
AN ORDINANCE OF THE CITY OF FERNDALE, WASHINGTON, ADOPTING A NEW CHAPTER (18.47) OF THE FERNDALE MUNICIPAL CODE PERTAINING TO THE BUILDING AND SITE DESIGN STANDARDS FOR DEVELOPMENTS IN DOWNTOWN FERNDALE WITHIN THE UR AND CC ZONES.

WHEREAS, the City Goals within the Comprehensive Plan call for clear regulations to be adopted for development in urban areas to maintain the character of the community, preserve beautiful vistas, a small town atmosphere, and promote pedestrian scale commercial development within the downtown area; and

WHEREAS, the City's existing zoning code contains few standards to help to create a pedestrian scale development in the downtown area; and

WHEREAS, in response to such concerns, the Planning Commission formed the Urban Design Committee to draft a citizen-inspired ordinance including design standards that will foster the pedestrian scale environment envisioned; and

WHEREAS, such Urban Design Committee furthermore established a citizen's advisory committee which held several meetings, the result of such was a preliminary draft ordinance pertaining to the Building and Site guidelines for Downtown Ferndale, including performance standards for all properties within the UR and CC zones; and

WHEREAS, the Planning Commission advertised and held a public workshop on July 26, 2006 to solicit interest and comments on a preliminary draft ordinance containing such proposed new regulations; and

WHEREAS, the Planning Commission advertised and held a public hearing on August 23, 2006 to formally gather testimony in response to a final draft ordinance containing such proposed new regulations; and

WHEREAS, the Planning Commission unanimously voted to adopt the Draft Guidelines and Standards with staff recommendations; and

WHEREAS, the City Council believes that the public interest would be best served, consistent with the Comprehensive Plan if Chapter 18.47 were adopted;

NOW THEREFORE, the Ferndale City Council does hereby adopt the following Chapter 18.47 Ferndale Municipal Code:

CHAPTER 18.47
DOWNTOWN ARCHITECTURAL AND SITE DESIGN STANDARDS

18.47.010	Purpose
18.47.020	Applicability
18.47.030	Procedure
18.47.040	Architectural Design
18.47.050	Site Design
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18.47.010 PURPOSE

The purpose of these guidelines and regulations are to:

- A. Implement the vision of the Riverview Plaza and Trail Plan;
- B. Ensure that community values, expressed through public participation, regarding built and natural environments are embodied in new developments;
- C. Protect the public welfare by reducing the negative aesthetic impacts of building designs at the time of development review by establishing minimum requirements for architectural and site design features that promote the pedestrian scale of the downtown core area;
- D. Encourage a safe and comfortable pedestrian-scale living, working, and recreational environment that encourages imagination, innovation, and variety in attractive and functional design from developers;
- E. Foster community pride in the downtown, protect public and private investments, stimulate economic activity, and stimulate the visual senses of citizens and visitors;
- F. Ensure that development in the downtown area is compatible with Ferndale's small-town character, historical heritage and tradition, and unique sense of place through a consistent and coordinated approach to architectural design;
- G. Preserve the character and quality of Downtown by maintaining the integrity of those areas that have special character and or significance;
- H. Provide design direction to applicants, designers and decision makers, while not substantially adding to the development permitting process time frame;
- I. Provide an opportunity for the exchange of design ideas and approaches between City staff and developers so that a flexible application of design standards may be permitted when consistent with the guidelines provided herein;
- J. Facilitate an expeditious project review process for applicants, helping them to anticipate design issues and to propose design solutions at the earliest possible stage in a project's development.

18.47.020 APPLICABILITY

The following development is subject to the requirements of this section in addition to compliance with all other City requirements:

- A. This Chapter shall apply to all areas within the UR and CC zones.
- B. Architectural Design Standards
 1. New construction located in the CC or UR zones requiring a Site Plan Review process, in the judgment of the zoning administrator. (Increases floor area by 10% or more, increases traffic or parking impacts, or creates other measurable impacts)
 2. A change in use that would require that a Site Plan Review be conducted, in the judgment of the zoning administrator.
 3. Additions, repairs, or remodeling projects for structures where the value of such exceeds 10% of the value of the existing structure. A commercial appraisal of the existing structure and construction estimate for the proposed work, prepared by a qualified consultant, shall be completed and submitted to the City at the cost of the developer when determined necessary by the City to determine whether the requirements of this Chapter apply.
 4. For the purposes of calculating the value of the new improvements, only improvements requiring a building permit shall be counted in the valuation.
- C. Site Design Standards
 1. New construction located in the CC or UR zones requiring a Site Plan Review process, in the judgment of the zoning administrator. (Increases floor area by 10% or more, increases traffic or parking impacts, or creates other measurable impacts)
 2. A change in use that would require that a Site Plan Review be conducted, in the judgment of the zoning administrator.
 3. Additions, repairs, or remodeling projects for structures on Class A streets where the value of such exceeds 25% of the value of the existing structure. Improvements required under 18.47.020(A) shall not be counted towards this calculation. A commercial appraisal of the existing structure and construction estimate for the proposed work, prepared by a qualified consultant, shall be completed and submitted to the City at the cost of the developer when determined necessary by the City to determine whether the requirements of this Chapter apply.
 4. Additions, repairs, or remodeling projects for structures on Class B streets where the value of such exceeds 50% of the value of the existing structure. Improvements required under 18.47.020(A) shall not be counted towards this calculation. A commercial appraisal of the existing structure and construction estimate for the proposed work, prepared by a qualified consultant, shall be completed and submitted to the City at the cost of the developer when

determined necessary by the City to determine whether the requirements of this Chapter apply.

5. For the purposes of calculating the value of the new improvements, only improvements requiring a building permit shall be counted in the valuation.

18.47.030 PROCEDURE

- A. The standards and guidelines in this Chapter are to be used first as a design aid by developers proposing commercial developments in the downtown core area and, second, as an evaluation tool for the City of Ferndale. These guidelines and standards apply to all developments as outlined by the "Applicability" section of this Chapter, and are processed according to the requirements of the City Zoning Code and Building Permit process.
- B. Staff shall develop and maintain a Downtown Design Manual, containing explanatory exhibits and visuals to assist staff and developers in interpreting the provisions of this Chapter. Such manual shall be made available for public viewing at the office of the City of Ferndale Planning Department. Where inconsistency between the requirements of this Chapter and the Design Manual exists, the provisions of this Chapter shall prevail.
- C. The "Guidelines" and illustrative exhibits are not intended to be construed as standards themselves, but are provided in order to guide planners, design consultants, developers and City staff about the design objectives. The "Standards" in this Chapter are mandatory. These guidelines and standards are to be used in conjunction with the development criteria of the Ferndale Municipal Code (FMC) Titles 15, 16, 17, 18, and all other adopted standards and regulations.
- D. In order for City staff to review developments as to their compliance with this Chapter, it shall be a requirement of the applicant to provide the following information, above and beyond the requirements for a typical Site Plan Review submittal, to the City as part of the development review application:
 1. Color Elevations, illustrating and labeling all materials to be utilized
 2. Materials Sample Board or exhibit
 3. Photographs, computer simulations, and 3-dimensional computer models or animations, if determined by staff to be necessary to ensure that the development complies with the guidelines and standards in this Chapter.
- E. Where interpretation may be necessary of any of the standards in this Chapter, the Zoning Administrator shall have the authority to make interpretations and authorize modifications or deviations from the strict requirements of this Chapter, when found to be in compliance with the guideline(s) listed in the applicable section and the Purpose of this Chapter.

- F. Where the Zoning Administrator finds that deviations do not comply with the standards and have not been interpreted to meet the guidelines under the applicable section of this Chapter, the Hearing Examiner is empowered to grant variances to the provisions in this Chapter in accordance with the standard variance procedure found in Chapter 18 FMC, provided the Purpose of this Chapter is upheld and the standard variance criteria can be met.

18.47.040 ARCHITECTURAL DESIGN

A. Era/Style of Architecture

1. GUIDELINES:

- a. The types of architectural features found on many early 1900s commercial buildings have been determined to foster the pedestrian scale environment desired for the downtown area (CC and UR zones). Those architectural features should be incorporated into development and redevelopment of structures in this area of the City. It is not, however, the intent of these guidelines and standards to require buildings to be built within a theme specific to that historical era. New interpretations of traditional building styles are encouraged, provided they contain the pedestrian-scale architectural design features contained within these standards.
- b. While a single historical architectural style is not required for new development, a building's style shall be consistent throughout; details from different eras and inconsistent styles should not be mixed on a single building.

B. Distinction and Definition of each Floor

1. GUIDELINE:

Multi-story buildings should be designed to accommodate a pedestrian scale by providing a sense of “base”, “middle” (where applicable), and “top”.

2. STANDARDS:

- a. Ground-level facades along public streets or alleys shall be given a “stronger” appearance than upper floors. Distinction of ground-level facades from other floors shall occur by incorporating a minimum of 2 of the following features:
 - 1. Color change
 - 2. Texture change
 - 3. Material module change

- b. All ground-level facades of any building having frontage on a Class A streets shall be constructed of high-quality, durable, weather resistant materials such as stone, masonry, or decorative concrete.
- c. Ground floor ceiling height shall be taller than upper stories to reflect a historical pattern of construction and to emphasize the ground floor as the “base” of the buildings. Ground floor ceiling heights shall be a minimum of 10 feet.
- d. Middle floors of the building shall be made distinct from the ground floor by a change in material or color, window treatment, incorporation of balconies, stepbacks, and signage.
- e. Horizontal moldings, belt courses, or other features shall be utilized to create visual separation between each story of the building. Alignment of horizontal moldings shall be considered and relate to the moldings of adjacent building facades that are consistent with these standards, where feasible.
- f. The top of the building shall emphasize a prominent edge when viewed against the sky, utilizing elements such as projecting parapets, cornices, upper level stepbacks, or pitched rooflines.

C. Modulation of Building Facades

1. GUIDELINE:

Building facades should be modulated in a manner that ensures that no blank walls are visible to the public.

2. STANDARDS:

- a. Modulation of building facades visible to public spaces or paths, or visible from residential areas shall occur horizontally in no more than 25-foot increments to reflect historical platting/building construction methods. Modulation shall be provided through the incorporation of a minimum of 2 of the following elements:
 - 1. Color change
 - 2. Texture change
 - 3. Material module change
 - 4. Wall plane change such as an offset, reveal, or projecting rib, where the expression of architectural or structural bay is created through a change in plane no less than one (1) foot, such as an offset, reveal, or projecting rib.

- b. Walls 25 feet or more in length facing streets or alleys or visible from residential areas where windows are not provided shall provide architectural treatment through:
 - 1. The use of elements such as false windows, trim and framing designed to create the appearance of windows similar to those required on street-facing facades.
 - 2. An architectural element not listed above, as approved by the Zoning Administrator, that ensures the intent of this standard is met.

D. Rooflines

1. GUIDELINE:

Rooflines should present a distinct profile and appearance for the building.

2. STANDARDS:

- a. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs and roof top equipment (such as HVAC units) from public view out to the site perimeter. Alternating lengths and designs may be acceptable.
- b. Rooflines shall be varied with a change in height every 25 linear feet in the building length utilizing methods as follows:
 - 1. Vertical offset in ridge line
 - 2. Horizontal offset in ridge line
 - 3. Variations in roof pitch
 - 4. Gables
 - 5. Dormers
 - 6. Peaked roof forms
 - 7. Cupolas
 - 8. Towers
 - 9. Parapets
 - 10. An architectural element not listed above, as approved by the Zoning Administrator, that ensures the intent of this standard is met.
- c. The use of detail features such as cornices, moldings, stepped parapets, or other similar features that add texture and relief to the upper-most portion of the roofline shall be incorporated into all such rooflines.

E. Detail Features

1. GUIDELINE:

A variety of architectural treatments and detail features should be utilized in buildings to articulate the façade in order to help reduce massing, create visual interest, and foster a pedestrian scale in character with the downtown area.

2. **STANDARDS:**

a. To further accentuate the pedestrian scale of building facades in the downtown area, visual relief in the form of architectural details shall be incorporated into the building design. Each building façade shall contain a minimum of 4 of the following detail features:

1. Arches
2. Pilasters
3. Columns, Plinths, or supports
4. Balustrades
5. Door surrounds and top pieces
6. Kickplate for storefront window
7. Roof brackets
8. Medallions
9. Corbels
10. Tilework
11. Lighting or hanging baskets supported by ornamental brackets
12. Integrated planters or wing walls with landscape and sitting areas
13. Pedestrian scale sign or sign painted on windows
14. An architectural element not listed above, as approved by the Zoning Administrator, consistent with the intent of these standards

F. Building Entrances

1. **GUIDELINE:**

Building entrances should be emphasized within the context of each building and be designed so as to be prominent focal points along the streetscape. Entrances should enhance the visual quality of buildings and be designed to enhance pedestrian scale in the downtown area.

2. **STANDARDS:**

a. Buildings shall have a clearly defined primary entrance marked by at least one (1) element from each of the following groups:

1. Group A
 - A. Recess
 - B. Overhang
 - C. Canopy
 - D. Portico

- E. An architectural element not listed above, as approved by the Zoning Administrator, that ensures the intent of this standard is met.
 - 2. Group B
 - A. Clerestory
 - B. Glass window flanking door
 - C. Ornamental lighting fixtures
 - D. Large entry door
 - E. An architectural element not listed above, as approved by the Zoning Administrator, that ensures the intent of this standard is met.
 - 3. Group C
 - A. Stone, masonry, or tile paving in entry
 - B. Ornamental building name or address
 - C. Pots or planters with flowers
 - D. Seating
 - E. An architectural element not listed above, as approved by the Zoning Administrator, that ensures the intent of this standard is met.
- b. Building entrances shall be located on the street side of the building. Corner buildings shall be designed so as to have a primary entrance facing a Class A Street. Where a building fronts on two Class A streets, entrances shall be provided on both frontages where feasible. If not feasible, Main Street, Vista Drive, and Front Street shall be given the highest priority for entrance locations, and shall contain primary entrance points.
- c. Building entrances shall be separated from entrances on existing adjacent buildings a minimum of 10', as measured from the nearest points of doors, wherever feasible.
- d. If a building does not front on a public street, the entry must be visible from a public street.

G. Corner Locations

1. GUIDELINE:

Corner building locations are places of increased pedestrian activity and gathering. Buildings located on corners at intersecting streets within downtown are places should be architecturally significant within the downtown context and should be visually pronounced along the skyline and on their facades. Corner locations should also offer enhanced pedestrian amenities.

2. STANDARDS:

- a. Buildings located on street intersection corners (not including alleyways) shall be reinforced as pronounced visual focal points by incorporating a minimum of three (3) of the following features. Where these features are otherwise required by City Code or incorporated into the building design, such features shall be enhanced at the corner location:
 1. Alcove and/or corner primary entryway
 2. Towers
 3. Balconies
 4. integrated signage
 5. integrated seating
 6. public art
 7. clock towers
 8. towers or spires
 9. Plazas
 10. Distinctive roof forms
 11. Landscaping
 12. Additional architectural detailing/ornamentation
 13. An architectural element not listed above, as approved by the Zoning Administrator, that ensures the intent of this standard is met.

H. Façade Materials

1. GUIDELINES:

- a. High-quality materials designed for an expected lifespan of 100+ years (such as those used traditionally) are preferred. Brick, stone, and other masonry applications are appropriate for all building façades. Wood and metal are appropriate for window, door, and storefront surrounds.
- b. While no specific colors scheme is required by code, colors should be internally compatible within the context of a single building façade, and compatible with adjacent building façade colors to the greatest extent feasible and when not otherwise inconsistent with this Chapter.

STANDARDS:

- a. The use of wood or vinyl siding materials on ground-level facades along Class A streets is prohibited.
- b. Building materials shall not create excessive glare. Matte, or non-reflective wall finishes are preferred. Polished stone and mirrored glass are prohibited.

- c. New materials may be considered when they relate to those used historically in scale, texture, finish, and detailing. New materials shall have a demonstrated durability in the Ferndale climate.
- d. Masonry shall not be painted.

I. Windows/Fenestration

1. GUIDELINES:

- a. Windows and glazing have the potential to connect the public streetscape with the interior of the buildings. The public should be able to see street-level storefronts, windows, merchandise, and other aspects of business activity. Upper story windows should be architecturally compatible with the overall pedestrian scale of the building and downtown character through the use of appropriate type and size of windows and window placement patterns.
- b. Windows should be architecturally enhanced through framing features that add relief and visual interest to the building façade.
- c. Windows should be oriented with a vertical emphasis in a manner compatible with historical construction.
- d. Transom windows are highly encouraged.

2. STANDARDS:

- a. For ground-floor facades along Class A streets, or in any case where the ground-floor is used or designed for commercial use, display windows shall cover a minimum of 70% of the length of the façade and a minimum of 50% of the total ground-floor façade area where feasible.
- b. For upper-floor facades facing Class A streets, windows shall cover a minimum of 40% of the length of the façade and a minimum of 25% of the total façade area where feasible.
- c. For ground and upper-floor facades along Class B streets, windows shall cover a minimum of 50% of the length of the façade and a minimum of 30% of the total ground-floor façade area.
- d. Windows shall not be darkened at the street level.
- e. Reflective glass is prohibited.

- f. Ground-floor windows shall be inset a minimum of 6” from the exterior wall surface where feasible in order to create visual interest and add to the relief of the building façade.
- g. Windows shall contain trim features designed to accentuate the window frame such as:
 - 1. Window sills
 - 2. Shutters
 - 3. Projecting sills
 - 4. Lintels
 - 5. Molding
 - 6. An architectural element not listed above, as approved by the Zoning Administrator, consistent with the intent of these standards
- h. Window groupings and windowpane patterns shall be sized and spaced regularly and evenly to produce a pedestrian scale rhythm along the building façade.

J. Awnings/Weather Protection

1. GUIDELINE:

Awnings and canopies provide weather protection for pedestrians along the street and encourage business activity in all types of weather. Such features should be incorporated into the downtown streetscape in a manner that is practical, visually pleasing, and integrated into the architecture of the building facades.

2. STANDARDS:

- a. On Class A streets and at corner locations, ground-floor awnings shall be provided above all entrances and along a minimum of 80% of the frontage of commercial buildings.
- b. On Class B streets, awnings shall be provided above all entrances and are encouraged along a minimum of 80% of the frontage of commercial buildings.
- c. Backlit awnings are prohibited unless dark colors encompass at least 75% of the lighted portion of the awning and glare and reflection into the public realm is reduced to the greatest extent practical.
- d. Awnings or canopies shall not interfere with street trees, lighting, or in any other manner regarding the public use of the right-of-way.

- e. Awnings and canopies shall be constructed of high-quality, long-lasting, weather-resistant materials that are architecturally consistent with the building design. Colors shall be compatible with the overall color scheme of the façade, including adjacent buildings where feasible. Solid, darker colors are preferred.
- f. The use of vinyl or plastic for awnings/canopies is prohibited.
- g. The minimum depth of any canopy or awning shall be 5 feet, unless limited by the building code or in conflict with other provisions within these standards.
- h. The vertical dimension between the underside of the canopy or awning shall be at least 8 feet and no more than 12 feet.
- i. Awnings may extend over the walkway from the building's face up to a maximum of 8 feet, but in no case closer than 2 feet from the edge of sidewalk or within any driving lane.
- j. Weather protection features such as awnings and canopies shall be designed in a manner to be architecturally compatible with the building and site.

K. Lighting

1. GUIDELINE:

Lighting should be provided in the downtown area at an appropriate amount so as to provide for pedestrian safety, and accentuate the architectural elements of building facades. Lighting should not be excessive or intrusive in terms of glare produced off-site, within the public right-of-way, or into the night sky.

2. STANDARDS:

- a. Lighting provided on buildings shall be integrated into the architectural details, entryways, signs, and awnings/canopies in a manner so as to enhance the architectural features of the building while provide safety and security.
- b. Lighting shall be shielded from the sky and adjacent properties and structures.
- c. Lighting shall not dominate the façade or street.

L. Fences

1. **GUIDELINE:**
 - a. Fences and walls shall enhance the downtown public space to the greatest degree possible.
 - b. The downtown area should have specific restrictions on fencing, different from those regulations that govern other parts of the City in order to be consistent with the pedestrian-scale and architectural elements of downtown.

2. **STANDARDS:**
 - a. Walls visible from the public ROW shall be constructed of textured concrete masonry units with a graffiti resistant finish, or an approved alternative.
 - b. Fences visible from the public ROW shall be decorative and constructed of coated steel or similar material to resist rust and decay.
 - c. In non-publicly visible areas other fencing materials shall be permitted; however, in no instance shall barbed wire, concertina wire, or razor wire be permitted in any publicly visible location including interior property areas or areas visible from alleyways.
 - d. The following types of fencing materials are prohibited in the CC and UR zone:
 1. Chain Link
 2. Plastic
 3. Barbed wire, concertina wire, or razor wire
 4. Hollow metal tubing smaller than 1” outside diameter
 5. Plywood, chipboard, particleboard, or other engineered wood products
 6. Pipe fittings designed for plumbing or steam fitting
 7. Cast concrete without decorative texture treatment
 8. Plain concrete block without decorative texture treatment
 9. Corrugated or Flat sheet metal
 10. Exposed pressure treated wood with perforations
 - e. Masonry walls shall not be painted.
 - f. Vertically oriented board or pickets located along Class A streets, if not capped, top ends shall be modulated.

M. Signs

1. **GUIDELINE:**

Signs within the downtown area should be regulated so that signs are integrated architecturally into the overall character of the streetscape while still allowing businesses opportunities to express creativity and individualism.

2. STANDARDS:

- a. Signage shall be comprehensively designed with the building so as to be an integral part of the building's architectural style.
- b. Colors, materials, sizes, shapes and lighting of signs shall be compatible with the architecture of the building, and the business it identifies.
- c. Sign materials shall be durable, weather resistant, and easy to maintain
- d. Signs may be mounted on the face of the building so long as the advertising does not detract or overpower the building architecture and scale.
- e. Corporate marketing themes, logos, and colors shall not be a dominant visual feature of the site or building.
- f. The maximum height of freestanding signs in the CC and UR zone is 15 feet in order to keep with the pedestrian scale of the district.
- g. Wall murals and other artwork of noncommercial nature shall be sympathetic to historical and/or local context. Murals shall not become a predominating visual element of the streetscape.
- h. Temporary Freestanding Reader Boards such as those with changeable copy and/or designed to be moved by means of wheels are prohibited in the CC zone. This does not include sandwich board signs.
- i. Illuminated signs within the CC zone are restricted to 75% of the total permitted sign area as allowed in Chapter 18.80 FMC (sign requirements).
- j. Internally illuminated signs shall consist of a dark background color that encompasses a minimum of 75% of the area of the face of the illuminated sign. The applicant shall be responsible for demonstrating compliance with this provision, if in question.
- k. Projecting signs are restricted to a maximum of 20 square feet.

18.47.050 SITE DESIGN:

A. Building Orientation

1. GUIDELINE:

Buildings in the downtown area should be oriented so as to provide for an inviting, active pedestrian corridor.

2. STANDARDS:

- a. Buildings shall be oriented towards the street, not towards the alley or parking area.
- b. Class A Street frontage shall take priority over Class B Street frontage when orienting buildings.
- c. Pedestrian entrances shall provide direct access to the public sidewalk.
- d. Where parcels have multiple frontages, buildings shall be designed with orientation towards both streets as much as feasible.

B. Screening of Mechanical Units, Utilities, and Service Areas

1. GUIDELINE:

Outdoor service areas, mechanical equipment, and utilities should not be visible to the public in the downtown area. Such areas should be intentionally screened and/or integrated into the building design so as to not detract from the character of downtown. Wherever possible, developers are encouraged to locate these areas within the building itself.

2. STANDARDS:

- a. No areas for outdoor storage, trash collection or compaction, loading or other such uses shall be visible from any public street, public sidewalk or internal pedestrian way, except when visibility is exclusively from alleys.
- b. Trash and recycling facilities shall be provided in sizes designed to serve multiple tenants as much as feasible.
- c. Loading docks, truck parking, outdoor storage, utility meters, HVAC and other mechanical equipment, trash collection/compaction, and other service functions shall be designed so that visual and acoustical impacts of these functions are fully contained and out of view from adjacent properties and public streets.

- d. Conduit, meters, vents and other equipment attached to or protruding from the building shall be located on other than the primary façade wherever feasible. Where not feasible, they shall be painted or otherwise screened so as to match surrounding building surfaces.
- e. Outside areas, used on a long-term or regular basis for inventory storage or sale, over-stock, seasonal goods, bulk items and the like shall be located within an area that is permanently screened with walls or fences.
- f. Screening materials and colors shall be compatible in terms of quality and type of materials used for the principal structure.
- g. All mechanical units and service areas shall be screened from public view at the street level.
- h. All screening shall be architecturally compatible with the building served in terms of the type and quality, and color of materials used for screening.
- i. Downspouts or other vertically-oriented utilities shall not be located on primary facades unless no other reasonable alternative exists. When such features are located on any façade adjacent to a sidewalk, alley, or other public area, they shall be screened or painted in a manner so as to blend in with the building façade and not detract from the architectural rhythm.
- j. Air conditioning units and communication equipment such as satellite dishes or similar equipment shall not be located on the primary façade of the structure.
- k. Rooftop equipment such as that used for mechanical, utility, and communication purposes, shall be physically screened so as to not be visible from the street level utilizing extended parapet walls, other roof forms integrated with the architecture of the building, or a similar manner.
- l. All screening shall be architecturally compatible with the overall character of the building.
- m. When rooftop equipment is visible from adjacent developments, additional means of screening shall be required, including painting or screening such equipment in a manner that ensures the equipment blends in with the rooftop as much as practical.

C. Parking and Access

1. GUIDELINE:

The public street frontage should be oriented toward pedestrian access and close contact between the sidewalk and buildings.

2. STANDARDS:

- a. Off-street parking shall not be located between the building and a Class A street.
- b. No more than 25-percent of the required parking shall be located between the building and a Class B street.

3. GUIDELINE:

Curb cuts for access to parking should be limited, and should be shared as much as feasible. Vehicles blocking the sidewalk should be avoided through design.

4. STANDARDS:

- a. No vehicular exits shall be permitted onto Main Street.
- b. Vehicular entrances from Main Street shall be permitted, but shall be limited to a maximum of one per development.
- c. In all instances, parcels that can feasibly be accessed from alleys or Class B Streets shall be designed to avoid any vehicular access to or from Main Street.

5. GUIDELINE:

Drive-up service windows should be limited in the CC and UR zone and where permitted should not obstruct the pedestrian flow on area sidewalks, or disrupt the use of adjacent properties.

6. STANDARDS:

- a. No drive up service windows shall be permitted to have entry or exit onto Main Street.
- b. Drive up service window entrances may be permitted on Class B Street frontage. Drive-up service windows shall minimize to the extent feasible any exits onto Class B streets.
- c. Drive up service window entrances and exits should be accessed through pre-existing public alleys where possible.

- d. All drive-up service window communication devices shall be designed, installed, and maintained to avoid excessive noise impacts on adjacent parcels. Nuisance noise regulation shall apply to their operation.

D. Sidewalks/Pedestrian Connectivity

1. STANDARDS:

- a. Sidewalks shall be provided along all street frontages up to all building entries
- b. Clearly delineated pedestrian walkways are required in parking lots with 10 parking spaces or more. Walkways shall be delineated by means of changes in texture such as stamped concrete, pavers, and/or changes in color, etc. Pedestrian connections to neighboring streets and paths should be developed where possible.

E. Public Outdoor Spaces

1. GUIDELINE

The downtown streetscape should be enhanced to provide amenities for pedestrians within public outdoor spaces.

2. STANDARDS:

- a. Street furniture and accessories shall be added to the public space in relation to the scale of each development project. New construction, tenant improvements in existing buildings, and commercial remodels of existing buildings, shall contribute a fee based on improved and/or constructed building square footage into a Downtown Streetscape Improvement Fund to be managed by the City to install public amenities such as bike racks, benches, art, and trash receptacles.
- b. Public outdoor space such as eating and seating areas, plazas, retail alcoves and inner courtyard spaces are encouraged. Entry alcoves and small outdoor pedestrian spaces may be located between the building and the sidewalk, subject to City code and provided such outdoor spaces do not obstruct pedestrian traffic.
- c. Any building with 10,000 sq ft of commercial/retail space or more shall provide ground-floor public outdoor space at a rate of 20 square feet per 1,000 square feet of floor area devoted to the commercial/retail use.
- d. Public outdoor space shall be visible and accessible to the public.

- e. Plazas, courtyards, and other pedestrian spaces shall include at least 3 of the following:
 - 1. Special interest planting with a wide range of plant materials including perennials and flowering shrubs.
 - 2. Pedestrian scale, bollard, or other accent lighting
 - 3. Special paving, such as colored/stained concrete, brick or other unit pavers.
 - 4. Public art with a valuation of at least one-half of 1% of the total construction cost
 - 5. Seating, such as benches, tables, or low seating walls
 - 6. Water feature
 - 7. Any other feature which reinforces the pedestrian nature of downtown by providing public open space.

- f. Whether required by this code or not, all site furnishings such as benches, tables, and other pedestrian amenities shall meet the following standards:
 - 1. Amenities shall be made of durable, weather-resistant and vandal-resistant materials
 - 2. Amenities shall be consistent with the overall character and appearance of the development
 - 3. Amenities shall not block pedestrian access to main walkways, open space areas, and/or building entrances.
 - 4. Amenities shall be provided at locations such as main pedestrian walkways, building entrances, plazas, open space areas, and other pedestrian areas.

- g. Bike racks shall be provided by for buildings containing more than 10,000 square feet in gross floor area. The number and location of such shall be appropriate to the type of use anticipated and the overall building and site design, as determined by the Zoning Administrator.

- h. Bike racks, where provided, shall be high quality and located in a covered, well-lit, publicly visible area.

18.47.060 SPECIAL PROVISIONS

A. Development adjacent to the River

1. GUIDELINE:

Pedestrian access to the Nooksack River shall be provided wherever possible. Reorientation to the river should also be encouraged for those properties that can take advantage of views through patios, balconies and other amenities facing the river and trail areas.

2. STANDARDS:

- a. New development shall face the river.
- b. Redeveloping properties shall reorient to the river.

B. Floodplain Consideration

1. GUIDELINE:

A significant portion of the CC and UR zones are located within the FEMA 100-year floodplain, and are thus required to be constructed in a manner that may require the lowest habitable floor to be above grade from public sidewalks. In such cases, it is the intent of these standards to relieve such developments from some of the technical requirements at those locations which would otherwise conflict with floodplain regulations, so long as the façade treatments are similar in nature and effect to those that would otherwise be required.

2. STANDARD:

Where underground parking is proposed within the floodplain, entrances shall be located in the rear and accessed by an alley whenever feasible. Corner sites shall not take access from the street where the primary façade is located.

C. Multifamily Development

1. GUIDELINE:

The standards in this Chapter may be relaxed by the Zoning Administrator in the interest of accommodating high-density residential development in the UR zone wherever provisions of this Chapter would conflict with a reasonable design necessary to provide residents of such developments with privacy, particularly in regard to ground-level façade window treatments.

D. Historical Properties & Restoration

1. GUIDELINE:

Restoration and Preservation of historical properties within the downtown area is encouraged. Restoration of existing facades, when the

2. STANDARDS:

- a. Reasonable flexibility of these standards will be applied by the Zoning Administrator to projects proposed by developers desiring to remodel or

rehabilitate buildings and structures on the national, state, or local historic register, when the proposed development is found to be consistent with Guidelines within this Chapter.

- b. Maintenance and minor restoration of existing façades, even if not consistent with these standards, shall not in itself trigger full compliance with this Chapter. The Zoning Administrator may exempt minor repairs or improvements when the nonconformity of the structure is not increased and when the overall appearance of the structure would be more consistent with these guidelines than without the improvement.

18.47.070 DOWNTOWN PERFORMANCE STANDARDS

A. Applicability

All activity within the CC & UR zones is subject to the below guidelines and performance standards, regardless of whether a development permit is required.

B. Maintenance & Repair

1. GUIDELINE:

Owners are encouraged to organize and participate in community-sponsored clean-up and maintenance programs for the downtown area in order to preserve the overall downtown image and ensure lasting quality of the visual appearance of buildings. Coordination of such programs can help foster a positive sense of community among the downtown business owners and their customers. Coordinated timing of such maintenance activities also helps limit the number of individual street and sidewalk closures necessary for such maintenance work, and is thus better for business.

2. STANDARDS:

- a. The owner(s) of buildings are responsible for maintenance and repair in accordance with the following:
 - 1. Streets and alleys (“frontage”) adjacent to each building.
 - A. Clean debris from sidewalks and alleys.
 - B. Keep merchandise from interfering with pedestrian access.
 - C. Clean garbage around dumpsters.
 - D. Keep the sidewalk clean and in good repair.
 - E. Ensure weather stripping is maintained in order to conserve energy.
 - 2. Windows/Doors

- A. Clean debris from all glazing, including upper stories.
 - B. Immediately replace broken glass or repair other damage.
3. Storefronts
- A. Repair damage to any part of building façade.
 - B. Replacement materials must be of the same material type, color, and quality as those that failed. If entire façade is being replaced, new façade shall be consistent with this Chapter.
 - C. Wash building façade when visible signs of debris are present.
 - D. Paint, repaint (except for masonry).
 - E. In the event of non-conforming painted masonry, new paint may be used so long as it is consistent with these standards.
4. Roofs
- A. Clean debris from/repair gutters and downspouts as necessary.
 - B. Patch leaks in the roof.
 - C. Replace deteriorated flashing and/or recaulk as necessary.
5. Awnings/Canopies
- A. Wash fabric awnings regularly
 - B. Replace worn, damaged, or faded fabric awnings.
 - C. Re-secure loose awning hardware
6. Signs
- A. The following standards are above and beyond those found in Chapter 18.80 FMC.
 - B. Replacement of any sign, including copy, shall be done in accordance with the sign standards adopted in this Chapter.
7. Lighting
- Replace burned out bulbs with those containing wattage consistent with these standards, regardless of original bulbs.

b. Administration, Enforcement, and Penalty

The provisions in Chapter 8.08.110 through 8.08.150 (nuisance ordinance) shall be used to enforce the provisions of Maintenance and Repair found within this Chapter.

18.47.080 DEFINITIONS

Articulate: to give emphasis to or distinctly identify a particular element. An articulated façade would be the emphasis of elements on the face of a wall including a change in setback, materials, roof pitch or height.

Building Mass: the building's expanse or bulk and is typically used in reference to structures of considerable size.

Class A Street: As defined in CC and UR zoning standards

Class B Street: As defined in CC and UR zoning standards

Clerestory: A continuous band of windows located just below the ceiling of a generally tall and important space.

Cornice: The molded and projecting horizontal piece at the crown of a building.

Courtyard: An open space enclosed partly or wholly by a building

Dormer: a window set vertically in a gable projecting from a sloping roof.

Downtown: All land within the CC and UR zones, as defined in the City's official zoning map.

Façade: the portion of any exterior elevation on the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building.

Feasible: Capable of being accomplished with a reasonable amount of effort, cost, or other hardship.

Gable: a triangular wall section at the end of a pitched roof, bounded by the two roof slopes.

Hip Roof: roof without gables.

Modulation: A change in plane

Parapet: the portion of a wall that extends above the roofline.

Plaza: An open area usually located near urban buildings and often featuring walkways, trees and shrubs, places to sit, and sometimes shops.

Portico: a porch or walkway with a roof supported by columns, often leading to the entrance to a building.

Public Outdoor Space: An area devoted to the public as an amenity. The space can include covered areas, drinking fountains, sitting benches, etc. It shall not include stored merchandise.

Zoning Administrator: The City Planning and Building Director or authorized designee.

This ordinance shall become effective on October 29, 2006 OR on the sixth day after publication (whichever date is later) as set forth by requirements of state law.

Approved by the City Council and signed by the Mayor this _____ day of _____, 2006.

Jerry Landcastle, Mayor

ATTEST:

Linda Knutson, City Clerk

Publication Date