cluster detached allowed, mixed (limited duplex and multi family, see special regulations)	7,200 square feet dwelling unit; up to 3,600 square feet per dwelling unit with Cluster Bonus provisions per Title 18, of the BMC or adopted City TDR program.	As development occurs, a City of Bellingham Parks and Recreation Standard Specification Trial shall be provided to connect with the Division Road trail to the south and with a trail in Area 30 to the north.		Duplex and multi family units shall not exceed more than 25% of the total allowed dwelling units for the entire site and shall not be constructed until at least 50% of the single family homes on site have been constructed.  All duplex and multi family buildings shall be reviewed under the Residential Multi Family Design Guidelines and review process.  No more than 4 attached dwelling units allowed.  The West Cordata Green Development shall meet all regulations as approved by Whatcom County in Binding Site Plan #94-002 and the Planned Unit Development #90-002  As development occurs, a City of Bellingham Parks and Recreation Standard Specification Trail shall be provided to connect with the Division Road trail to the south and with a trail in Area 7 to the north.
			<p>The fee for a density bonus is calculated on a per dwelling unit basis according to a fee schedule established by the City Council. One unit of additional density will be</p>			

		<p>allowed for each unit purchased through use of this option.</p> <p>An applicant's submittal for land use review shall include a letter from the Bellingham Finance Department documenting the amount to be contributed to the LWPPAP.</p>				
13	Institutional	<p>Planned; Whatcom County PUD Ord., chapter 20.85; Whatcom County Subdivision Ord., Chapter 21.30</p>	<p>Density as specified in the Cordata Master Plan and Protective Covenants.</p>	<p>All development shall comply with an Institutional Master Plan. The Cordata Design Review Committee shall review all proposals and give final approval prior to issuance of a building permit.</p>	<p>All stage 1 conditions of the Cordata Master Plan shall be met as required in the phasing schedule.</p>	None
14	Industrial	<p>Planned, light; Whatcom County PUD Ord., chapter 20.85; Whatcom County Subdivision Ord., Chapter 21.30</p>	<p>Density as specified in the Cordata Master Plan for light Impact Industrial zoning, design and development guidelines and Protective Covenants.</p>	<p>All development shall comply with the Cordata Master Plan Conditions, Protective Covenants, and all design and development guidelines; the Cordata Design Review Committee shall review all proposals and give final approval prior to issuance of a building permit.</p>	<p>All stage 1 conditions of the Cordata Master Plan shall be met as required in the phasing schedule.</p>	None

**B. Cordata Neighborhood Table of Zoning Regulations Cont.**

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
15	Commercial	Planned, Retail; Whatcom County PUD Ord., chapter 20.85, Whatcom County Subdivision Ord., Chapter 21.30	Density as specified in the Cordata Master Plan and Protective Covenants.	All development shall comply with the Cordata Master Plan Conditions, Protective Covenants, and all design and development guidelines; the Cordata Design Review Committee shall review all proposals and give final approval prior to issuance of a building permit.	All stage 1 conditions of the Cordata Master Plan shall be met as required in the phasing schedule.	This Area is exempt from retail size limits subject to conditions in BMC 20.10.025.
16	Residential Multi	Planned	2,500 sq. ft. per unit	Drainage; access; internal circulation	Open space/park dedication; primary access from Cordata Pkwy.	None
17	Commercial	Planned, residential units allowed; small scale office, 2,500 sq. ft. or less per building	Minimum planned contract site plan – residential 4 acres, commercial 8 acres. Establish residential density through planned review process; density greater than RM 2,500 will require underground parking or an alternative approved through the <u>planned process</u> by the Planning Commission.	Primary access from Allans Road and Cordata Parkway; limited curb cuts (right-in/right-out) along W. Bakerview Road at locations approved by the Public Works Dept; buffers; internal and pedestrian circulation; dedication of 10' right-of-way along Cordata Parkway; school impact fee for residential; height and yards shall conform to Planned Commercial regulations	Utilities; formation of a local improvement district for Bakerview Road between Meridian and Northwest; improvement of Allans Rd. by adjacent properties with development; land or fee contribution to combined park/trail system for W. Bakerview area between Cordata Parkway and Northwest (see 1993 Tate Plan).	None
18	Residential Multi	Planned	RM 2,500 may increase to RM 1,500 through density bonus.	Preservation of mature trees and vegetation whenever possible; required yards may be reduced to achieve.	Utilities; Formation of a local improvement District for West Bakerview from the Guide Meridian to	See attached design standards for Areas 18 and 1915, 15A, 16, 16A.

CORDATA NEIGHBORHOOD – Amended through Amended by Ordinance

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**B. Cordata Neighborhood Table of Zoning Regulations Cont.**

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
18 (cont)				pedestrian orientation, link adjacent developments, or accomplish usable and open space objectives	Northwest Avenue, provided that City staff has completed the Special Benefit Study, identified the LID boundary, and submitted a Special Assessment roll to the City Council and the Council has ordered the hearing for LID formation no later than June 30, 1996. If the City has not taken these steps by that date, or if these steps have been taken by that date and the Council determines that the LID cannot be formed, then applications for Planned Contract may be approved if a binding commitment to financially participate in the improvement of Bakerview Road is recorded at the time of contract execution. Construction of a road system serving Areas 1816 and 16A19 between Eliza Avenue and Aldrich Rd. by adjacent properties as development occurs; improvement of Eliza Avenue and Northwest Avenue by adjacent properties; contribution of land or fees for neighborhood park and trail system.	See attached density bonus menu - Exhibit CA.  Required yards may be reduced to achieve pedestrian orientation, link adjacent developments, or accomplish usable and open space objectives.

**B. Cordata Neighborhood Table of Zoning Regulations Cont.**

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
19	Commercial	Planned, residential units and mixed use buildings are encouraged	RM 2,500 may increase to RM 1,500 through density bonus. Residential above commercial is not counted against residential density.	Internal circulation, with limited curb cuts on West Bakerview (300 feet from intersections and 300 feet apart with shared access encouraged. (Right-of-way exceptions may be approved by the Public Works Department); preservation of mature trees and vegetation whenever possible; required yards may be reduced to achieve pedestrian orientation, link adjacent developments, or accomplish usable and open space objectives. Landscaping buffer between commercial and residential.	Utilities, Formation of a Local Improvement District for West Bakerview from the Guide-Meridian to Northwest Avenue provided that City staff has completed the Special Benefit Study, identified the LID boundary, and submitted a Special Assessment roll to the City Council and the Council has ordered the hearing for LID formation no later than June 30, 1996. If the City has not taken these steps by that date, or if these steps have been taken by that date and the Council determines that the LID cannot be formed, then applications for Planned Contract may be approved if a binding commitment to financially participate in the improvement of Bakerview Road is recorded at the time of contract execution. Construction of a road system serving Areas 1618 and 16A19 between Eliza Avenue and Aldrich Road by adjacent properties as development occurs; Improvement of Eliza Avenue and Northwest Avenue by adjacent properties; contribution of land or fees for neighborhood park and trail system.	See attached design standards for Areas 18 and 1915, 15A, 16, 16A.  See attached density bonus menu - Exhibit CA.  <u>Required yards may be reduced to achieve pedestrian orientation, link adjacent developments, or accomplish usable and open space objectives.</u>

**Design Standards for Areas 18 and 19 Design Standards for Areas 15, 15A, 16, and 16A**

Mixed Housing Types – each development phase or building group has at least two different building types. (Exceptions may occur for smaller sites where objectives for environmental protection, retention of natural features, site design, or parks/open space are better met with a single building type, such as attached town house or multi-story garden apartments.)

Pedestrian connections to adjacent developments.

Natural features incorporated into site plan/development, including retention of significant vegetation and supplemented by planting of trees capable of reaching significant height and canopy, where appropriate.

Buildings arranged around usable open space such as squares, commons, courtyards, plazas.

**Surface parking lots are dispersed or broken up by landscaping strips throughout site to avoid the appearance of large paved parking areas;** under-building parking is encouraged where economically and physically feasible. Locating parking at the rear or side of the lot is encouraged rather than along the full length of the street front. Shared parking for uses with different peak periods is encouraged.

Building design---pitched roofs with dormers, skylights or other features; repetition with variety rather than monotonous and continuous flat facades; break facade plane at regular intervals; use upper story setbacks at corners or side-yards; articulate entries with canopies, porches or other weather protection forms. Applicable to residential, mixed commercial-residential and town center concepts.

Flexible property line setbacks in commercial and residential to achieve linked developments, pedestrian orientation and usable/open space objectives.

Zero setbacks on public streets or interior service roads encouraged for commercial buildings.

Appropriate buffering between residential and commercial.

Multiple use buildings encouraged (residential and retail or office mix) - Housing provided above commercial use in a planned development will not be considered in residential density calculations.

Signs: Planned Residential standards shall apply to residential complexes. Planned Commercial standards shall apply to commercial or mixed-use buildings with the following modifications:

- Monument signs are permitted up to 120 square feet and 12 feet high; pole signs are not allowed.
- Wall mounted signs are limited to 7% of the primary building facade with maximum 4'-0" high letters; and to 3% of the secondary building facade with maximum 2'-0" high letters. (Logos are included in these percentages.)
- Parapet walls may not be erected for the sole purpose of extending sign heights and when they are not in character with the rest of the building or complex.

**Special Regulations – Exhibit A, Residential Density Bonus System for Areas 18 and 19 Special Regulations**  
**– Exhibit A, Residential Density Bonus System for Areas 15, 15A, 16, and 16A**

**RM 2000 (21 UNITS/ACRE)**

In addition to the standard design guidelines in this code, the project must include two of the following:

1. More than two building types.
2. Provide a covered parking to unit ratio of at least 1:2 but not more than 1:1. Garages and carports must be integrated with the building design, using similar materials, colors and design elements.
3. Provide at least 35 percent open space.
4. A minimum site area of at least four acres.

**RM 1500 (29 UNITS/ACRE)**

The project should incorporate design features in excess of the amount required at the RM 2000 density level and exhibit a high degree of conformance with the goals and policies of Visions for Bellingham and the Comprehensive Plan. The site area must contain at least four acres or the project must receive design review approval from the Planning Commission. To receive Planning Commission approval, projects must provide equivalent design features but may offer alternative solutions consistent with these goals. Projects not using the Planning Commission design review process must include two credits from the following in addition to two of the features listed under the RM 2000 density:

1. Group Recreational Facilities
  - (a) A recreational building containing recreational facilities such as sport courts, kitchen and assembly area, spa, pool or other similar features. The recreational portion of the building should be proportional to the number of units at 10 square feet per unit. (1 credit)
  - (b) A tot lot or play yard with playground equipment. (0.5 credit)
  - (c) Swimming pool. (1 credit)
  - (d) Outdoor sport court (half a regulation basketball court or a regulation tennis court. (1 credit)
  - (e) Other recreational facilities determined to be equivalent to those listed.
2. A significant portion of the site abutting and oriented to a private or public open space protected by covenant, easement or public ownership. (0.5 credit for some use of this provision, 1 credit for significant use of this provision, or 2 credits for dedication of space to the public.)
3. At least 80 square feet of private useable space provided for ground floor units. The space shall be screened from view from abutting yards and windows by fences, walls or trellises. Permanent landscaping shall be included to supplement the screen or provide screening from upper stories, but the primary screening materials shall be permanent structures. Each space should have some solar access (north sides of buildings are discouraged) and a ground surfacing suitable for patio furniture. (0.5 credit for a least 50% of the ground floor units and 1 credit for all ground floor units.)
4. Use of transferable development rights based on a City adopted program. (Variable credit to be determined based on features of a City adopted program.)