

APPENDIX A-3: NEIGHBORHOOD MIXED-USE DISCUSSION DRAFT

Title 17C Land Use Standards

Chapter 17C.120 Commercial Zones

[...]

Section 17C.120.030 Characteristics of Commercial Zones

[...]

D. Neighborhood Mixed Use (NMU).

The neighborhood mixed use zoning category may be located in areas with frequent transit and designated ~~as~~ Neighborhood Mini Center, Neighborhood Retail, and General Commercial on the land use plan map of the comprehensive plan. ~~The uses permitted and the development standards are comparable to the neighborhood retail zoning category. New residential development is encouraged in these areas by allowing greater floor area for commercial uses when residential uses are constructed in conjunction with commercial development. The zone allows a wide range and mix of commercial and residential uses, as well as employment uses that have limited off-site impacts. Buildings in this zone will generally be up to four stories tall unless height and floor area bonuses are used, or plan district provisions specify other height limits. Development is intended to be pedestrian-oriented, provide a strong relationship between buildings and sidewalks, and complement the scale of surrounding residentially zoned areas.~~

[...]

Section 17C.120.100 Commercial Zones Primary Uses

[...]

TABLE 17C.120-1 COMMERCIAL ZONE PRIMARY USES	
Use is: P: Permitted N: Not Permitted L: Allowed, but Special Limitations CU: Conditional Use Review Required	NMU (Neighborhood Mixed Use)
Residential Categories	
Group Living [1]	L/CU
Residential Household Living	P [7]
Commercial Categories	
Adult Business	N
Commercial Outdoor Recreation	N
Commercial Parking	P-N
Drive-through Facility	L [4] N
Major Event Entertainment	N
Office	P
Quick Vehicle Servicing	L [5, 7, 10] N
Retail Sales and Service	L[7]

Mini-storage Facilities	N
Vehicle Repair	N
Mobile Food Vending	L[13]
Industrial Categories	
High Impact Uses	N
Industrial Service	N
Manufacturing and Production	L[7, 8, 10]
Railroad Yards	N
Warehouse and Freight Movement	N
Waste-related	N
Wholesale Sales	N
Institutional Categories	
Basic Utilities	P
Colleges	P
Community Service	P
Daycare	P
Medical Centers	P
Parks and Open Areas	P
Religious Institutions	P
Schools	P
Other Categories	
Agriculture	N
Aviation and Surface Passenger Terminals	CU
Detention Facilities	N
Essential Public Facilities	CU
Mining	N
Rail Lines and Utility Corridors	CU
Notes:	
<ul style="list-style-type: none"> • The use categories are described in chapter 17C.190 SMC. • Standards that correspond to the bracketed numbers [] are stated in SMC 17C.120.110. • Specific uses and developments may be subject to the standards in Part 3 of this division, Special Use Standards. 	

[...]

Section 17C.120.110 Limited Use Standards

The paragraphs listed below contain the limitations and correspond with the bracketed [] footnote numbers from Table 17C.120-1.

[...]

4. Drive-through Facility.

This regulation applies to all parts of Table 17C.120-1 that have a [4]. In the O and OR zones, a drive-through facility is permitted only when associated with a drive-through bank. In addition, in the OR zone, for a florist use approved by a special permit, sales of non-alcoholic beverages, and sale of food items not prepared on site, including drive-through sales of such items are allowed as an accessory use at locations situated on principal arterials or a designated state route. Drive-through facilities are subject to the additional standards of SMC 17C.120.290 and SMC 17C.325.

5. Quick Vehicle Servicing.

This regulation applies to all parts of Table 17C.120-1 that have a [5]. Quick vehicle servicing uses are permitted only on sites that have frontage on a principal arterial street. Quick vehicle servicing uses are subject to the additional standards of SMC 17C.120.290.

[...]

7. Required Residential Limitation.

This regulation applies to all parts of Table 17C.120-1 that have a [7]. The limitations are stated in SMC 17C.120.280.

8. Industrial Size Limitation.

This regulation applies to all parts of Table 17C.120-1 that have a [8]. These types of uses are limited in size to assure that they will not dominate the commercial area and to limit their potential impacts on residential and commercial uses. In addition, if the planning director determines that the proposed use will not be able to comply with the off-site impact standards of chapter 17C.220 SMC, the planning director may require documentation that the development will be modified to conform with the standards.

a. Individual uses in the NR and NMU zones are limited to five thousand square feet of floor area per site exclusive of parking area.

b. Individual uses in the CB zone that exceed twenty thousand square feet of floor area per site exclusive of parking area are a conditional use.

c. Individual uses in the GC zone that exceed fifty thousand square feet of floor area per site exclusive of parking area are a conditional use.

[...]

10. Outdoor Activity Limitation.

This regulation applies to all parts of Table 17C.120-1 that have a [10]. Outdoor display, storage or use of industrial equipment, such as tools, equipment, vehicles, products, materials or other objects that are part of or used for the business operation is prohibited.

[...]

13. Mobile Food Vending.

This standard applies to all parts of Table 17C.120-1 that have a [13]. All mobile food vendors shall have a valid mobile food vending license issued pursuant to SMC 10.51.010 Mobile Food Vendors.

Section 17C.120.210 Floor Area Ratio

A. Purpose

Floor area ratios (FARs) regulate the amount of use (the intensity) allowed on a site. FARs provide a

means to match the potential amount of uses with the desired character of the area and the provision of public services. FARs also work with the height and setback standards to control the overall bulk of development.

B. FAR Standard

The floor area ratios are stated in Table 17C.120-2 and apply to all nonresidential development. To determine the allowed gross floor area of all structures allowed on a site, the FAR in the Table 17C.120-2 below is multiplied by the area of the lot. The following are excluded from FAR calculations:

1. Floor area dedicated to parking.
2. Elevators, staircases, escalators and mechanical spaces.
3. Exterior decks, porches and arcades open to the air.
4. Floor area dedicated to public amenities.

Table 17C.120-2 Development Standards [1]	
Standard	NMU (Neighborhood Mixed Use)
<u>Minimum FAR</u>	<u>1.0</u>
Maximum FAR [2]	± <u>No Maximum</u> [3]
<u>Minimum Ground Floor Height</u>	<u>15'</u>
Maximum Height [4]	40 <u>55</u> ft.
Minimum Setback from Street Lot Line [5]	0 ft.
Minimum Setback from R-zoned Lots [6]	10 ft.
Setback from Lot Line abutting an O, OR, NR, NMU, CB, GC, Downtown, CC or I-zoned Lot [6]	0 ft.
Minimum Front Lot Line	10 ft.
Landscaping Required [7]	Yes
Parking Required [8]	Yes
<p>Notes:</p> <p>[1] Plan district or overlay zone standards may supersede these standards.</p> <p>[2] The FAR limits apply to nonresidential development. There is no FAR limit for residential development.</p> <p>[3] See SMC 17C.120.280 for requirements for the provision of residential uses along with new commercial development.</p> <p>[4] See SMC 17C.120.220.</p> <p>[5] When abutting single-family and two-family residential zoning, the minimum structure setback from the street lot line is <u>10 feet</u> the same as the abutting residential zoning district for the first sixty feet from the boundary of the abutting residential zoning district. See SMC</p>	

17C.120.230 for additional standards and exceptions. This does not apply when a zone boundary is within the public right-of-way.

[6] Structure setbacks are measured from the lot line.

[7] This part of the table is for general information purposes only; see chapter 17C.200 SMC, Landscaping and Screening, for the specific standards.

[8] This part of the table is for general information purposes only; see chapter 17C.230 SMC, Parking and Loading, for the specific standards.

[...]

Section 17C.120.220 Height

A. Purpose

The height limits are intended to control the overall scale of buildings. The height limits in the O₇ and NR and ~~NMU~~ zones discourage buildings that visually dominate adjacent residential areas. The height limits in the NMU, OR, CB and GC zones allow for a greater building height that can accommodate the growth intended for high frequency transit corridors, at a scale that generally reflects Spokane's commercial areas while relating to the low- to mid-rise scale of neighborhood residential areas. Light, air and the potential for privacy are intended to be preserved in single-family residential zones that are close to commercial zones.

B. Height Standards

The height standards for all structures are stated in Table 17C.120-2. Exceptions to the maximum height standard are stated below.

1. Maximum Height.

Exceptions to the maximum structure height are designated on the official zoning map by a dash and a height listed after the zone map symbol (i.e., CB-150). Changes to the height limits require a rezone. Height limits are thirty-five feet, forty feet, fifty-five feet, seventy feet or one hundred fifty feet depending on location.

2. Buildings and structures over fifty feet in height must follow the design, setback and dimensional standards found in chapter 17C.250 SMC, Tall Building Standards.

3. Adjacent to Single-family and Two-family Residential Zones.

To provide a gradual transition and enhance the compatibility between the more intensive commercial zones and adjacent single-family and two-family residential zones:

a. For all development within one hundred fifty feet of any single-family or two-family residential zone the maximum building height is as follows:

i. Starting at a height of thirty feet at the residential zone boundary additional building height may be added at a ratio of 1 to 2 (one foot of additional building height for every two feet of additional horizontal distance from the closest single-family or two-family residential zone). The building height transition requirement ends one hundred fifty feet from the single-family or two-family residential zone and then full building height allowed in the zone applies.

[...]

Section 17C.120.230 Setbacks and Sidewalks

A. Purpose.

The required structure setbacks promote streetscapes that are consistent with the desired character of the different commercial zones. The setback requirements for areas that abut single-family residential zones promote commercial development that will maintain light, air and the potential for privacy for adjacent single-family residential zones. The sidewalk standards provide a continuous, safe, and consistent street frontage character along the street right-of-way.

B. Setback and Required Sidewalk Width Standards.

The setback standards for all structures are stated in Table 17C.120-2 and as stated below.

1. Structures shall be no closer than twelve feet from the back of the curb except as provided in subsection (B)(3) of this section.
2. Sidewalks are required to be constructed and shall be at least twelve feet wide and consist of a clear walking path at least seven feet wide (in addition to planting zone for street trees per SMC 17C.200.050). Part of the sidewalk width may be located on private property. The sidewalk dimension shall be measured from back of curb to building facades or parking lot screening.
3. The required sidewalk width may be reduced by approval of the planning director if the existing sidewalk (distance between the curb and the building) is less than twelve feet wide between the back of curb and the existing building setback line of adjacent building(s). In no case shall the setback be reduced below nine feet from the back of the curb unless on-street parking exists between the building and the street.
4. Unless otherwise required or where larger plaza areas are provided, sidewalk paving material shall be concrete, two-foot grid, standard sidewalk color, and float finish.
5. Pervious concrete may be used in the design and construction of sidewalks, where feasible.

[...]

Section 17C.120.260 Pedestrian Standards

A. Purpose.

The pedestrian standards encourage a safe, attractive and usable pedestrian circulation system. They ensure a direct pedestrian connection between the street and buildings on a site.

B. Pedestrian Connection Implementation.

1. Connections.

Within parking lots containing more than thirty stalls, clearly defined pedestrian connections shall be provided:

- a. between a public right-of-way and building entrances;
- b. between parking lots and building entrances.

2. Width.

Pedestrian connections shall not be less than five feet wide.

3. Materials.

Pedestrian connections shall be clearly defined by at least two of the following:

- a. Six-inch vertical curb.
- b. Textured paving, including across vehicular lanes.
- c. A continuous landscape area at a minimum of three feet wide on at least one side of the walkway.
- d. Trellis.
- e. Special railing.
- f. Bollards.
- g. Special paving.
- h. Low seat wall and/or other architectural features.

4. Landscaping.

Pedestrian connections can be counted toward the amount of required landscaping.

Requirements for landscaping are stated in chapter 17C.200 SMC, Landscaping and Screening.

[...]

Section 17C.120.270 Outdoor Activities

A. Purpose:

The standards of this section are intended to assure that outdoor sales, display, storage and work activities:

1. will be consistent with the desired character of the zone;
2. will not be a detriment to the overall appearance of a commercial area;
3. will not have adverse impacts on adjacent properties, especially those zoned residential; and
4. will not have an adverse impact on the environment.

B. Outdoor Sales and Display Areas

1. Outdoor sales and display areas are not permitted in the O and OR zones.
2. Outdoor sales, ~~outdoor and display areas, and accessory sales~~ are ~~permitted prohibited~~ in the NR and NMU zones ~~except for the accessory sales of fruits, vegetables and plants.~~
3. Outdoor sales and display areas in NR and NMU zones are limited to ten percent of lot area or one thousand square feet, whichever is less.
4. Outdoor sales and display areas are permitted in the CB and GC zones except for uses in the industrial categories.
5. There is no limitation on the size of a permitted outdoor sales and display areas in CB and GC zones.

6. Mobile food vendors as defined and licensed pursuant to SMC Title 10 shall not be considered “outdoor sales” or “display” for the purposes of SMC 17C.120.270.

C. Outdoor Storage Areas

1. Outdoor storage areas are not permitted in the O and OR zones.
2. Outdoor storage areas in NR and NMU zones are not allowed within 60-feet of the front lot line and within 30-feet of a side street for corner lots. Outdoor storage areas are limited to forty percent of lot area or one thousand five hundred square feet, whichever is less.
3. Outdoor storage areas are permitted in the CB and GC zones except for uses in the industrial categories.
4. There is no limitation on the size of a permitted outdoor storage area in CB and GC zones.

D. Outdoor Activities Location

Where permitted, the following outdoor activities shall be located at least fifty feet from a residentially zoned lot:

1. Outdoor sales and/or service of food or beverages.
2. Outdoor storage.
3. Outdoor loading berths.
4. Outdoor work activities including the sales of motor vehicle fuels and car washes, when these uses are allowed.

[...]

Section 17C.120.280 Additional Requirements in the NMU Zone

A. Purpose.

These standards encourage new mixed-use and residential development in the NMU zone when substantial new development occurs in these areas.

B. Applicability.

The standards of this section apply in the NMU zone.

C. New Development.

Up to ~~ten~~ thirty thousand square feet of new nonresidential development is allowed outright per site without any required residential uses. ~~Where new nonresidential development exceeds ten~~ thirty thousand square feet per site at least one square foot of residential development is required for each additional square foot of retail sales and service, office, or manufacturing and production uses over ten thousand square feet. When residential floor area is required, all residential units shall meet the minimum size requirements of the building code.

D. Residential Uses.

Residential uses are allowed and not subject to any floor area ratio limitations.

1. The following housing types are not allowed in the NMU zone:

- a. Single-family residence (detached)

b. Duplexes

OPTION 1

2. Minimum Density.

Minimum density applies to new development when at least one dwelling unit is proposed. Group Living uses are exempt from minimum density requirements.

a. The minimum density requirement for residential uses in the NMU zone is 15 units per net acre for the portion of a site developed for residential use only or for residential uses on upper stories with non-residential uses on the ground floor.

b. The following formula is used to determine the minimum number of lots required on the site:

Square footage of the residential portion of the site or vertical mixed use portions of the site with upper story residential uses, less the area set aside for right-of-way and tracts of land dedicated for stormwater facilities;

Divided by minimum density;

Equals minimum number of units required.

OPTION 2

2. Minimum Density.

Minimum density applies to new development when at least one dwelling unit is proposed. Group Living uses are exempt from minimum density requirements.

a. The minimum density requirement for residential uses in the NMU zone 20 units per net acre (1 unit per 2,100 square feet of site area).

3. Ground-floor Commercial

New residential development is required to dedicate ground-floor commercial space for a minimum 25% of ground floor frontage and within 30' of the maximum front lot building setback along an arterial street. Residential use common areas can meet this requirement if the area is an indoor tenant fitness or tenant community room. Indoor common areas that are not fitness or community rooms, such as lobbies, hallways, laundry facilities, storage rooms, and vehicle or bicycle facilities, cannot be used to meet this requirement.

E. Conversion of Residential Floor Area.

Conversion of residential floor area to retail sales and service, office or manufacturing and production uses is allowed if, after conversion, there is at least one square foot of residential floor area for each square foot of these nonresidential uses.

F. Building Additions.

Building additions are allowed as follows:

1. One to One Ratio Not Required.

If the addition will increase the floor area on the site by two thousand five hundred square feet or less or, after construction, the total floor area for retail sales and service, office, or manufacturing and production uses is ten thousand square feet or less, construction of at least

one square foot of residential floor area for each square foot of these nonresidential uses is not required.

2. One to One Ratio Required.

If the addition will increase the floor area on the site by more than two thousand five hundred square feet and after construction, the total floor area in retail sales and service, office, or manufacturing and production uses is more than ten thousand square feet, construction of at least one square foot of residential floor area for each new square foot of these nonresidential uses is required. When residential floor area is required, all residential units shall meet the minimum size requirements of the building code. The relationship between nonresidential building size and the required amount of new residential construction is shown in Table 17C.120-3.

Table 17C.120-3 Residential Construction Requirement for Building Additions				
		Nonresidential Building Addition Less Than 2,500 Square Feet	Nonresidential Building Addition Greater Than 2,500 Square Feet	Square Feet of New Residential Construction Required
Nonresidential Building Size After Addition	Less than 10,000 square feet	Yes	Yes	None
	More than 10,000 square feet	Yes		None
	More than 10,000 square feet		Yes	One square foot of residential per square foot of nonresidential addition over 2,500 square feet

G. Public Amenities Allowing Bonus FAR

1. Minor Amenities.

Each public amenity from the following list may allow an increase of two-tenths FAR from the basic allowable FAR to the maximum FAR.

a. Additional Streetscape Features.

Seating, trees, pedestrian-scaled lighting, and special paving in addition to any that are required by the design standards and guidelines.

b. Canopy Over the Public Sidewalk.

A virtually continuous canopy structure. A canopy is a permanent architectural element projecting out from a building facade over a sidewalk or walkway. A canopy shall be at least five feet in horizontal width and be no less than eight feet and no more than twelve feet above grade.

c. Alley Enhancements.

Decorative paving, pedestrian-scaled lighting, special paving and rear entrances intended to encourage pedestrian use of the alley.

d. Preferred Materials on Building.

Use of brick and stone on the building facades that face streets.

e. An amenity specifically identified and described in an adopted neighborhood plan.

f. Building Frontage.

Buildings complying with the Building Frontage requirements with 70% of the front lot line and 30' of a side lot line when property is located at a corner consists of building facades.

2. Major Amenities.

Each public amenity from the following list may allow an increase of five-tenths FAR from the basic allowable FAR to the maximum FAR.

a. Exterior Public Space.

A plaza or courtyard, with a minimum area of four hundred square feet or two percent of the total interior floor space of the development, whichever is greater. A plaza or a courtyard is a level space accessible to the public, at least ten feet in width, with a building façade on at least one side. The elevation of the courtyard or plaza shall be within thirty inches of the grade of the sidewalk providing access to it. For courtyards, at least sixty percent of the green shall be planted with trees, ground cover and other vegetation. For plazas, at least fifteen percent, but no more than sixty percent of the space shall be planted with trees, ground cover and other vegetation. Courtyards and plazas shall also include seating, pedestrian-scale lighting, decorative paving, and other pedestrian furnishings. The use of artists to create fixtures and furnishings is strongly encouraged.

b. Public Art.

Public art includes sculptures, murals, inlays, mosaics and other two-dimensional or three-dimensional works, as well as elements integrated into the design of a project (e.g., fountain) that are designed and crafted by one or more artists. Such artists must be listed on a registry of either the Washington state arts commission or the Spokane arts commission. To receive the FAR bonus, public art must be documented at a value that is at least one percent of the value of construction.

c. Through-block pedestrian connection providing a continuous walkway accessible to the public, at least ten feet in width, paved and lighted for nighttime use. It may be covered or open to the sky.

d. Residential Units.

Comprising at least twenty-five percent of the total floor area.

e. Structured parking.

3. "Super Bonuses."

Any development that receives super bonuses shall also provide at least two of the major or minor amenities listed above. In return for providing either of the following, the maximum FAR's may be increased by fifty percent.

a. Underground Parking.

All of the parking is provided within a structure that is entirely below grade.

b. Affordable Housing.

At least twenty percent of the units are set-aside for households making less than eighty percent of the median income for the City as defined by HUD.

c. Affordable Commercial Space.

TBD

[...]

Section 17C.120.290 Drive-through Facilities

Drive-through facilities are allowed in the zones that are intended for auto-accommodating development. They are limited in areas where the desired character is pedestrian-oriented development. The standards for drive-through facilities are stated in chapter 17C.325 SMC, Drive-through Facilities.

A. CB and GC Zones.

Drive-through facilities are allowed in the CB and GC zones.

B. NR and NMU Zones.

In the NR and NMU zones, drive-through facilities are allowed on sites that are adjacent to a principal arterial street. Ingress and egress for the drive-through facility shall be from the principal arterial street and is prohibited from a local access street.

C. NMU Zone.

Drive-through facilities are prohibited in the NMU zone.

D. O and OR Zones.

In the O and OR zones, a drive-through facility is permitted only when associated with a drive-through bank. In addition, in the OR zone, for a florist use approved by special permit, sales of non-alcoholic beverages, and sale of food items not prepared on site, including drive-through sales of such items are allowed as an accessory use at locations situated on principal arterials or a designated state route. A drive-through facility for a drive-through bank shall have no more than two lanes and shall be located only on sites that are adjacent to a principal arterial street. Ingress and egress for the drive-through facility shall be from the principal arterial street and is prohibited from a local access street.

[..]

Section 17C.120.340 Parking and Loading

The standards pertaining to the minimum required and maximum allowed number of auto parking spaces, minimum required number of bicycle parking spaces, parking lot placement, parking lot setbacks, and internal parking lot pedestrian connections are stated in chapter 17C.230 SMC, Parking and Loading.

[...]

Section 17C.120.500 Design Standards Implementation

The design standards and guidelines found in SMC 17C.120.500 through 17C.120.580 follow SMC 17C.120.015, Design Standards Administration. All projects must address the pertinent design standards

and guidelines. Design standards are in the form of Requirements (R), Presumptions (P), and Considerations (C). Regardless of which term is used, an applicant must address each guideline. An applicant may seek relief through chapter 17G.030 SMC, Design Departures, for those eligible standards and guidelines contained in the zoning code.

[...]

Section 17C.120.510 Ground Floor Windows – Building Design

A. Purpose.

In the O, OR, NR, NMU, CB and GC zones, blank walls on the ground level of buildings are limited in order to:

- 1. provide a pleasant, rich and diverse pedestrian-friendly experience by connecting activities occurring within a structure to adjacent sidewalk areas;
- 2. encourage observation or viewing opportunities by restricting fortress-like facades at street level; and
- 3. avoid a monotonous pedestrian environment.

B. Required Amounts of Window Area.

These provisions apply to nonresidential and residential building ~~facades~~ walls between two feet and ten feet above the level of the adjacent sidewalk, walkway or ground level.

1. Non-residential ground floor window standard within 20 feet of an arterial street.

1a. A minimum of fifty percent of any ground floor nonresidential building ~~façade or wall area~~ that is visible from and located within twenty feet of the lot line of an arterial street designated on the arterial street plan shall be comprised of windows with clear, “vision” glass allowing views into the interior. Display windows may be used to meet half of this requirement. (PR)

b. If the lot has more than one street frontage, then the ground floor window standard indicated above applies to the facade that faces the highest street classification. All other ground level street-facing facades that are 20 feet or closer to the street lot line must have windows that cover 25 percent of the ground level wall area. The walls of structured parking along these facades may be set back at least 5 feet and landscaped (Section 17C.200.040) providing 25 percent windows. If two or more streets have the same highest street classification, then the applicant may choose on which of those streets to meet the higher standard. Street classifications are identified on the City of Spokane Official Arterial Street Map SMC 112.08.040. (P)

2. Non-residential ground floor window standard within 60 feet of an arterial street.

2a. A minimum of thirty percent of any ground floor nonresidential building facade that is visible from, fronting on, and located within sixty feet of the lot line of an arterial street designated on the arterial street plan shall be comprised of windows with clear, “vision” glass allowing views into the interior. Display windows may be used to meet half of this requirement. (R)

3b. For portions of facades that do not have windows, see guidelines for treating blank walls, SMC 17C.120.570. (R)

C. Qualifying window features.

Required ground floor window areas must be windows that allow views into working areas, lobbies, residential units or residential building common areas; glazing in pedestrian entrances; or display windows that are at least 24 inches deep set into a wall. Windows into storage areas, vehicle parking areas, mechanical and utility areas, garbage and recycling areas, and display cases attached to outside walls do not qualify. Windows into bicycle parking areas are allowed to qualify for up to 25 percent of the ground floor windows coverage requirement. Except for the windows of residential units and clerestory windows located above doors or other windows, the bottom of qualifying windows must be no more than 4 feet above the adjacent exterior grade. (R)

D. Residential Ground floor Window Standard.

Ground floor residential units may follow one of three options. They may be designed with storefront-type windows and barrier-free entrances to facilitate future conversion to commercial uses or be designed to provide greater privacy by either being setback from the street or raised above street level.

1. Flexible ground floor design.

a. A minimum of fifty percent of any ground floor residential building façade or wall area that is visible from and located within twenty feet of the lot line of an arterial street designated on the arterial street plan shall be comprised of windows with clear, “vision” glass allowing views into the interior. Display windows may be used to meet half of this requirement.

b. The area meeting this standard must be at least 25 feet deep, measured from the street-facing facade; and

c. Each unit must include a front entrance that is located at the level of the finished grade and can be accessed without steps.

2. Front setback.

a. The portions of the building with residential dwelling units on the ground floor must be set back at least 5 feet from the street lot line. The setback must be landscaped to at least (Section 17C.200.040) and/or hard surfaced for use by pedestrians; and

b. Windows must cover at least 30 percent of the ground level wall area of the portion of the building with residential dwelling units on the ground-floor.

3. Raised ground floor.

a. The portion of the building with residential dwelling units on the ground floor must have the finished floor of each residential unit at least 2 feet above the grade of the closest adjoining sidewalk

b. Window must cover at least 30 percent of the ground level wall area of the portion of the building with residential dwelling units on the ground-floor.

**Active ground floor windows
50%**



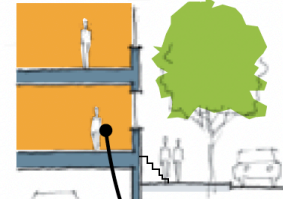
residential ground floor windows
Active ground floor space

**Front setback
30%**



landscaped setback between sidewalk and building

**Raised ground level
30%**



residential elevated above street level

E. Minimum ground floor height.

For ground-floor non-residential and residential (Flexible ground floor design) the distance from the finished floor to the bottom of the ceiling structure above must be at least 15 feet. The bottom of the structure above includes supporting beams. (P)

Section 17C.120.520 Base/Middle/Top – Building Design

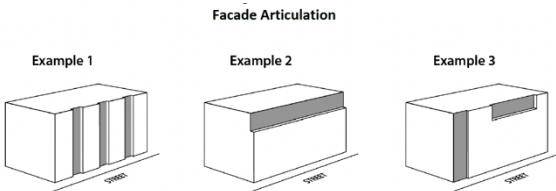
A. Purpose.

To reduce the apparent bulk of the buildings by providing a sense of “base” and “top.”

B. Base/Middle/Top Implementation.

1. Buildings shall have a distinct “base” at the ground level, using articulation and materials such as stone, masonry, or decorative concrete. (P)
2. The “top” of the building shall be treated with a distinct outline with elements such as a projecting parapet, cornice, or projection. (P)

Section 17C.120.530 Articulation – Building Design



A. Purpose.

To reduce the massiveness of larger buildings.

B. Articulation Implementation.

1. Facades longer than fifty feet shall be broken down into smaller units through the use of offsets, recesses, staggered walls, stepped walls, pitched or stepped rooflines, overhangs and

other elements of the building's mass. Simply changing materials or color is not sufficient to accomplish this. (R)

a. Off-sets in the façade must be at least 2 feet in depth from the rest of the façade. Façade area used to meet the facade articulation standard may be recessed behind or project out from the primary facade plane, but projections into street right-of-way do not count toward meeting this standard. (R)

2. Articulation shall be provided along facades visible from the street, as well as from neighboring residential areas. (P)

Section 17C.120.540 Prominent Entrance – Building Design

A. Purpose.

To ensure that building entrances are easily identifiable and clearly visible from roads and sidewalks.

B. Prominent Entrance Implementation.

1. Principal entry to the store/building shall be marked by at least one element from Group A and one element from Group B: (R)

a. Group A.

i. Large entry doors.

ii. Recessed entrance. Recessed entrance shall be recessed at least 3' from the building face.

iii. Protruding entrance.

b. Group B.

i. Canopy. Canopy or awning shall extend at least 5' from the building face, with a minimum height clearance of 8' above the sidewalk

ii. Portico.

iii. Overhang.

2. Weather Protection.

Some form of weather protection shall be provided over the entry. (P)

3. Mixed Use Buildings.

For mixed-use buildings, entrances to residential, office, or other upper story uses, and on-site parking shall be clearly distinguishable in form and location from storefront entrances.

Section 17C.120.550 Ground Level Details – Building Design

A. Purpose.

To ensure that buildings along any street display the greatest amount of visual interest and reinforce the character of the streetscape.

B. Ground Level Details Implementation.

1. Ground level of building shall be pedestrian-friendly in scale, expression and use of materials. (R)
2. Ground floor of the buildings shall have at least three of the following elements: (P)
 - a. Large windows.
 - b. Kickplates for storefront window.
 - c. Projecting sills.
 - d. Pedestrian scale signs.
 - e. Canopies.
 - f. Plinth.

Section 17C.120.560 Roof Expression – Building Design

A. Purpose.

To ensure that rooflines present a distinct profile and appearance for the building.

B. Roof Expression Implementation.

Buildings with flat roofs shall have portions with pitched roofs, extended parapets or projecting cornices to create a prominent edge when viewed against the sky, especially to highlight major entrances. (P)

Section 17C.120.570 Treating Blank Walls – Building Design

A. Purpose.

To mitigate blank walls by providing visual interest.

B. Treating Blank Walls Implementation.

1. Where windows are not provided on walls (or portions of walls) facing streets or visible from right-of-way, at least four of the following elements shall be incorporated: (R)
 - a. Masonry (but not flat concrete block).
 - b. Concrete or masonry plinth at wall base.
 - c. Belt courses of a different texture and color.
 - d. Projecting cornice.
 - e. Projecting metal canopy.
 - f. Decorative tilework.
 - g. Trellis containing planting.
 - h. Medallions.
 - i. Opaque or translucent glass windows.

j. Artwork such as sculptures, murals, inlays, mosaics or elements integrated with the project.

k. Vertical articulation.

l. Lighting fixtures.

m. Recesses.

n. An architectural element not listed above, as approved, that meets the intent of this section.

Section 17C.120.580 Plazas and Other Open Spaces

A. Purpose.

To provide a pedestrian-friendly environment by creating a variety of usable and interesting open spaces within private development.

B. Plazas and Other Open Spaces Implementation.

1. New or renovated buildings over ~~forty~~ ~~twenty~~ thousand square feet shall have plazas, courtyards or other pedestrian spaces at or near their main entrances. (R)

2. Plazas and other open spaces shall be a minimum of one square foot of plaza per one hundred square feet of building area. This area may count toward the interior landscaping required. (P)

3. Plazas, courtyards and other pedestrian space shall include at least three of the following: (P)

a. Special interest landscape.

b. Pedestrian scale bollard or other accent lighting.

c. Special paving, such as colored/stained concrete, brick or other unit paver.

d. Artwork.

e. Seating, such as benches, tables, or low seating walls.

f. Water feature.

4. Amount Required.

a. On sites that are up to 20,000 square feet in total area, at least 36 square feet of outdoor area is required for each dwelling unit on the sites

b. For sites that are more than 20,000 square feet in total area, at least 48 square feet of outdoor area is required for each dwelling unit on the site.

5. Size, Location, and Configuration.

Required outdoor area may be provided as individual, private outdoor areas, such as patios or balconies, or as common, shared areas, such as outdoor courtyards and play areas, or indoor recreational facilities or community rooms. There also may be a combination of individual and common areas.

a. Individual unit outdoor areas. Where a separate outdoor area is provided for an individual unit, it must be designed so that a 4-foot by 6-foot dimension will fit entirely within it. The outdoor area must be directly accessible to the unit. Balconies that extend over street right-of-way count towards meeting this standard. Areas used for pedestrian circulation to more than one dwelling unit do not count towards meeting the required outdoor area. If the area is at ground level it may extend up to 5 feet into a required front setback and may extend into required side and rear setbacks as long as the area is not closer than 5 feet to a lot line abutting an RF through RM4 zoned lot.

b. Common areas. There are two types of common area:

i. Outdoor common area. Where outdoor areas are common, shared areas, each area must be designed so that it is at least 500 square feet in area and must measure at least 20 feet in all directions. The outdoor common area must be located within 20 feet of a building entrance providing access to residential units.

ii. Indoor common area. Where an indoor common area is provided, it must be an indoor recreational facility or an indoor tenant community room. Indoor common areas that are not recreational facilities or community rooms, such as lobbies, hallways, laundry facilities, storage rooms, and vehicle or bicycle facilities, cannot be used to meet this requirement.

c. Combination of individual and common areas. Where a combination of individual unit and common areas is provided, each individual area must meet Subparagraph B.2.a and each common area must meet B.2.b above, and together must provide a total amount of space equivalent to the combined amount of outdoor area required for each dwelling unit.

6. Surfacing materials. Required outdoor areas must be surfaced with lawn, pavers, decking, or sport court paving which allows the area to be used for active or passive recreational use. User amenities. User amenities, such as tables, benches, trees, shrubs, planter boxes, garden plots, drinking fountains, spas, or pools, may be placed in the outdoor area. Common, shared outdoor areas may also be developed with amenities such as play areas, plazas, roof-top patios, picnic areas, and open recreational facilities.

Section 17C.120.590 Building Frontage

A. Purpose.

To establish a street-wall of primary building facades that contributes to the liveliness of sidewalks along the street a minimum percentage of a building facade is required along a front lot line. Parking is prohibited between the building façade and the street, and driveways and parking areas are limited to reduce their impact on the pedestrian. Breaks in the street wall should be limited to those necessary to accommodate pedestrian pass-throughs, public plazas, entry forecourts, and permitted vehicular access driveways.

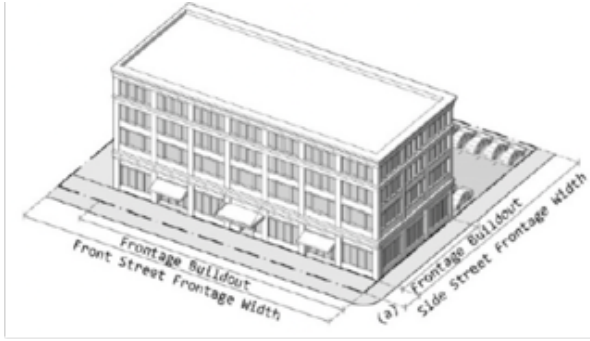


Figure X: Minimum Frontage Buildout Illustration-
(City of Brooklyn Park, MN- TOD Zone)

1. A minimum frontage buildout (Figure 13) requires buildings along the prescribed length of the property line where:

- a. At front streets the minimum frontage buildout is a percentage of the length of the abutting property line.
- b. At side streets the minimum frontage buildout is a specified distance along the property line from the corner.

B. Building Frontage Implementation.

- 1. 70% of site frontage must be built to the min/max setback range. (R)
- 2. A minimum 40-feet of side street frontage must be built to the min/max range (R)

Section 17C.120.600 Buildings Along Intersection Corners

A. Purpose.

Building placement and massing along intersection corners support an environment that frames the public realm to create an urban street edge and promotes pedestrian activity.

B. Buildings Along Intersection Corners Implementation.

70% of site frontage must be built to the min/max setback range. (R)

Section 17C.120.610 Curb-cut Limitations

A. Purpose

To provide safe, convenient vehicular access to in-site parking without diminishing pedestrian safety and maintaining a continuous sidewalk.

B. Curb Cut Limitations Implementation.

- 1. A curb cut for a nonresidential use shall not exceed 30 feet for combined entry/exits. Driveway width where the sidewalk crosses the driveway shall not exceed 24 feet in width. (R)
- 2. The sidewalk pattern shall carry across the driveway. (R)
- 3. Adjacent developments should share driveways, to the greatest extent possible. (P)

4. Vehicular access should be designated so that traffic is not directed through an abutting residential zone. (P)

5. Only one (1) curb-cut is allowed along a street frontage. (R)

[...]

Chapter 17C.230 Parking and Loading

[...]

Section 17C.230.130 Parking Exceptions

A. In center and corridor downtown, and FBC CA1, CA2, ~~and CA3,~~ and NMU zones any new building or building addition with a floor area less than three thousand square feet shall have no parking requirement.

B. In the neighborhood retail zone, any existing building, new building, or building addition, having a floor area less than ~~three~~ five thousand square feet shall have no parking requirement. In addition, if a building has a floor area of ~~five~~ ten thousand square feet or less, the parking requirement will be determined after deducting the ~~three~~ five thousand square foot exemption from the building's floor area. For example, the parking requirement for a ~~four~~ an eight thousand square foot building would be based on ~~one~~ three thousand square feet of floor area – i.e., a ~~four~~ an eight thousand square foot building size minus the ~~three~~ five thousand square foot exemption.

C. The director may approve ratios that are higher than the maximum or lower than the minimum if sufficient factual data is provided to indicate that a different amount is appropriate. The applicant assumes the burden of proof. Approval of parking above the maximum shall be conditioned upon increasing the amount of required landscaping by thirty percent. Approval of parking below the minimum shall be conditioned upon the project contributing towards a pedestrian and transit supportive environment both next to the immediate site and in the surrounding area. When determining if a different amount of parking is appropriate, the director shall consider the proximity of the site to frequent transit service, the intensity of the zoning designation of the site and surrounding sites, and the character of the proposed use.

D. If more than one type of land use occupies a single structure or property with no single use occupying more than 75 percent of the total square feet of the building, the minimum off-street parking may be 75 percent of the sum of the requirements for all uses.

E. The amount of off-street parking required for nonresidential uses may be reduced by up to 10 percent in exchange for providing on-site public open space/green space at the following ratio: one vehicle parking space per 500 square feet of public open space/green space.

~~DF.~~ If property owners and businesses establish a parking management area program with shared parking agreements, the director may reduce or waive parking requirements.

~~EG.~~ Except in the residential single-family and residential two-family zones, existing legal nonconforming buildings that do not have adequate parking to meet the standards of this section are not required to provide off-street parking when remodeling which increases the amount of required parking occurs within the existing structure.

~~FH.~~ Attached Housing.

The following exceptions apply only to attached housing (defined in SMC 17A.020.010) in the RMF and

RHD zones. Distances are measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development.

1. On a lot at least partially within one thousand three hundred twenty feet of CC, CA, or DT zone or CC3 zoning overlay, the minimum number of off-street vehicle parking spaces required is fifty percent less than the minimum required for Residential Household Living in Table 17C.230-2.
2. On a lot farther than one thousand three hundred twenty feet of a CC, CA, or DT zone or CC3 zoning overlay, the minimum number of off-street vehicle parking spaces required is thirty percent less than the minimum required for Residential Household Living in Table 17C.230-2.

[...]

Section 17C.230.200 Bicycle Parking

A. Purpose.

Bicycle parking is required to encourage the use of bicycles by providing safe and convenient places to park bicycles.

1. Bicycle parking facilities, either off-street or in the street right-of-way, shall be provided in RMF, RHD, CC1, CC2, CC3, CC4, O, OR, NR, ~~NMU~~, CB, GC, and industrial zones for any new use which requires twenty or more automobile parking spaces according to Table 17C.230-1 or Table 17C.230-2. All bicycle parking facilities in the street right-of-way shall conform to City engineering services department standards.
 - a. The number of required bicycle parking spaces shall be five percent of the number of required off-street auto parking spaces.
 - b. When any covered automobile parking is provided, all bicycle parking shall be covered.
2. Within downtown, ~~and~~ FBC CA1, CA2, CA3, zones, and the NMU zone bicycle parking facilities, either off-street or in the street right-of-way, shall be provided. The number of spaces shall be the largest amount based on either subsections (a) or (b) below.
 - a. The number of required bicycle parking spaces shall be ~~five~~ten percent of the number of off-street auto parking spaces being provided, whether the auto parking spaces are required by code or not.
 - b. A minimum of one bicycle parking space shall be provided for every ten thousand square feet of building area. When a building is less than ten thousand square feet in building area at least one bicycle parking space shall be provided.
 - c. When any covered automobile parking is provided, all bicycle parking shall be covered.
 - d. All bicycle parking facilities in the street right-of-way shall conform to City engineering services department standards.
3. Bicycle parking facilities accessory to nonresidential uses shall be located on the lot or within eight hundred feet of the lot. Bicycle parking accessory to residential uses shall be located on-

site. Bicycle parking facilities shared by more than one use are encouraged. Bicycle and automobile parking areas shall be separated by a barrier or painted lines.