

ORDINANCE NO. 2025-12-034

AN ORDINANCE RELATING TO LAND USE AND PLANNING, ADOPTING AN INTERIM ZONING ORDINANCE TO ESTABLISH CLEAR AND OBJECTIVE DESIGN STANDARDS CITYWIDE FOR INFILL HOUSING, MULTIFAMILY HOUSING, COMMERCIAL / MIXED-USE DEVELOPMENT, AND INDUSTRIAL DEVELOPMENT IN URBAN VILLAGES AND TO STREAMLINE THE DESIGN REVIEW PERMITTING PROCESS

WHEREAS, this interim Ordinance is in direct response to Mayor Kim Lund's Executive Order [#2024-02](#) *Expanding Housing Options in Bellingham* issued on November 21, 2024. The executive order included a comprehensive list of findings that summarize the circumstances leading to the current acute shortage of housing in Bellingham, including affordable housing, and called for the following staff and legislative actions:

- A. Immediately draft an interim ordinance for City Council consideration to remove parking minimums citywide while following best practices for ADA parking, access requirements, electric vehicle charging and other key factors.
- B. Immediately draft an interim ordinance for City Council consideration, ahead of state mandates, supporting increased middle housing through the adoption of the Infill Toolkit citywide.
- C. Draft an interim ordinance for City Council consideration, ahead of state mandates, streamlining the design review process; and

WHEREAS, on January 13, 2025, City Council adopted Ordinance No. [2025-01-001](#), an interim ordinance which temporarily eliminates minimum automobile parking requirements and establishes citywide bicycle parking standards; and

WHEREAS, on March 24, 2025, City Council adopted Ordinance No. [2025-05-008](#), an interim ordinance which allows development under the Infill Housing Toolkit (Chapter 20.28 Bellingham Municipal Code (BMC)) in all areas of the city that are zoned predominantly for residential use, except for areas within the Lake Whatcom watershed; and

WHEREAS, in 2023, the Washington State Legislature passed legislation (ESHB [1110](#)), codified in RCW [36.70A.635](#), to increase the availability of "middle housing," defined as housing types that fall between single-family homes and large apartment complexes, generally including duplexes, triplexes, fourplexes, townhomes, cottages and courtyard housing that are of compatible scale, form and character of single-family homes; and

WHEREAS, RCW 36.70A.635(6)(a) requires that cities that choose to apply design review to middle housing developments use an administrative process; and

WHEREAS, in 2023, the Washington State Legislature passed separate legislation (ESHB [1293](#)), which is codified in [RCW 36.70A.630](#), requiring counties and cities planning under RCW 36.70A.040 to restrict their design review process to include only clear and objective development regulations governing the exterior design of new development; and

WHEREAS, State law establishes that clear and objective development regulations (a) must include one or more ascertainable guideline, standard, or criterion by which an applicant can determine whether a given building design is permissible under that development regulation and (b) may not result in a reduction in density, height, bulk, or scale below the generally applicable development regulations for a development proposal in the applicable zone; and

WHEREAS, State law further requires any design review process to be conducted concurrently, or otherwise logically integrated, with the consolidated review and decision process for project permits set forth in RCW 36.70B.120(3), and that no design review process may include more than one public meeting; and

WHEREAS, the Washington State Legislature passed legislation during the 2025 legislative session (SSHB [1183](#)), codified in [RCW 36.70A.815](#), that prohibits a city or county planning under the Growth Management Act like the City of Bellingham from requiring façade modulation or upper-level setbacks as a condition of permitting for several types of residential projects; and

WHEREAS, Council finds that adopting this interim zoning ordinance to streamline the design review process will satisfy the third recommendation from Mayor Lund's Executive Order and also establish clear and objective design standards, as required by State law; and

WHEREAS, interim zoning controls enacted under RCW [35.63.200](#) and/or RCW [36.70A.390](#) are methods by which a local government may establish temporary zoning controls while it develops more permanent zoning controls; and

WHEREAS, RCW 36.70A.390 provides that, "A county or city governing body that adopts a moratorium, interim zoning map, interim zoning ordinance, or interim official control without holding a public hearing on the proposed moratorium, interim zoning map, interim zoning ordinance, or interim official control, shall hold a public hearing on the adopted moratorium, interim zoning map, interim zoning ordinance, or interim official control within at least sixty days of its adoption, whether or not the governing body received a recommendation on the matter from the planning commission or department. If the governing body does not adopt findings of fact justifying its action before this hearing, then the governing body shall do so immediately after this public hearing. A moratorium, interim zoning map, interim zoning ordinance, or interim official control adopted under this section may be effective for not longer than six months but may be effective for up to one year if a work plan is developed for related studies providing for such a longer period. A moratorium, interim zoning map, interim zoning ordinance, or interim official control may be renewed for one or more six-month periods if a subsequent public hearing is held, and findings of fact are made prior to each renewal"; and

WHEREAS, on October 31, 2025, the City of Bellingham as Lead Agency under the procedures of the State Environmental Policy Act issued a Determination of Non-Significance (DNS) on the proposed ordinance, which is a non-project proposal; and

WHEREAS, adopting interim zoning will immediately simplify and streamline design review permit processes across the city and allow staff time to study the impact of the interim regulations on the development of new housing, specifically infill housing, while the City engages in a Type VI legislative process to amend the zoning and land use regulations to be consistent with RCW [36.70A.630](#), RCW [36.70A.635](#), and RCW [36.70A.815](#); and

WHEREAS, Council held a public hearing on November 17, 2025, on a proposed ordinance amending and extending Ordinance No. [2025-05-008](#), an interim ordinance applying new development regulations to single family and Infill Housing development, to be coordinated with the interim regulations for design review defined herein; and

WHEREAS, the Bellingham City Council held a public hearing on the proposed interim regulations for design review on November 17, 2025, with appropriate public notice provided; and

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. The City Council Adopts the above “WHEREAS” recitals as findings of fact in support of its action, as required by RCW 35.63.200 and RCW 36.70A.390.

Section 2. Interim Zoning Ordinance Adopted. An interim zoning ordinance is adopted as specified in Section 9 of this Ordinance.

Section 3. Duration of Interim Zoning. This interim zoning shall be in effect for twelve (12) months, beginning on December 23, 2025, and ending on December 23, 2026, absent further legislative action by the Council.

Section 4. Work Plan. During the interim zoning period, City staff will engage in the following work plan. Staff will continue to study issues concerning the implementation of design review for various land use types, including a review of new housing development under these interim regulations. Staff will evaluate whether the interim regulations effectively streamline the administration of design review, or if additional changes are needed to simplify the design review process. Finally, staff will begin drafting the necessary revisions to the City’s codes and regulations under a Type VI legislative process, as required, to fully implement the design review reform requirements of RCW [36.70A.630](#), RCW [36.70A.635](#), and RCW [36.70A.815](#). This work will be coordinated with other staff work to bring forward one comprehensive ordinance to address the overlapping housing and housing-related policy changes mandated by State law.

Section 5. Public Hearing Required. Pursuant to RCW [35.63.200](#) and [36.70A.390](#), the City Council held a public hearing on this interim zoning ordinance on November 17, 2025.

Section 6. Conflict with other BMC Provisions. If the provisions of this Ordinance are found to be inconsistent with other provisions of the Bellingham Municipal Code, this Ordinance shall control. Where design review standards and review process are referenced in Title 20 BMC, requirements specified in Section 9 of this Ordinance shall apply.

Section 7. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 8. Effective Date. This Ordinance shall take effect and be in full force 15 days after the date of final passage.

Section 9. Interim Zoning. The Council adopts the following interim zoning to establish clear and objective design standards and to streamline the design review permit process:

A. Purpose and Intent.

1. Purpose. The purpose of this Interim Design Review Ordinance is to establish compliance with multiple sections of the Revised Code of Washington (RCW) including: [RCW 36.70A.630](#) regarding the administration of clear and object design regulations and limitation on public meetings; [RCW 36.70A.635](#) regarding administrative design review for middle housing; and, [RCW 36.70A.815](#) regarding the prohibition of facade modulation and upper level setbacks.
2. Intent. The design standards in this ordinance are intended to emphasize pedestrian-oriented design with street-oriented entries, transparency, and architectural and landscape features that add human scale visual interest. The purpose and intent of these design standards is to collectively contribute to, and enhance the public realm, create a sense of place, foster social interaction, and make alternative transportation options more attractive, inviting, and safe to use, and thereby more likely to be used.
3. Departures. Applicants may request departures to the design standards in this ordinance. In Urban Village design review districts, departure requests shall be reviewed by the design review board who shall provide a recommendation to the planning director. For all projects, the planning director may modify the requirements if the following criteria are met:
 - a. The site is constrained due to unusual shape, topography, easements, sensitive areas, the location of pre-existing improvements, or other extraordinary situation or condition; or
 - b. The granting of the departure establishes a better development pattern found to be compatible with adjacent development (existing and anticipated) including, but not limited to, pedestrian-oriented development, setbacks, lot orientation, or other contextual elements associated with the proposed development; and
 - c. The departure is consistent with the intent of this ordinance.

B. Applicability. The provisions of this ordinance shall apply to all new construction of infill housing and their associated accessory dwelling units, multifamily housing, commercial buildings and buildings containing commercial uses in non-commercial zones unless the activity is exempted below. Buildings and activities which are exempt from the design review process shall comply with adopted site lighting standards regarding shielded outdoor lighting. The provisions of Chapter [20.14](#) BMC regarding nonconformance establish which of the standards and criteria in this ordinance apply to developed sites. The regulations of this ordinance shall supersede and replace all design standards within the Bellingham Municipal Code.

The following activities are exempt from design review:

1. Detached single-family dwelling unit and associated accessory dwelling unit(s).
2. Public buildings (excluding those containing commercial uses per BMC 20.25.020(E)(2)). See BMC 2.36.050 for additional requirements.

3. Industrial buildings containing industrial uses (excluding those in commercial zones or in Urban Villages per BMC 20.25.020(C) and BMC 20.25.020(E)(1)).
4. Mobile homes.
5. Interior alterations that do not affect the exterior design of the building.
6. Any activity that requires a certificate of alteration or certificate of demolition for any historic resource individually listed in the city of Bellingham's local historic register or listed as a contributing property to a local historic district shall be processed pursuant to BMC 17.90.060 pursuant to [RCW 36.70A.630](#).
7. Normal maintenance and repair.
8. Renovations, additions and exterior alterations to buildings and their associated site improvements, including electrical and mechanical equipment and accessory buildings, provided the scope of work complies with the applicable design standards.
9. All signage.
10. Public infrastructure of permanent or temporary character such as bridges, viaducts, elevated ways, docks, piers, retaining walls, gates, fences, lamp standards, sculptures, bas-reliefs, monuments, fountains and playground equipment. See BMC 2.36.050 for additional requirements.
11. Restoration of any historic element of a building as approved by the planning and community development director.

C. Definitions. The following definitions shall apply for the purposes of this ordinance, notwithstanding other definitions in the city's development regulations:

Articulation is the giving of emphasis to architectural elements (like windows, balconies, entries, etc.) that create a complementary pattern, or rhythm, dividing large buildings into smaller identifiable pieces.

Building orientation refers to the positioning of a building in relation to the surrounding environment such as streets, sidewalks, and neighboring development.

Commercial uses shall mean those permitted uses listed in commercial zones within the use tables in BMC Title 20.

Gateway / District Entrance is an intersection that defines the arrival to an Urban Village.

Landscaping means the installation of an inclusive combination of trees, shrubs and ground cover within a defined bed area. A minimum of one tree is required per bed or one tree for every 300 square feet of required landscape area, whichever is greater. Fractions shall be rounded to the higher whole number.

Mixed Use means a building or development that contains residential dwelling units and commercial and/or public uses.

Pedestrian oriented street is intended to provide opportunities for visual or interactive links between businesses and pedestrians.

Prioritize means to arrange in order of importance to accomplish the most important things before the others.

Public Realm as referenced herein addresses the relationship between buildings and adjacent sidewalks, streets, and open spaces to support the public experience.

Transparency is a term used to describe doors and windows that allow light into a building. Rough openings are used to calculate this requirement.

Varied Rooflines means a roof having different shapes and styles. Variation can be achieved with multiple roof pitches, heights, combining multiple roof forms (gable, shed, hip, etc), or incorporating dormers.

D. Objective Design Standards. All construction activity required to obtain design review under Section 9.B. of this interim ordinance shall comply with the following objective design standards:

Table 1: Infill Housing and their Associated ADUs

Land Use	Public Realm (1)	Site Design (2)	Building Design (3)
Infill Housing Units and their associated ADUs *ADUs are exempt from Public Realm and Building Design standards except when within 20' of a street, lane, or common pedestrian corridor.	A. Building Orientation: 1. Each ground floor unit shall have a front porch entrance that faces a street, lane, or common pedestrian corridor. Orientation to a public street shall be prioritized 2 For cottage, shared court, and garden court, units that face the shared court/open space shall have a porch that faces the court/open space. In some cases, units shall require two front porches to satisfy these criteria. B. Parking/Vehicular Access: 1 Parking shall not be located between the building and the street. 2 Parking shall be accessed off an alley 3 When alley access is not available and access to parking from the street or lane is necessary, three (3) or more of the following shall be applied to the building/site design: a. Minimum 50 sq. ft. front porch	A. Usable Open Space: 1. Cottage, Shared Court, and Garden Court: a. At least one courtyard in the form of outdoor common open space is required consisting of a minimum of 200 square feet per unit and with minimum average dimensions of 20 feet by 20 feet Required common open space is in addition to required private usable space. b. Common open space may include common pedestrian corridors. Parking areas and vehicular areas shall not qualify as common open space except when designed as a shared court c. Common open space areas shall be bordered on at least two side by dwelling units. d. The incorporation of common open space or courtyard amenities is required. At least one (1) of the following elements shall be provided: i Benches or other permanent seating areas. ii Fountain or other water feature iii Raised garden beds. e. For shared court, poured surfaces (e.g., asphalt or concrete) may be used for	A. Entrance: 1. Each dwelling unit accessed from the ground floor shall have a covered front porch with entry swing door (slider doors prohibited). The porch shall have an area of 40 square feet or more, with no dimension less than five feet. B. Transparency: 1 The façade that includes the front porch shall have a minimum window transparency of 12%. C. Articulation: 1. Building design shall incorporate a minimum of five (5) of the following on the facade(s) that contain the front porch: a. A change of building materials, colors, and/or textures b. Use of the following durable material(s): natural wood, brick, and/or stone c. Incorporation of window bay(s) or dormer(s) d. Varied roofline(s) e. Gables and/or brackets f. Belt lines

Land Use	Public Realm (1)	Site Design (2)	Building Design (3)
	b. Separate pedestrian walkway not adjoined with the driveway c. Windows, textural elements, and hardware on the garage face d. Shared driveways e. Textured driveway distinct from lane or street surfacing f. Maximum 12-foot- wide driveway g. Garage width is proportionally less than the width of the dwelling unit	vehicle treaded areas up to 10 feet in width but are not acceptable for area paving. The remaining unplanted areas shall be paved with unit pavers (e.g , brick, concrete, or tile) set in or covered with gravel. Permeable pavements are acceptable paving options for all unplanted, shared court areas. B. Internal circulation: 1. Walkways shall connect all dwelling units to common open space(s) and/or consolidated parking and/or fronting street. C. Landscaping/Screening: 1. Refuse areas shall be consolidated, unless the local refuse provider approves otherwise, and screened on three sides. Chain-link fencing is a prohibited screening material. D. Lighting: 1. Project lighting shall meet the following standards: a. Wall mounted lighting shall be provided near building entrance(s) b. Site lighting shall illuminate walkways, parking lots, and refuse areas. c. Fixtures shall be downcast and/or shielded to prevent direct glare or light trespass on adjacent properties. d. Building articulation can be indirectly illuminated by upward lighting when the lighting is directed at the building and not the sky or other properties. E. Historic: 1. Fairhaven Urban Village Development in the Historic Distric and Historic Influence	g. Minimum 4-inch trim around all doors and windows h. Window mullions i. Sidelights and/or entry doors with windows j. Minimum 6" wide porch columns k. Awning(s) and/or trellis(es) D. Historic: 1. Fairhaven Urban Village Development in the Historic Distric and Historic Influence Design Review Areas shall comply with the provisions of Exhibit B.

Land Use	Public Realm (1)	Site Design (2)	Building Design (3)
		Design Review Areas shall comply with the provisions of Exhibit B.	

Table 2: Multifamily that is not Infill Housing

Land Use	Public Realm (1)	Site Design (2)	Building Design (3)
Multifamily that is not Infill Housing	A. Building Orientation: - Buildings shall have a main entrance that faces an existing improved street and is connected to the public sidewalk by walkways that do not go through parking lots. - Ground floor unit(s) that face the street shall have a covered swing door entrance that is directly connected to the street via walkways. - For development accessed at the terminus of a street or when critical areas are located adjacent to the street, the building(s) may be oriented to natural areas or open space. The building entrance shall be connected to the public sidewalk by walkways that do not go through parking lots. B. Parking/Vehicular Access: - Parking shall not be located between the building and the street. - Site design shall locate parking access off an alley. When alley access is not available and access to parking from the street is necessary, curb cuts shall be shared or consolidated.	A. Grading: - Where more than 2 vertical feet of foundation or retaining walls will be exposed, the exposed portion shall be screened with landscaping, covered with building siding, or treated with architectural reveals B. Usable Open Space: - Common usable space shall not be located adjacent to the street unless the location allows for vegetation/tree preservation or is continuous with a critical area. C. Internal circulation: - Walkways shall connect the main building entrance to the street as well as common usable space and parking areas D. Landscaping/Screening: - There shall be an average of one landscape bed for every 8 parking spaces. Each landscape bed shall contain a tree and shrubs or ground cover - Landscaping shall be provided between buildings and the full length of the public/private sidewalks and all parking / driving surfaces. - Mechanical equipment shall be screened with landscaping, fencing/walls,	A. Entrance: - The main entrance shall have a minimum 5' deep covered entry and three (3) or more of the following design elements: - Minimum 8" wide columns - Brackets or beams - Double entry swing doors - Entry door 8' tall or greater - Entry door sidelights - Transom windows over entry door - Elevated stoop minimum 32" above finished grade - Arched entry - Wall mounted lighting near entrance(s) B. Transparency: - The façade facing an existing improved street shall have a minimum window transparency of 20%. C. Articulation: - Distinction in floor heights for buildings three stories or taller shall be made between the ground floor and upper floors by using at least one (1) of the following details: - A belt course - Changes in materials - Changes in window size/shape - First floor columns integrated into the building - The building(s) shall be articulated through the application of three (3) of the following techniques on facades that contain the main entrance. - Use of the following high-integrity materials on the

Land Use	Public Realm (1)	Site Design (2)	Building Design (3)
	3. Parking and driving surfaces shall be located at the rear or side of the lot	or by integrating the equipment internal to the building. 4. Fencing shall be at least 60% opaque within the front yard. Chain link fencing is prohibited. E. Lighting: 1. Project lighting shall meet the following standards: a. Wall mounted lighting shall be provided near building entrance(s). b. Site lighting shall illuminate walkways, parking lots, and refuse areas. c. Fixtures shall be downcast and/or shielded to prevent direct glare or light trespass on adjacent properties. d. Building articulation can be indirectly illuminated by upward lighting when the lighting is directed at the building and not the sky or other properties. F. Historic: 1. Fairhaven Urban Village. Development in the Historic District and Historic Influence Design Review Areas shall comply with the provisions of Exhibit B.	facades: natural wood, brick, or stone b. Incorporation of window bay(s) or dormer(s) c. Cantilevers d. Varied roofline(s) e. Gables and/or brackets f. Inset decks/balconies g. Minimum 4" trim around all doors and windows h. Awning(s) and/or trellis(es) i. Divided windows j. Minimum 1' tall cornice 3. Structured parking levels that are adjacent to a public street or open space or a residential zone shall be screened or treated architecturally using at least two (2) of the following: a. Window openings with decorative grills b. Landscaping that screens the façade c. Changes in building materials d. Mural D. Historic: 1. Fairhaven Urban Village. Development in the Historic District and Historic Influence Design Review Areas shall comply with the provisions of Exhibit B.

Table 3: Commercial / Mixed Use

Land Use	Public Realm (1)	Site Design (2)	Building Design (3)
Commercial / Mixed Use *When industrial uses require design review, only the Public Realm standards shall apply.	A. Building Orientation: 1. The primary building entrance shall be located at street level facing a public street and have a walkway connection to the street. 2. Building walls shall be constructed at the street such that they abut the front lot line and build out to the full width of the lot, to the side lot lines or applicable setbacks. 3. Buildings may be set back from the edge of the right-of-way to allow for public usable space such as plazas. Buildings shall not be set back from the edge of the right-of-way to allow for vehicular parking or maneuvering. B. Parking/Vehicular Access: 1. Parking and driving surfaces shall be located at the rear or side of the lot and not between the building and the street. Parking and driving surfaces shall not be located at intersections or along arterial streets. 2. Access and stacking lanes for drive-through services shall not be located between the street and the building. 3. When an alley abuts a site, it shall be used for vehicular access 4. When alley access is not available and access to parking from the	A. Grading: 1. Where more than 2 vertical feet of foundation will be exposed, the exposed portion shall be screened with landscaping, covered with building siding, or treated with architectural reveals. B. Internal circulation: 1. Site design shall include pedestrian walkways that connect streets, parking areas, and open spaces to building entrances. All internal pedestrian walkways shall be distinguished from driving surfaces through a difference in grade, curbing, and/or materials. C. Landscaping/Screening: 1. Refuse containment shall be screened on three sides. Chain link fencing is a prohibited material. 2. Mechanical equipment shall be screened with landscaping, walls, or by integrating the equipment into the building. When equipment is on a rooftop it shall be screened from public view with building walls or parapets, painted to match surrounding building walls, or screens added to obstruct the view. D. Lighting: 1. Project lighting shall meet the following standards: a. Wall mounted lighting shall be provided near building entrance(s).	A. Entrance: 1. Each commercial building on a site shall have a minimum 5' deep covered entrance facing the public street. The entrance shall feature no less than three (3) of the following defining features. a. Single story eaves minimum 3' deep b. Recesses/projections minimum 2' deep c. Arcades d. Raised cornices, parapets over the door e. Peaked roof forms f. Arches g. Outdoor patios h. Display windows i. Tile work and moldings which are integrated into the building structure and design j. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting k. Double entry swing doors l. Minimum 8" wide columns B. Transparency: 1. A minimum of 60 percent of the building wall between two feet and seven feet above the sidewalk and facing a street shall be transparent. Windows into parking garage space shall not qualify. C. Articulation: 1. Blank walls shall be treated to create visual interest. A blank wall is a wall or a portion of wall that is either (A) at least 400 square feet in area with a length and width of at least 10 feet that does not include a window, door, building modulation or articulation feature or (B) at the ground floor and over six feet in height with a horizontal length greater than 15 feet that does not include a window, pedestrian

Land Use	Public Realm (1)	Site Design (2)	Building Design (3)
	street is necessary, curb cuts shall be consolidated or shared with abutting lots. 5. Landscaping shall be provided between parking lots, and driving surfaces and the abutting street.	b. Site lighting shall illuminate walkways, parking lots, and refuse areas. c. Fixtures shall be downcast and/or shielded to prevent direct glare or light trespass on adjacent properties d. Building articulation can be indirectly illuminated by upward lighting when the lighting is directed at the building and not the sky or other properties. e. Gas and service station canopies: Lighting shall be recessed (including lenses) within the bottom of the gasoline pump island canopy(s). Lights that project below the canopy ceiling are prohibited E. Historic: 1. Fairhaven Urban Village Development in the Historic District and Historic Influence Design Review Areas shall comply with the provisions of Exhibit B.	entry door, building modulation or other architectural feature. Any blank wall within 50 feet of, and visible from, a public street, public park or trail, residential zone shall be treated with at least one of the following a. Artwork, such as bas relief sculpture, mural or similar feature b. A landscaping bed containing trees, shrubs and/or vines on a trellis that will cover at least 60 percent of the wall within three years. Irrigation shall be provided unless the bed is at least five feet in width, open to the sky and drought resistant plants are used. c. Architectural detailing incorporating trims, textures, reveals, and/or contrasting materials. 2. Structured parking levels that are adjacent to a public street or open space or a residential zone shall be screened or treated architecturally using at least two (2) of the following: a. Window openings b. Landscaping that screens the façade c. Decorative meter grills d. Changes in building materials e. Mural 3. The minimum floor to floor height of a street level commercial space shall be 12 feet. 4. Distinction in floor heights for buildings three stories or taller shall be made between the ground floor and upper floors by using at least one (1) of the following details: a. A belt course or cornice b. Changes in materials c. Changes in window size/shape d. First floor columns integrated into the building

Land Use	Public Realm (1)	Site Design (2)	Building Design (3)
			5. In Urban Village design review districts as shown in Exhibit A, where commercial uses are located at the ground floor, buildings shall provide weather protection (awning, overhang, arcades, etc.) covering at least a four-foot width of public sidewalk along at least 50 percent of the street level frontage. Materials shall be limited to metal, glass, Plexiglas or equivalent "hard" durable materials. Weather protection shall be located between eight and 12 feet above the public sidewalk. 6. When a commercial use is proposed or required in commercial zones or with development along Pedestrian Oriented Streets or within the Central Core Mixed Use area of the Barkley Urban Village as identified in Exhibit A: a. The commercial use shall be located on the ground floor abutting the street and built with a minimum depth of 20' as measured from the front face of the building. b. Hotel and residential lobbies and parking garage entries are exempt from this provision. Hotel/motel guest rooms, dwelling units and structured parking shall not occupy street level building frontage where ground floor commercial space is required. 7. Development occurring at Gateway/District entrances as identified in Exhibit A shall distinguish building corners using at least two (2) of the following techniques. a. Corner plaza b. Tower(s) and/or spire(s) c. Cropped building corner with entrance d. Distinctive roof form or detailing such changes in

Land Use	Public Realm (1)	Site Design (2)	Building Design (3)
			parapet height, cornice detailing, roof pitch, etc. e. Cantilevered element(s) f. Change in building materials at the corner g. Sculptural architectural element h. Columns, beams, brackets i. Bay window(s) j. Multi-story transparency 8. Mixed use: a. Buildings containing residential uses shall have at least one covered residential entryway facing a public street and accessed directly from the public street. b. Open exterior entry/exit balconies that face a right-of-way are prohibited. c. Ground floor residential uses shall create privacy and separation between the street and building using at least one (1) or a combination of the following methods: i. The finished floor of residential units is at least two-feet above the street grade. ii. Landscaping with a minimum planting bed width of two feet, or iii. Concrete walls or fencing minimum 3' tall. D. Historic: 1. Fairhaven Urban Village. Development in the Historic Distric and Historic Influence Design Review Areas shall comply with the provisions of Exhibit B.

E. Process. All design review applications shall comply with the procedural regulations of [Chapter 21 BMC](#) with the following changes:

1. Review by the Design Review Board is not required except as follows:
 - a. Review by the Design Review Board shall be required pursuant to subsection [21.10.110\(E\)\(1\)](#) BMC for projects within Urban Villages that include one or more departure requests (Infill housing or their associated ADUs are exempt). The

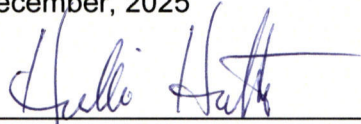
applicant may request an additional meeting with the Design Review Board, prior to design review application submittal (Design Guidance), as described in subsection 21.10.110(C) BMC.

2. No building permits shall be issued until design approval has been obtained. Building and other construction permits shall be consistent with the design review approval.

F. Urban Village Maps. See Exhibit A.

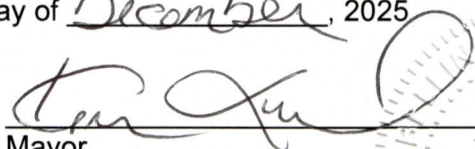
G. Fairhaven Historic District and Historic Influence Design Review Area Standards.
See Exhibit B.

PASSED by the Council this 8th day of December, 2025



Council President

APPROVED by me this 18th day of December, 2025

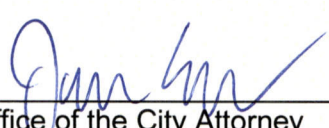


Mayor

ATTEST: 

Finance Director

APPROVED AS TO FORM:



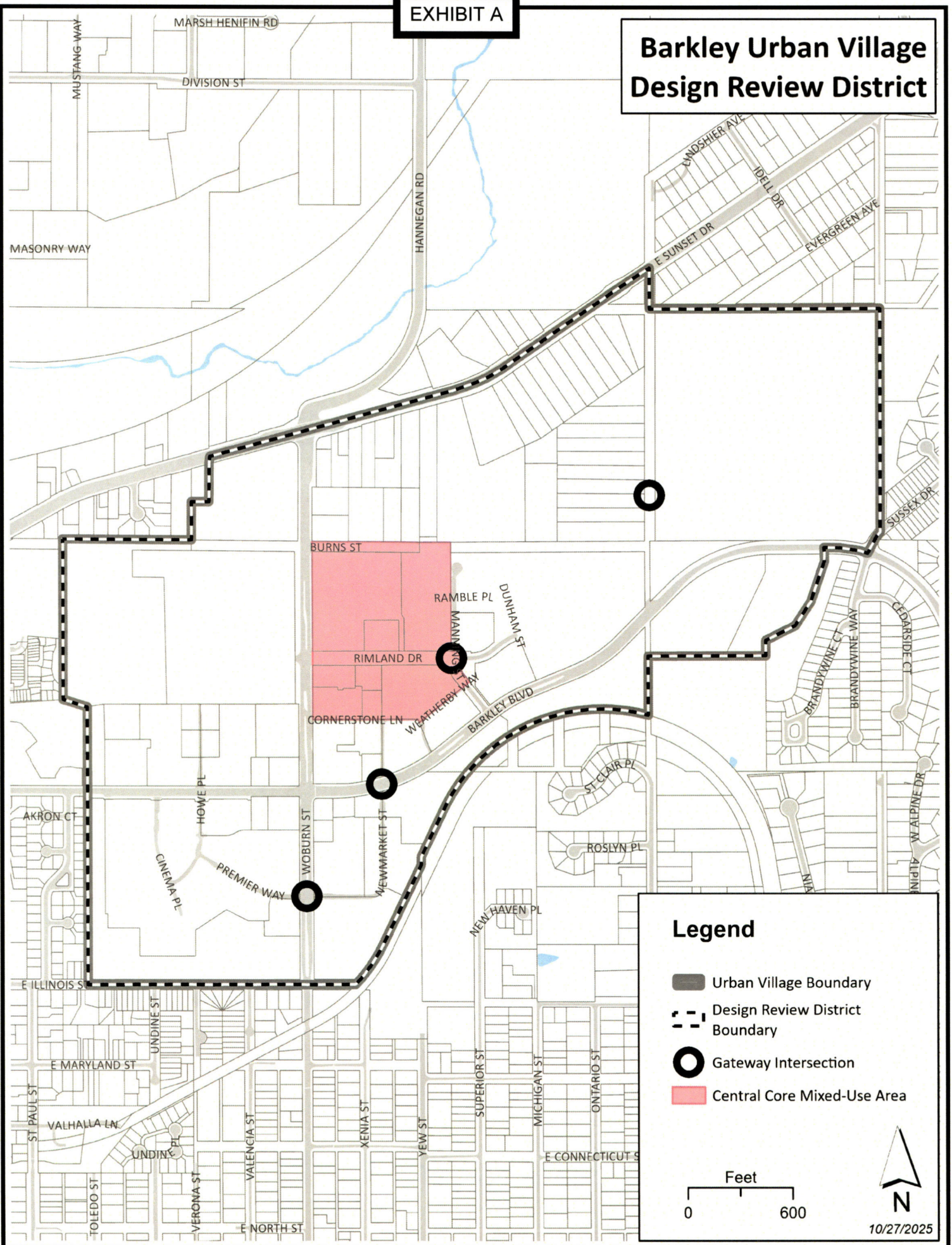
Office of the City Attorney

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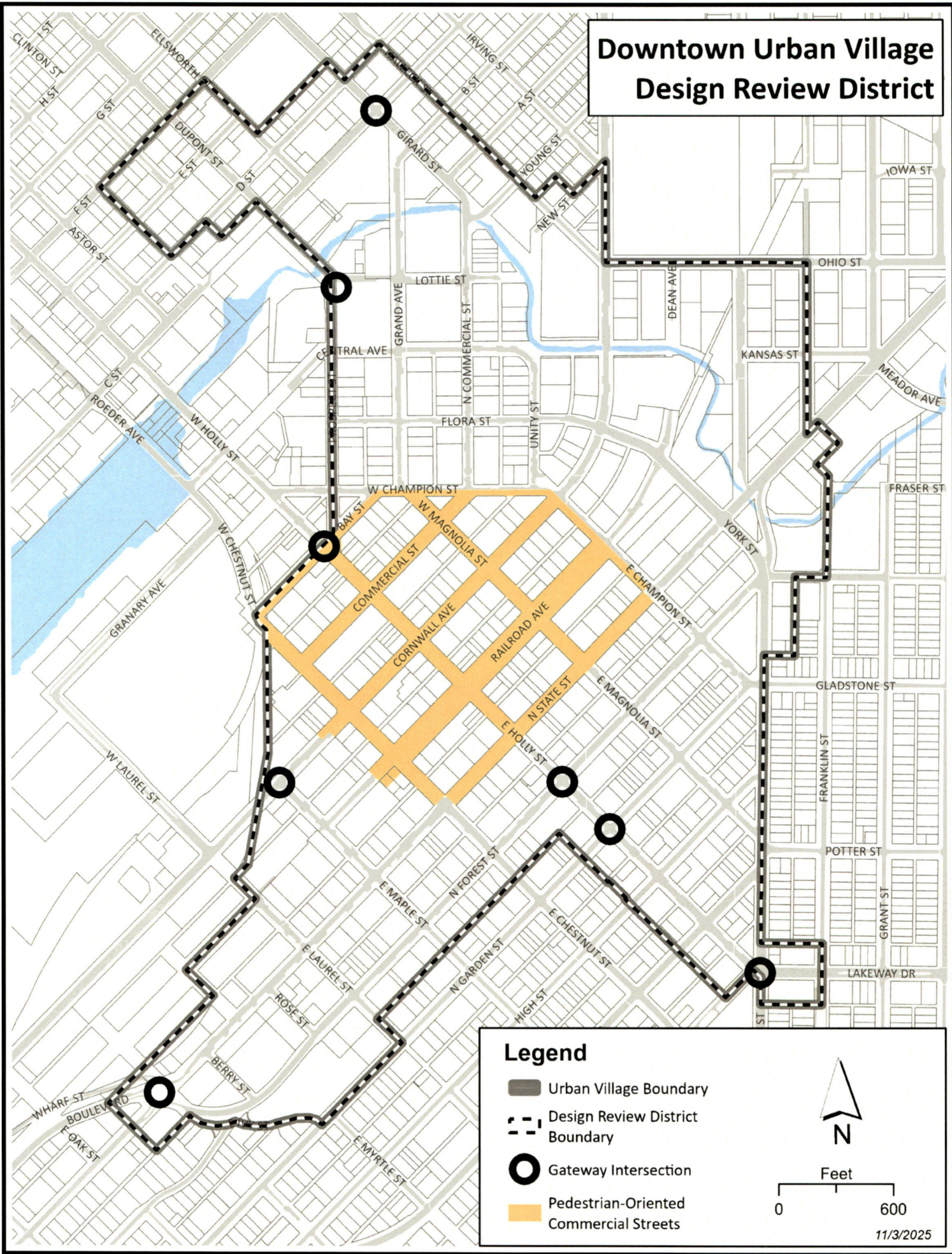
December 12, 2025

EXHIBIT A

Barkley Urban Village
Design Review District



Downtown Urban Village Design Review District



Legend

- Urban Village Boundary
- Design Review District Boundary
- Gateway Intersection
- Pedestrian-Oriented Commercial Streets



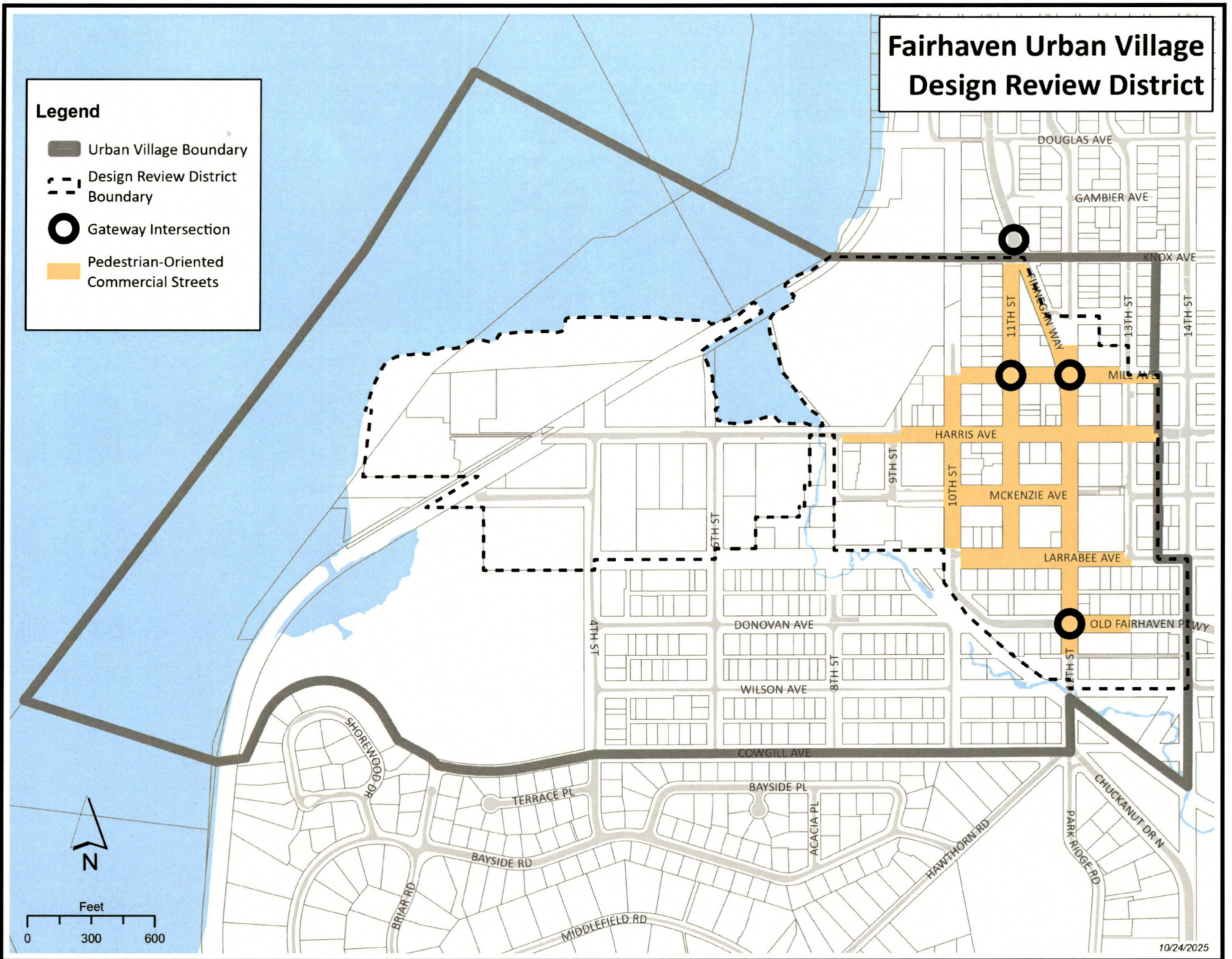
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11/3/2025

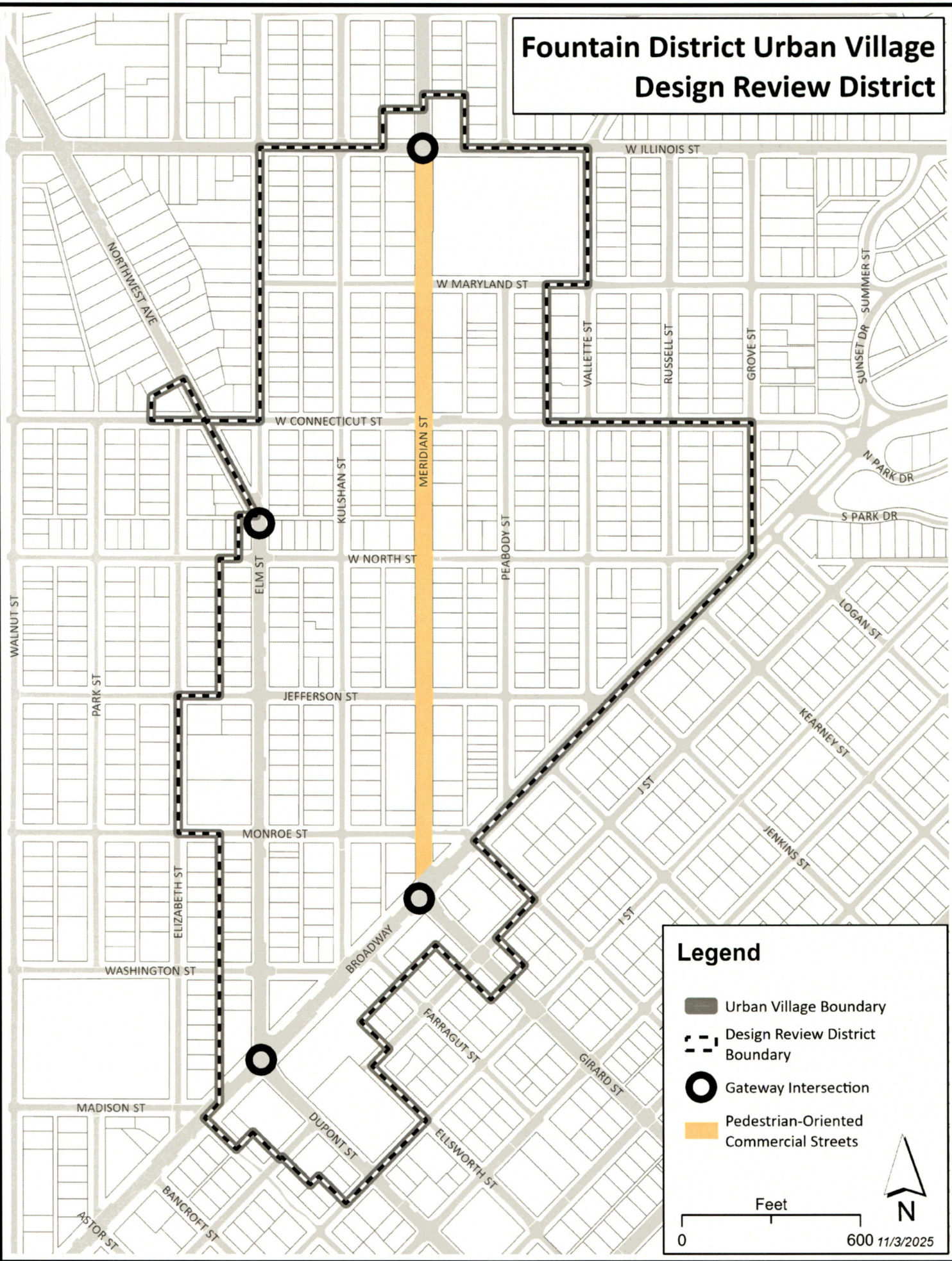
Fairhaven Urban Village Design Review District

Legend

- Urban Village Boundary
- Design Review District Boundary
- Gateway Intersection
- Pedestrian-Oriented Commercial Streets



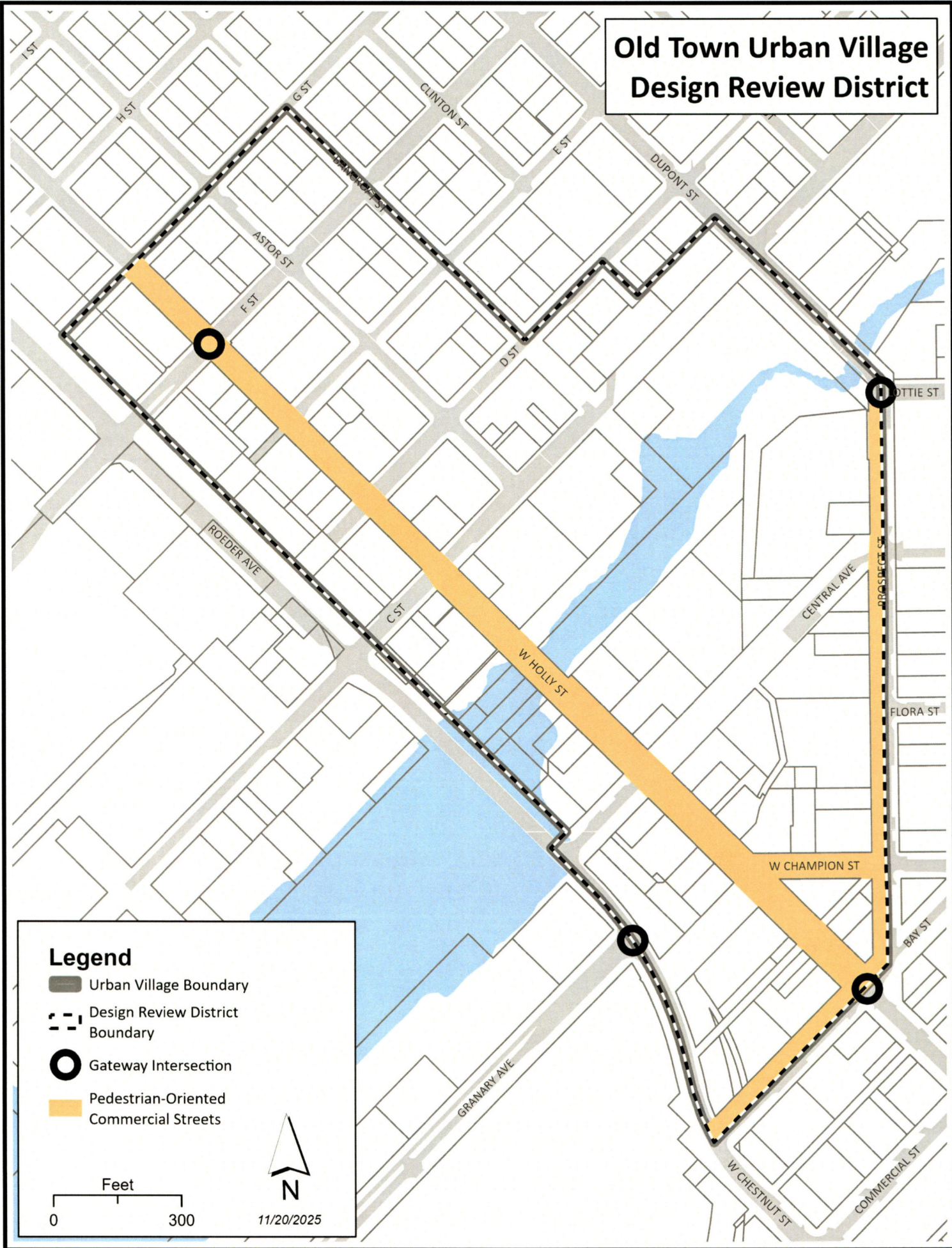
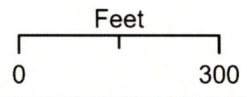
Fountain District Urban Village Design Review District



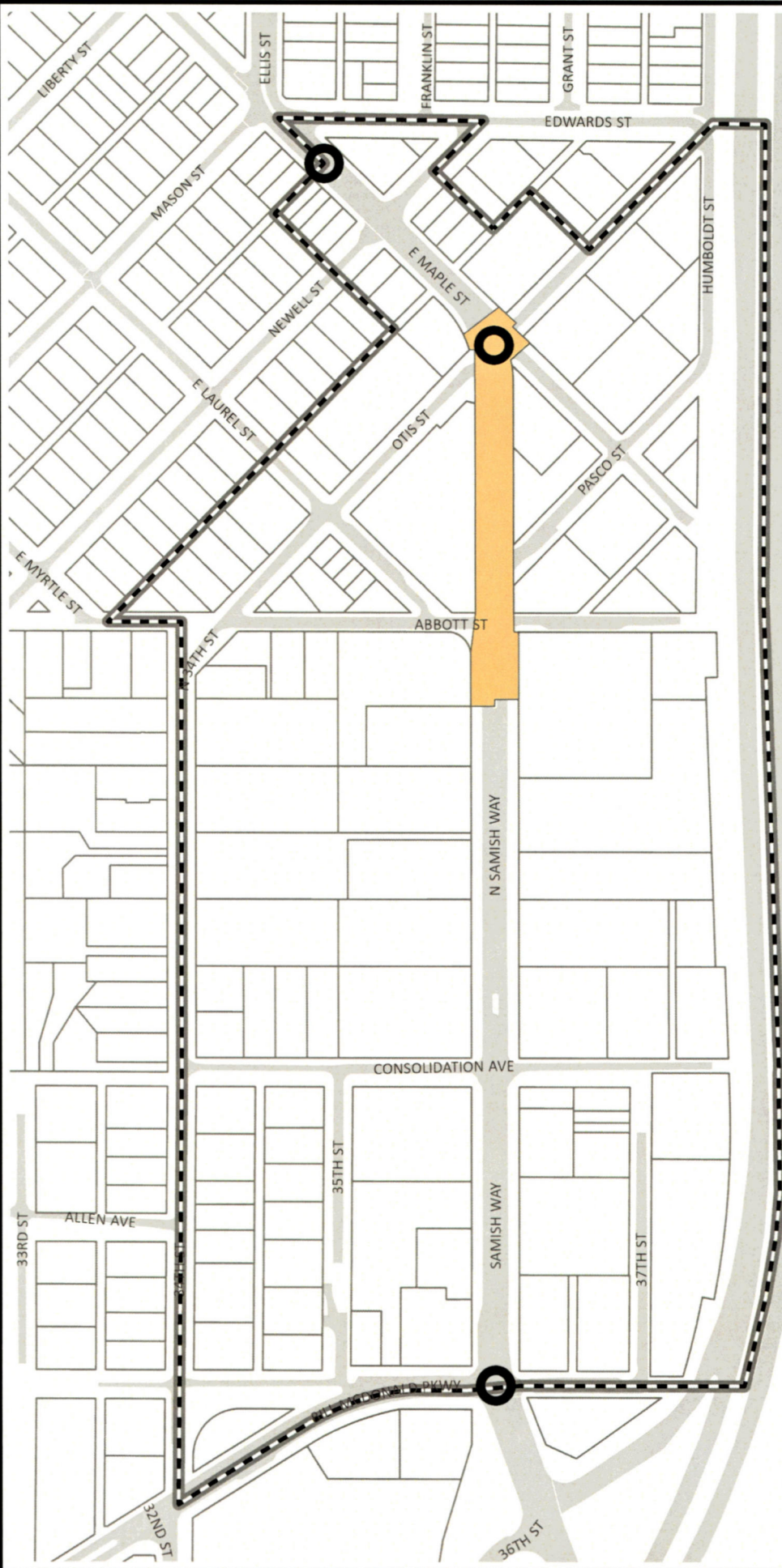
Old Town Urban Village Design Review District

Legend

- Urban Village Boundary
- Design Review District Boundary
- Gateway Intersection
- Pedestrian-Oriented Commercial Streets

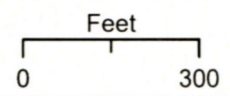


Samish Urban Village Design Review District



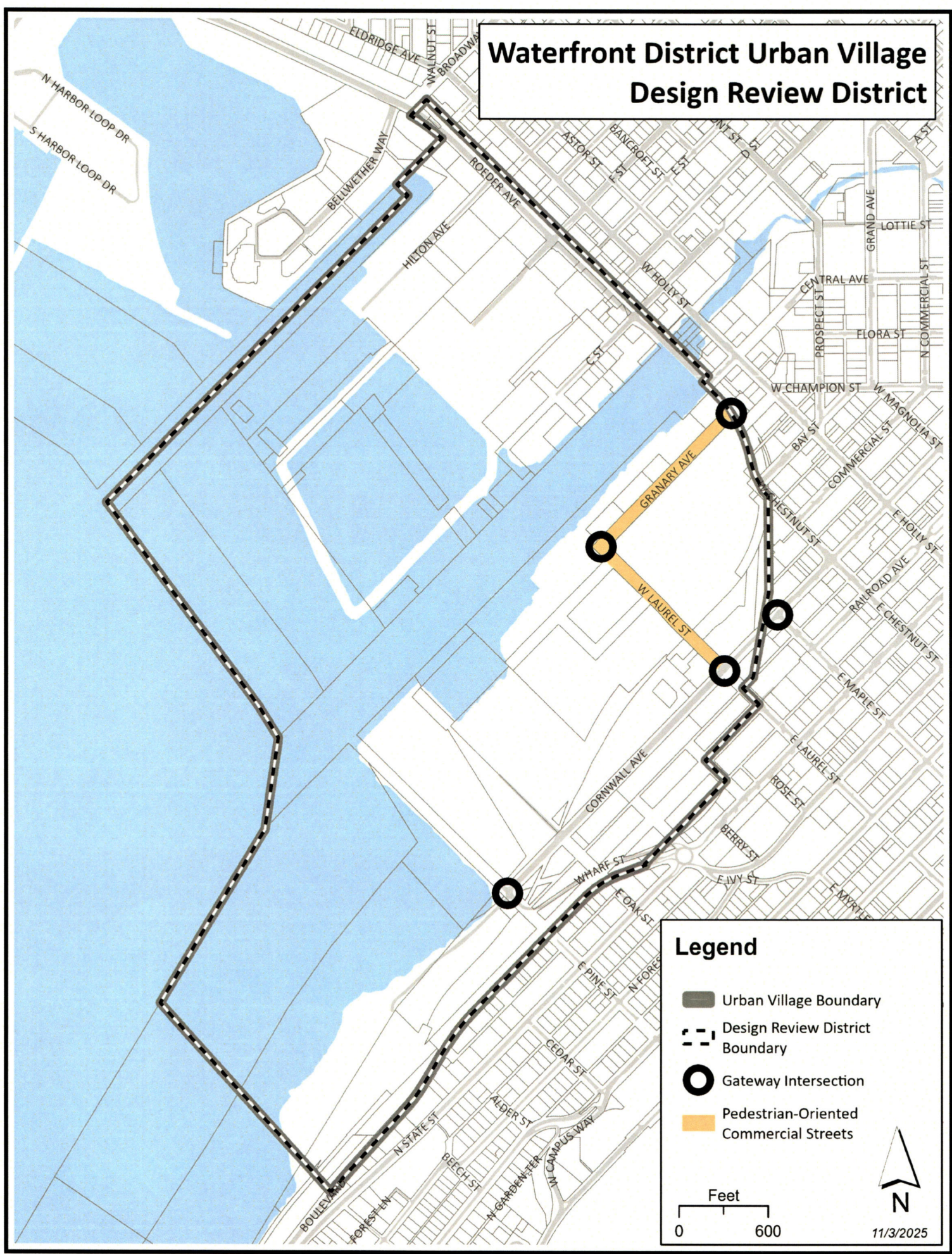
Legend

- Urban Village Boundary
- Design Review District Boundary
- Gateway Intersection
- Pedestrian-Oriented Commercial Streets



11/18/2025

Waterfront District Urban Village Design Review District



Legend

- Urban Village Boundary
- Design Review District Boundary
- Gateway Intersection
- Pedestrian-Oriented Commercial Streets

Feet
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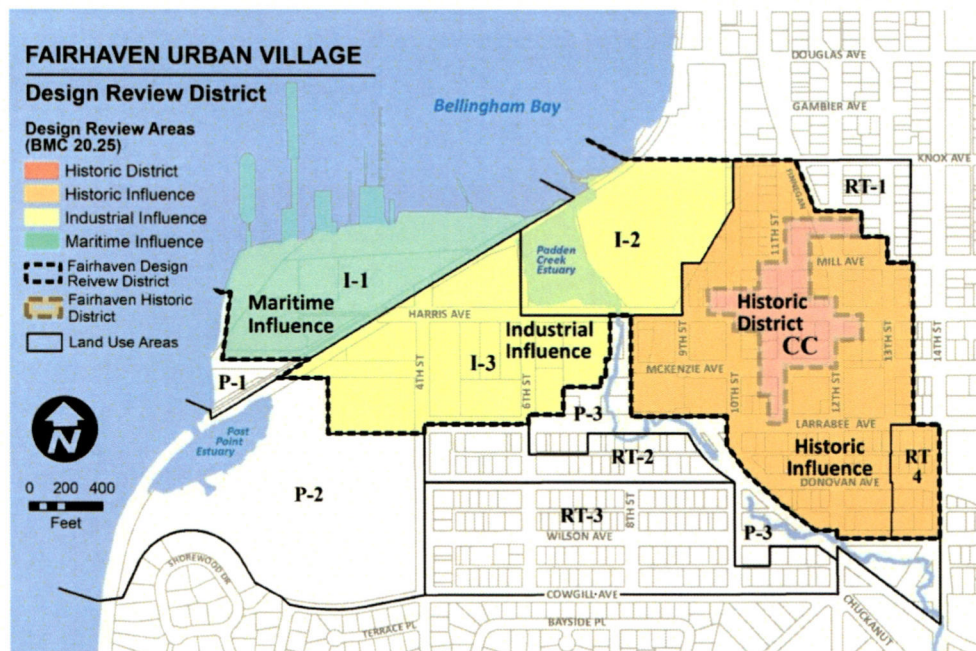
11/3/2025

Exhibit B - Fairhaven Historic District and Historic Influence Design Review Area Standards.

A. Applicability.

The design standards in this exhibit are in addition to those in Tables 1, 2, and 3 of this ordinance and are only applicable in the historic district (HD) and historic influence (HI) design review areas (DRA) of the Fairhaven Urban Village shown below in Figure A1. Should the design standards in this exhibit conflict with any other design standard(s) in this ordinance, the design standards in this exhibit shall apply.

Figure A1:



B. Site Design.

1. A building on a through-lot property (one that fronts more than one street) shall have an entry on both streets.
 2. No more than 25 percent of a building front shall be set back from the sidewalk edge to maintain the continuity of the commercial street wall.
 3. When a development encompasses a site of 200 feet by 200 feet or larger, pedestrian walkways shall be provided through the property and connect to adjacent alleys, public sidewalks, streets, trails and/or other pedestrian walkways. A walkway shall be open to the sky and no less than 15 feet wide.
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C. Building Design.

1. The minimum height for new development in the commercial core of the Fairhaven Urban Village is two stories.
2. Floor-to-floor height minimums are outlined below in Table C2. Floor-to-floor height minimums are not required in areas that have a 35-foot height limit.

Table C2 Minimum Required Floor-to-Floor Heights:

	In, abutting, and across the right-of-way from historic district DRA
First Floor Retail	Minimum 14' floor-to-floor
Upper Story Office	Minimum 12' floor-to-floor
Upper Story Residential	Minimum 10' floor-to-floor
Parapet	2' – 4' (taller parapet is allowed for rooftop use, green roofs, solar installations, etc.)

3. In, abutting, and across the right-of-way from the HD DRA, street level transparency shall extend a minimum of 10 feet to the top the window or door header. This height minimum may include a transom window.
 4. In, abutting, and across the right-of-way from the HD DRA, a minimum of 70 percent of the commercial building wall between two feet and eight feet above the sidewalk and facing a street shall be transparent. In all other DRAs, a minimum of 60 percent transparency is required.
 5. Floor heights shall be differentiated between the street level and upper levels by using a belt course, changes in materials, changes in window size/shape, and/or first floor columns integrated into the building.
 6. Buildings in, abutting, and across the right-of-way from the HD DRA shall have upper story windows that are at least twice as tall as they are wide.
 7. Windows on buildings in, abutting, and across the public right-of-way from the HD DRA shall be set back a minimum of 2 inches from the exterior building wall to create relief and prevent “flat-faced” two-dimensional walls.
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8. Multi-story buildings in, abutting, and across the right-of-way from the HD DRA shall have a base, middle, and cap. The "base" is the portion of the building that meets the ground (minimum ground floor) and shall contain a higher percentage of transparency than the "middle". The "middle" is located between the "base" and the "cap" and shall include a change in building materials and/or different sized or spaced windows from the "base". The "cap" is where the building meets the sky and shall include a cornice or reveal line at the roof.
 9. In, abutting, and across the right-of-way from the HD DRA, roofs shall be flat.
 10. Building materials in, abutting, and across the right-of-way from the HD DRA shall be brick or stone. Stucco, wood and metal may be used for architectural building details.
 11. Aluminum, vinyl, and plastic siding are prohibited for new construction in, abutting, or across the right-of-way from the HD DRA.
 12. Mirrored glass shall not be used.
 13. In, abutting, and across the right-of-way from the HD DRA, shed-shaped (single-slope) awnings are required.
 14. In, abutting, and across the right-of-way from the HD DRA, awning materials shall be limited to metal or fabric.
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