

CITY OF BELLINGHAM PLANNING AND COMMUNITY DEVELOPMENT STAFF REPORT

Agenda Topic:	Fairhaven Neighborhood and Urban Village Plan, Design Standards and Development Regulations
For:	June 4, 2012
Staff Contact:	Greg Aucutt, Senior Planner

I. Project Summary

The proposal includes changes to the Bellingham Comprehensive Plan and Bellingham Municipal Code Title 20:

1. Amending the Comprehensive Plan by adopting a new Fairhaven Neighborhood and Urban Village Plan (FNUV Plan).
2. Amending the Land Use and Development Code, Fairhaven Zoning Table, by adopting new zoning for the Fairhaven Neighborhood.
3. Amending the Land Use and Development Code, Section 20.37 by adopting new development regulations and design review process changes.
4. Amending and Land Use and Development Code, Section 20.25 by adopting new design standards.

The project area encompasses the entire Fairhaven Neighborhood as it is defined in the current (1980) neighborhood plan. No changes to the neighborhood boundary are proposed.

I. Role of the Planning Commission

The proposed amendments to the comprehensive plan and development regulations require a legislative (Type VI) review process established under BMC 21.10.150. The Planning Commission is responsible for holding a public hearing, developing recommendations, and issuing findings of fact and conclusions. The Commission's findings and recommendations are transmitted to the City Council for review.

Staff has provided draft Findings of Fact, Conclusions and Recommendations. The Planning Commission should adopt or modify the findings as necessary to support their final recommendations.

II. Role of the City Council

The City Council will also conduct a review process, focused on the recommendations of the Planning Commission. The final decision to approve, modify or deny the proposed amendments rests with the City Council.

III. Project Background

In December 2007, the Fairhaven Neighbors Neighborhood Association submitted a full scale update of their neighborhood plan. A fundamental difference of opinion between the residential neighbors and the property and business owners regarding the future vision for the area was identified during this process. As a result of this difference of opinion, the City did not begin processing the neighborhood plan update proposal until City Council directed staff to move forward on the plan in mid-2010. To start the process, the public was invited to attend two staff-led listening sessions in December of 2010. The purpose of the sessions was for the City's project team to gain an understanding of the issues.

Also in December of 2010, a group of property and business owners filed an application requesting the City conduct a full urban village planning process for Fairhaven. In response, City Council directed staff to reorganize the project into one phase that included both a neighborhood plan update and an urban village planning process. The Council also reviewed a very specific scope of work and timeline for project. This scope has been followed throughout the planning process.

Council's direction culminated in a City-led effort to bring the stakeholders together, find common ground, utilize professional expertise and technical studies, and formulate a complete package that included the Fairhaven Neighborhood and Urban Village Plan, accompanying development regulations and design standards

A preliminary draft of the various documents was distributed to the stakeholders and the public on December 21, 2011. A public meeting to gather input on these preliminary drafts was held on February 16, 2012. A number of written comments were also submitted. Staff used the comments and the results of the technical studies (see list, next page) to revise the December 21 drafts. A final draft of the documents was released to stakeholders, and the public on March 20, 2012 and is the subject of the Planning Commission's review.

See the **Planning Process** section of the Fairhaven Neighborhood and Urban Village Plan (page 7) for additional information regarding the process used to develop the proposed FNUV plan, design standards and development regulations.

Technical Studies and Data Collection

Staff conducted several technical studies and engaged experts to help collect data and formulate recommendations used to inform the planning effort. Information from these studies was one source used to develop the plan and implementing regulations. The studies included:

- Fairhaven Neighborhood and Urban Village Parking Plan, October 2011 – *Transpo Group*
- Historic Resource Survey and Inventory Report, October 2011 – *Artifacts Consulting, Inc.*
- Design Review Guidance, Summer/Fall 2011 – *Nore Winter, Winter & Co.*
- 3-D Height and View modeling, Spring-Fall 2011 - *City of Bellingham*
- Whatcom County Council of Governments Traffic Analysis and Multimodal Level-of-Service Modeling, October 2011 – *City of Bellingham*
- Pedestrian and bicycle counts, September 2011 – *City of Bellingham*
- Leadership in Energy Efficiency and Design for Neighborhood Development (LEED-ND) Report - *City of Bellingham*

IV. Comprehensive Plan Goals and Policies

The *2006 Bellingham Comprehensive Plan* establishes policies that direct the City to plan to accommodate anticipated population growth primarily through infill. The creation of a series of urban villages is a key component of this strategy. Generally, an urban village is an area that:

- Contains a mix of commercial, residential, and service uses;
- Provides amenities and services within walking distance;
- Is designed for pedestrians, bikes, and transit, as well as the automobile;
- Facilitates strong community connections and interaction by serving as a neighborhood focal point and providing active public spaces; and
- Promotes sustainability and quality design.

The Comprehensive Plan designates Fairhaven as a “District Urban Center”, defined as an area designed and intended to serve the entire community while remaining accessible to those living or working nearby. In addition to Fairhaven, other examples of District Urban Centers include the Sunset Square and Barkley Village areas.

The Comprehensive Plan also identifies Fairhaven as a "Tier 1" urban village. This designation was intended to acknowledge that the area is already developed with a mix of commercial, residential, public and other uses typical of an urban village. The Tier 1 designation also recognizes that the regulatory framework is already in place to allow the village to continue to develop (i.e. appropriate zoning, design standards, and development regulations). This is in contrast to lower tier villages identified in the comprehensive plan, where minor to extensive redevelopment, property assemblage and regulatory changes (rezones, new development regulations) are needed in order for a true, mixed use village to develop.

See the **Analysis** section of this report (Section VI) for more discussion on the proposal relative to Comprehensive Plan goals and policies.

V. Public Comment

Obviously, the interest in this project from Fairhaven stakeholders and other interested parties has been significant. To date, nine public meetings have been held, not including the meetings conducted by City boards and commissions. Many people have commented in writing during the past several months. Staff summarized the comments from the beginning of the process to August 2011, in a "public input report". All written comments were also posted on the City's web site - www.cob.org/fairhaven.

VI. Key Issues

During the process to develop the plan, a number of issues of interest were identified. The following is a summary of some of those issues and a brief discussion regarding how they are addressed in the proposed FNUV plan, development regulations and design guidelines.

Issue 1: Building Height. Review building heights in the historic district, commercial core and areas adjacent to the existing neighborhoods. Neighbors expressed a desire for compatible scale and design of new buildings. Property and business owners expressed an interest in having greater flexibility.

- **How staff's proposal addresses this issue:** Staff has proposed a number of changes to the current building height regulations for the neighborhood. The intent of the proposed changes is to:
 - Place height limits in areas west and south of the Historic District where there is currently no specified height limit in the development regulations. This is intended to prohibit buildings that would be out of scale with existing development;
 - minimize view blockage;
 - create fairness for new development/redevelopment to be able to build to the same heights as some of the taller buildings in the Historic District (see pictures below).
 - create logical floor plates under existing building codes;
 - allow for taller first floors and parapets;
 - acknowledge that views from NE/South Hill would not be blocked under the proposed building height limits; and
 - require upper floors in taller buildings to be "stepped back" from the sidewalk to increase pedestrian comfort and minimize the "canyon effect" that taller buildings can create (see figures on page five).

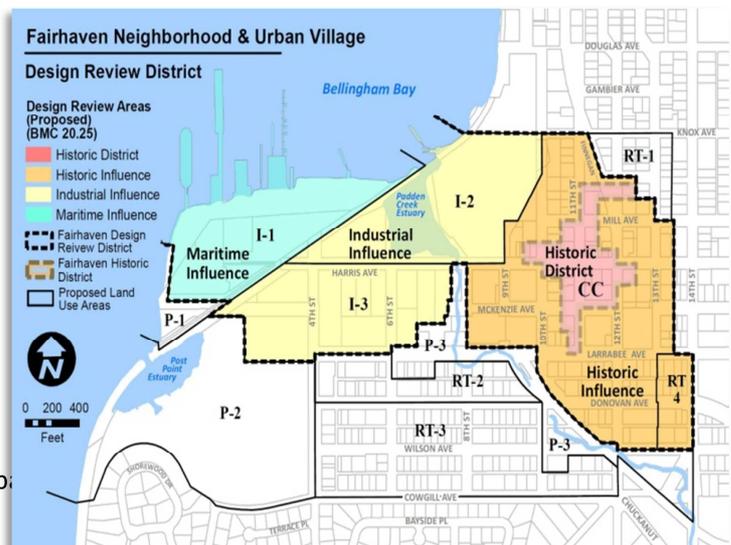
Examples of existing buildings/heights in the Historic District Design Review Area:



Staff's proposed height, number of stories, and building form in the Historic District DRA was based on the approximate heights of existing historic buildings: including the Knights of Pythias building surveyed at 56', Sycamore Square surveyed at 54', and the Waldron Block surveyed at 54' in height. (These heights are above mean sidewalk elevation.)

Staff's proposed changes in maximum allowable heights in the Fairhaven Design Review District are based on input from property and business owners, residents, and other stakeholders. After review of the modeling done by staff, the following changes in height are proposed.

In the **Historic District Design Review Area**, (shown in pink on the Design Review District map), the current maximum allowable height is 35', with an optional 54' maximum (with City Council approval). Four buildings have been constructed that are taller than 35' using this option. No building has been denied the optional height increase. However, the approval process for these developments was difficult, and time

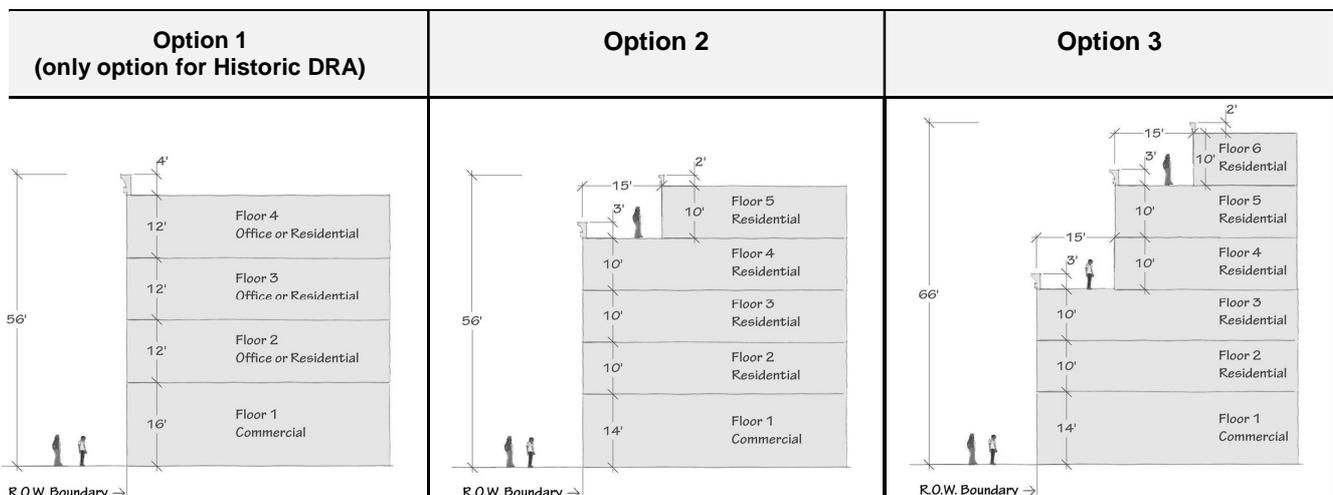


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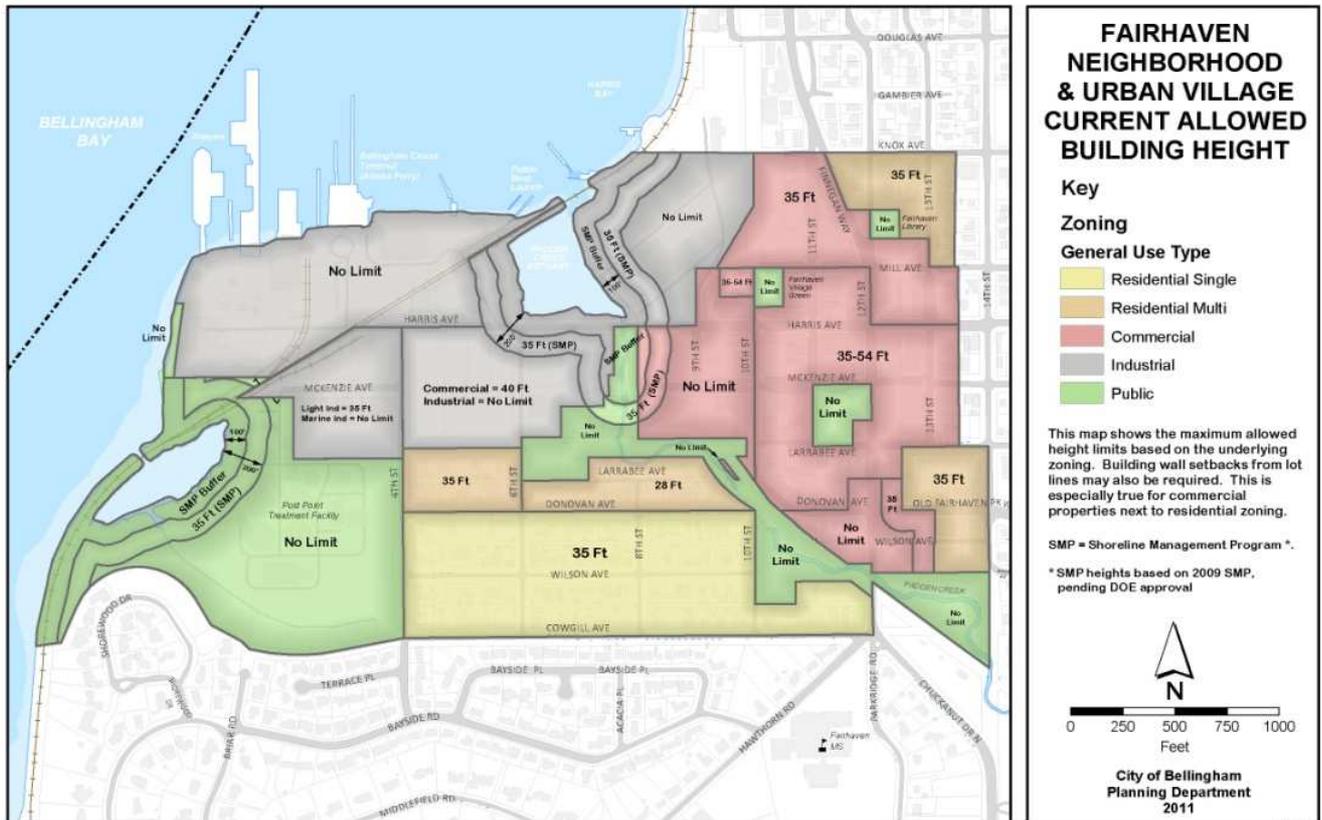
consuming for the applicant, the public and the Council. This uncertainty added costs to these projects, and left some people concerned about the perceived fairness of the process.

Staff proposes to revise the current height limit to a standard 56-feet. To ensure that new buildings are proportionate to the surrounding historic buildings, the 56' is limited to four stories. The optional height increase provisions allowed under the current rules would be repealed. This recommendation is intended to provide more certainty for project applicants and neighbors, while preserving the scale and integrity of the Historic District.

In the **Historic Influence Design Review Area**, (shown in orange on the Design Review District map) the current allowable building heights range from 35', to unlimited in some areas. This area contains an eclectic collection of existing buildings, the tallest of which is Chuckanut Square, approximately 100' in height. Staff proposes a height limit of 66' and six stories, with required building step-backs at the fourth and sixth floors, depending on the development option chosen (see diagrams, below), except in several spots where height is limited to 42' to retain existing view corridors.



The following map shows the current building height limits in the Fairhaven Neighborhood:



The proposed relative increases and decreases in height in the Influence Design Review Area were based on the need for a compromise between providing allowable new building heights that were economically feasible, while maintaining a smaller-scale, pedestrian-friendly street presence as well as an appropriately-scaled transition to adjacent residential areas. Thus, as a requirement of the proposed maximum allowable height, upper stories are required to step-back to diminish bulk and mass, and decrease the "canyon effect" that can sometimes be created. As in the Historic District, an established height limit (as opposed to no limits currently allowed in some areas), would provide predictability for property owners and developers as well as for residents adjacent to this area.

In the **Residential Transition Area 4** (also shown in orange on the Design Review District map), no changes are proposed to the existing maximum allowable height, which is 35', the same as single family height limits.

In the **Industrial Influence** and **Maritime Influence Design Review Areas**, (shown in yellow and green on the Design Review District map), the current maximum allowable heights range from 35', to 40', to no limit. The new proposed height for these areas are as follows: Same three height options as Historic Influence (up to 56', or 66', with upper story step-backs) for new non-industrial use buildings, and no height limit for new industrial buildings -- except 1) where the Shoreline Master Program limits heights to 35' and 2) within the vacated Mill and McKenzie rights-of-way, where building heights would be limited to 42'.

As in the Historic Influence area, the objectives for the respective increases and decreases in allowable heights in the Industrial Influence and Marine Influence areas are to 1) provide predictability for property owners and neighboring residents, 2) encourage, rather than constrain, jobs-producing industrial uses, 3) maintain a pedestrian-friendly street presence along Harris Avenue by requiring upper story step-backs on non-industrial buildings to reduce bulk and mass, and 4) maintain an appropriately-scaled transition to adjacent residential areas.

In the **Residential Transition Areas RT-1, RT-2 and RT-3** (shown in white on the Design Review Districts map), no change to the current height limit of 35-feet is proposed.

Staff update: The Planning Commission recommended lower building height limits than those proposed by staff. See the final page of this report and the Commission's Findings of Fact and attached documents for details.

Issue 2: Historic Character. Preserving the historic character of Fairhaven. Almost all stakeholders expressed a desire to preserve and enhance the distinctive character of the neighborhood as the area accepts more infill.

How staff's proposal addresses this issue: Staff is proposing an entire package of new development regulations and design standards intended to address this issue. See the Planning Commission's Findings document, Exhibit B - Fairhaven Development Regulations, and Exhibit C - Fairhaven Design Standards for details.

Issue 3: Parking. Parking is a key component in any successful urban village. Many people have commented on parking issues during the planning process.

How staff's proposal addresses this issue: Early in the process, the City engaged the services of the consulting firm Transpo to study the parking situation in the neighborhood. The results of the study are included in Chapter 3 of the FNUV plan.

Transpo studied the current parking space inventory, forecasted future demand and developed recommendations. They also studied the feasibility of building a parking garage in Fairhaven. The study recommends a four-phase approach to parking management in the Fairhaven Urban Village:

- Phase 1 - Balance utilization and increase turnover. Steps in this phase of the plan are intended to balance the use of parking spaces throughout the village and increase turnover in the more desired locations.
- Phase 2 - Expand restrictions and shift modes. This phase would expand on the measures recommended in Phase 1 and address any impacts from these measures.
- Phase 3 - Aggressive management and increase supply. This phase of the plan includes implementing more aggressive measures as parking demand increases in the future.
- Phase 4 - Long term strategies. This phase includes longer term measures that could be implemented once the measures in the earlier phases are completed.

This phased strategy allows adjustments to be made in the future based on changing circumstances. The Parking Plan Executive Summary contains a more detailed description of the current situation and the recommendations to address the issues. The Executive Summary is attached as Exhibit G. The full parking study and appendices can be viewed at the City's Fairhaven website - www.cob.org/fairhaven.

Issue 4: Movement of People. Forecast traffic demand and increase facilities for pedestrian and bicycles.

How staff's proposal addresses this issue: The City forecasted traffic demand based on the plan's assumptions regarding development potential in Fairhaven (see the Introduction section of the plan for information regarding the development/redevelopment potential assumptions). While no specific deficiencies were identified in the urban village, it is important to remember that individual development projects must pass the City's "concurrency" test. This means that a project cannot cause the roadways serving the development to drop below the adopted level of service (LOS). If this happens, the developer is required to make whatever improvements are necessary to maintain the adopted LOS.

The plan includes goals, policies and recommendations regarding transportation and circulation, including:

Goal 5.2 Address traffic, pedestrian safety and parking challenges.

Policy 5.1 Install identified pedestrian facility improvements with development, redevelopment and roadway upgrade projects.

Policy 5.2 To further implement the infill land use strategy and multimodal transportation goals and policies of the Bellingham Comprehensive Plan, all new development and redevelopment.....is eligible for Vehicle Trip Reduction Credits.....

The Fairhaven Neighborhood has a high level of pedestrian and bike use. The proposed plan also includes a number of goals, policies and recommendations relevant to this issue, including:

Goal 5.1 Enhance infrastructure in Fairhaven to encourage and support the pedestrian and bicycle-friendly atmosphere.

Policy 5.4 Add bicycle lanes on arterial streets outside of the commercial core where physical space allows and add bicycle parking facilities throughout the Fairhaven Urban Village.

Policy 5.5 Explore the feasibility of identifying, through signage, a bicycle bypass route using 14th Street. 14th Street parallels Fairhaven's eastern boundary and passes through South Hill, Happy Valley, and South neighborhoods, all adjacent to Fairhaven. This bypass route could be promoted by placing way-finding signs at 12th and Mill, 14th and Mill, 14th and Fairhaven Parkway, and Chuckanut Drive entrances.

Policy 5.6 Encourage more walking and bicycling and slower vehicle speeds in Fairhaven's older residential area by adding 25 mph signage along Cowgill Avenue and 4th Street, keeping the streets narrow, and not improving them with curbs, gutters, or sidewalks.

Policy 5.14 Encourage the Parks Department to install signs at trail intersections with neighborhood streets and arterials showing where the trails lead.

The plan also identifies a number of pedestrian and bicycle facility improvements, intended to encourage walking and biking. Some examples include:

- Improve pedestrian and traffic safety at the intersection of 11th Street/Knox avenue/Finnegan Way.
- Add a marked crosswalk at the north side of the Larrabee Avenue/10th Street intersection.
- Improve trail crossing visibility on 4th and 6th Streets.
- Make pedestrian safety improvements such as signage and street surface markings at the intersection of 10th Street and Mill Avenue, connecting Fairhaven Village Green with the South Bay Trail.
- Complete missing sidewalk sections throughout the Commercial Core.

See Chapter 5 for more information on these issues.

Issue 5: Working Waterfront. Preserve and promote employment in industrial areas on the "working waterfront" and increase public access to and along the shoreline.

How staff's proposal addresses this issue: There are four areas currently zoned for industrial development in the Fairhaven neighborhood. While staff's proposal reduces the areas to three, the land area zoned industrial remains the same. Also, the allowed uses are much the same. Industrial uses, such as manufacturing, warehousing, wholesaling, boat building and repair are permitted in these areas. See the Fairhaven Urban Village development regulations (BMC 20.37) for details on permitted uses in all the plan's subareas.

The plan includes a number of goals, policies and recommendations intended to highlight the importance of the industrial areas and to improve people's access to the waterfront:

Goal 2.4 Preserve the "working waterfront" industrial areas of Fairhaven (especially in Area I-1) to promote economic activity and job creation.

Policy 4.5 Maintain the existing boat launch area for small, non-powered boats, and work with the Port of Bellingham to improve the facility for short-term visitor moorage.

Policy 4.6 Improve pedestrian access between the boat launch facility and the Commercial Core along with west side of the Padden Creek Estuary.

Policy 4.7 Maintain public access to the water with small boat rental and storage facilities.

Issue 6: Environment. Protecting the existing natural areas. Many stakeholders have commented on the importance of retaining and protecting the existing natural areas of the neighborhood.

How staff's proposal addresses this issue: The plan contains a series of goals and policies intended to address this issue, including:

Goal 4.1 Protect, restore and preserve the existing natural areas in Fairhaven.

Policy 4.1 A dedicated riparian area along each side of the Padden Creek estuary should be planted with native vegetation.....

Policy 4.2 The City and the Port should move forward with Padden Creek Estuary projects identified in the Shoreline Master Program.....

Policy 4.3 The Fairhaven Community Garden should be preserved and maintained as community garden space.

See Chapter 4 of the plan for additional information.

VII. Analysis

BMC 20.20.040.A. requires the Planning Commission to consider the following decision criteria when reviewing Comprehensive Plan amendments:

2a *The proposed amendment is consistent with the State Growth Management Act and other applicable laws.*

The proposed amendments comply with and help implement the infill, multimodal transportation, economic development, housing, environment, and open space and recreation goals of the State Growth Management Act. The plan adds some additional infill capacity because of the increase in building heights. It promotes alternative modes of transportation, preserves industrial zoned land for industry, recommends steps to address the parking issues, encourages protection of Padden Creek and the estuaries, and recommends preservation of the existing open space. The proposed development regulations are intended to implement these goals and policies.

2b. *The proposed amendment addresses changing circumstances, changing community values, and is consistent with and will help achieve the Comprehensive Plan goals and policies.*

Circumstances have changed significantly since the Fairhaven Neighborhood Plan was adopted in 1980. The 2006 Comprehensive Plan calling for urban villages as an infill strategy had not been adopted. Fairhaven is specifically identified in the 2006 Comprehensive Plan as a "District Urban Village" that should be developed at a scale and with a range of uses to serve the entire community.

The proposal is consistent with and will help implement the City's Comprehensive Plan. Infill, rather than expanding the footprint of the urban area, is the preferred method to accommodate growth. Urban villages like Fairhaven are a key component of the infill strategy. The Comprehensive Plan defines an urban village is an area that:

- Contains a mix of commercial, residential, and service uses;
- Provides jobs, services and amenities within walking distance of area residents;
- Is designed for pedestrians, bikes and transit, as well as the automobile;
- Facilitates strong community connections and interaction by serving as a neighborhood focal point and providing active public spaces; and

- Promotes sustainability and quality design.

The Comprehensive Plan designates Fairhaven as a “District Urban Center”, defined as an area designed and intended to serve the entire community while remaining accessible to those living or working nearby. In addition to Fairhaven, other examples of District Urban Centers include the Sunset Square and Barkley Village areas.

The Comprehensive Plan also identifies Fairhaven as a "Tier 1" urban village. This designation was intended to acknowledge that the area is already developed with a mix of commercial, residential and public uses typical of an urban village. The Tier 1 designation also recognizes that the regulatory framework is already in place to allow the village to continue to develop (i.e. appropriate zoning, design standards, and development regulations). This is in contrast to the lower tier villages identified in the Comprehensive Plan, where minor to extensive redevelopment, property assemblage and regulatory changes (rezones) are needed in order for a true, mixed-use village to develop. As a result, areas like Fairhaven (and downtown, another Tier 1 village), are very important in terms of accomplishing the infill goals of the comprehensive plan.

The proposed FNUV plan supports Comprehensive Plan goals regarding alternative modes of transportation. It promotes, and the new development regulations allow, a number of housing forms. The plan sets the stage for the continuation of the "working waterfront" in the industrial areas. The plan includes, as one of the framework goals, "Fulfill Fairhaven's role as a model vibrant, successful urban village". The FNUV plan and the development regulations are intended to help accomplish this goal.

2c. The proposed amendments will result in long-term benefit to the community and is in the community's overall best interests.

Having successful urban villages is in the community's best interest. The benefits of this type of development, as opposed to greenfield development, are well documented. Beyond that, many residents of this city have an emotional attachment to Fairhaven. Its continued success is very important. The plan attempts to address this by creating an environment where the village can continue to be successful. Examples include goals and policies regarding multimodal transportation, preservation of open space, and improving access to the waterfront. The plan's recommendations to address the parking issues, to reserve the industrial zones primarily for industry, to fill in the gaps in the pedestrian and bicycle circulation network, to preserve the environmental resources in the neighborhood, and to establish view corridors are all intended to benefit the community.

2d. The proposed amendments will not adversely affect the public health, safety or general welfare.

The proposed amendments promote a compact and sustainable land use pattern, consistent with the goals of the Comprehensive Plan. The FNUV Plan, design standards and development regulations promote development that centers on people and their quality of life rather than planning around the automobile. This includes the creation of public spaces, bike and pedestrian amenities, a variety of housing choices, a variety of services and job opportunities within walking distance and high-quality building and site design.

There are no known environmental constraints that would result in economically unfeasible development. This area is adequately served by utilities such as sewer and water and

public services such as police, fire, schools, transit and parks. The City's environmental protection rules are intended to protect and preserve environmentally sensitive areas. Individual projects will be subject to further environmental review under the State Environmental Policy Act. Also, future development and redevelopment will be required to show that there is capacity in the City's water distribution and sewer and stormwater conveyance and treatment systems to handle the impacts from the proposed development. If facilities are not adequate, the development cannot proceed until improvement are made. The same is true for the transportation/circulation system serving the urban village. Individual development projects must pass the City's "concurrency" test, or provide any improvements that are required.

(5) *If a concurrent rezone is requested, the proposal must also meet the criteria for rezones in BMC 20.19.030. A.*

See below.

Rezone Decision Criteria, BMC 20.19.030. A.

- 1. The proposal is consistent with the Comprehensive Plan or corresponds to a concurrent Comprehensive Plan amendment application.*

See the discussion under Comprehensive Plan amendment criteria 2a and 2b.

- 2. The proposed rezones will not adversely affect the public health, safety and general welfare.*

See the discussion under Comprehensive Plan amendment decision criteria 2d.

- 3. The rezone is in the best interests of the residents of Bellingham.*

See the discussion under Comprehensive Plan amendment decision criteria 2c

- 4. The subject property is suitable for development in general conformance with the zoning standards under the proposed zoning district.*

While the zoning designations are changing somewhat, the allowed uses are not that much different than what is allowed under the current zoning.

VIII. SEPA Environmental Review

A Determination of Nonsignificance was issued on March 20, 2012 and mailed, along with the Notice of Public Hearing, to property owners within the project boundary and within 500 feet of the project perimeter. The Determination of Nonsignificance is attached as Exhibit H.

IX. Staff Recommendation

Staff recommended the Planning Commission adopt a recommendation to approve the March 20, 2012 versions of the Fairhaven Neighborhood and Urban Village Plan, and the associated development regulations and design standards and other amendments to BMC Title 20.

X. Planning Commission Recommendation

The Planning Commission on May 10 voted unanimously to recommend approval of the March 20 version of the plan, development regulations and design standards as modified by the changes shown in the Commission's Findings of Fact document and attached exhibits.

In general, staff agrees with the various changes to the plan, development regulations and design standards recommended by the Planning Commission. There are, however, three specific areas of disagreement:

- 1. Staff recommended that individual businesses be limited to 2,000 sq.ft. of floor area in the RT-4 subarea. We did this in response to public comments regarding concerns about the potential scale and intensity of uses in this area. The Commission recommended allowing individual businesses to be larger than 2,000 as shown on page 13 of the proposed Development Regulations (Exhibit B).*
- 2. Staff's recommended development regulations included the standard five-foot landscaping strip around surface parking areas. The Planning Commission recommended reducing the requirement to two-feet because of concerns about a resulting reduction in parking. See page 48 of the proposed Design Standards (Exhibit C).*
- 3. Maximum building height and floor to floor requirements. Staff's and the Planning Commission's building height recommendations are shown on the maps in the Development Regulations exhibit. The floor-to-floor requirements are shown on page 24 of the Design Standards exhibit.*

In General, the Commission recommended reducing building height limits proposed by staff. The Commission stated that they were concerned about preserving the character of the area and protecting views.

XI. Additional Staff Recommendation

Since the conclusion of the Planning Commission's review process on May 10, the issue of sidewalk or sandwich board signs has come up. Staff originally proposed some new regulations for these signs in the Fairhaven Development Regulations (see page 20 of Exhibit B). After discussing this issue at length with the administration, staff now recommends that these regulations be removed from the Fairhaven Development Regulations at this time. This is an issue that should be addressed city-wide, not on an area-by-area basis. Staff will be coming back to the City Council at a later date with options for addressing this issue.