

ORDINANCE 3624

A City of Missoula initiated ordinance amending Title 20, Missoula Municipal Code, the City Zoning Ordinance, to revise Chapter 20.25 Overlay Districts replacing the existing Title 20.25.080 /D-Downtown Overlay with Design Excellence Overlays – Generally and incorporate associated text with this newly named section, and incorporate two new overlay districts – Design Excellence Downtown Overlay (20.25.081) and Design Excellence Corridor Overlay (20.25.082); and amend existing sections Design Review (20.85.080) and the Design Review Board (20.90.020).

Be it ordained that Section 20.25.080 be amended, and Sections 20.25.081 and 20.25.082 be established as follows:

DESIGN EXCELLENCE OVERLAY



Effective January 16, 2019

Missoula MT

Project Lead:



Consultant Team:



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20.25.080 /DE-,
**Design Excellence
Overlay - Generally**

A. General

1. Design Excellence Overlay Intent

a. The Design Excellence Project

The Missoula Design Excellence Project seeks to reinforce recent development successes, which have demonstrated that high quality design can add value to properties and to the City at large. It also responds to concerns that some development projects have not met the City's objective to maintain its distinct identity and instead are generic, without expressing a unique sense of place that is Missoula. The project focuses on Downtown and a strategic selection of the City's commercial corridors. How building development in those areas can enhance the public realm and be sensitive to and integrated with abutting neighborhoods are key considerations. The Design Excellence Overlay and its specific design standards and separate design guidelines are intended to promote design excellence in Missoula's Downtown and select City commercial corridors, in keeping with community input provided throughout the Missoula Design Excellence Project process.

b. The Overlay and Design Standards

The Design Excellence Overlay is a regulatory mechanism that applies alternative rules to designated areas of the City that are mapped. Standards in the Overlay are intended to supersede any correlating standards in the underlying base zones. They modify the underlying standards, or add additional design variables or requirements. This allows the City to focus standards on a designated sub-area without affecting other parts of the City where the same underlying zone district applies. An Overlay may straddle multiple base zone districts. This facilitates a system that addresses "places" as the starting point for considering setting.

c. Key Concepts

(1) Two Tools

The Design Excellence Overlay employs two tools: prescriptive design standards and discretionary design guidelines. These tools are tailored to promote the community's design objectives for specific parts of the City.

(2) Prescriptive Design Standards

- (a) Prescriptive design standards for the Downtown and Corridors are found in 20.25.081 and 20.25.082, respectively.
- (b) A design "standard" is a prescriptive requirement, which must be met in order to obtain a permit for improving the property. It usually is measurable, such as the dimension of a minimum setback, or the maximum height of a building. Or, it may simply require or prohibit the presence of a particular design feature.

(3) Discretionary Design Guidelines

- (a) Discretionary design guidelines are found in the accompanying Design Excellence Manual which is used in the Design Excellence Review process described in 20.25.080.B.
- (b) The Design Excellence Manual must be amended by City Council Resolution.
- (c) Discretionary design "guidelines" are qualitative criteria for determining the appropriateness of a proposed project. They offer flexibility in the way in which they may be applied to individual projects. The design guidelines describe broader intentions and then provide suggestions for appropriate solutions without dictating specific outcomes.

d. Property Included

(1) Focus on Non-Residentially Zoned Properties

The Design Excellence Overlay is intended to apply to non-residential zones in the Overlay. Detailed mapping is available on the City's website. Multi-dwelling residential uses located in non-residential base zoning districts in the Downtown and Corridors are intended to be subject to the Design Excellence Overlay.

(2) Mapping

- (a) Residentially-zoned properties are not mapped in the detailed Overlay maps, with the exception of the RM1-35 zoning district.
- (b) Planned Unit Developments, Special Districts and unzoned properties are not mapped in the Design Excellence Overlay.

e. Interpretation of Zoning Map

- (1) Where development includes property within the Design Excellence Overlay, the entire project is subject to the requirements of the Overlay.
- (2) Where more than one subdistrict of the Design Excellence Overlay applies to a property or project, the design standards of each subdistrict apply as mapped on the official zoning map. Where there is a question of interpretation, the Zoning Officer will determine the primary and secondary street standards to be applied to the affected properties.

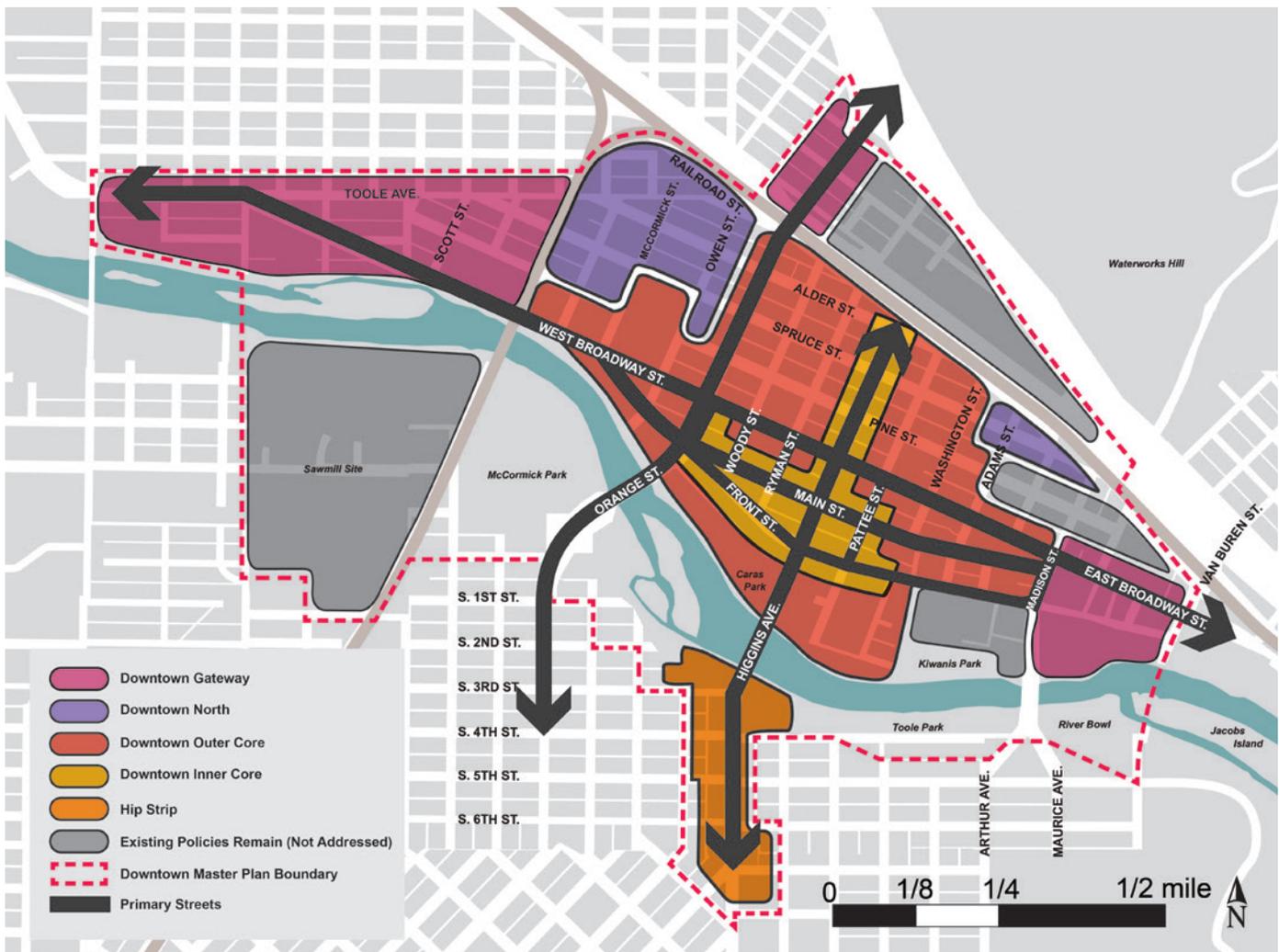
2. Overlay District Conceptual Maps

a. Conceptual Maps

- (1) The way in which the Design Excellence Overlay applies is based on community input, development feasibility considerations, Missoula’s planning policies and other factors. From this, a series of Downtown Contexts and Corridor Typologies emerged as organizing elements for the Design Excellence Overlay. The standards and guidelines are tailored to respond to these different geographic locations.
- (2) The following Downtown and Corridor maps provide a generalized illustration of the application of the Design Excellence Overlay subdistricts. For detailed, parcel-level information, please contact Development Services or consult the City’s online zoning map on the Missoula web page.

b. Downtown Contexts (/DE-D)

Downtown is divided into five contexts. For each context, a community design vision is articulated. In the Design Standards (see 20.25.081), the prescriptive standards are different for individual contexts. In the Design Excellence Manual, the guidelines for Downtown are more general, with the intent that they apply throughout Downtown, but with different degrees of emphasis with each context, depending on the described vision.



Map 20.25.080-1: Downtown Contexts Conceptual Map

c. Corridor Typologies (/DE-C)

Select commercial corridors are classified into four different typologies. For each typology, a community design vision is articulated. In the Design Standards (see 20.25.082), the prescriptive standards in many cases establish different requirements for different typologies. In the Design Excellence Manual, the guidelines are more general, but the vision established for each is to be used in administering the guidelines for a given project.



Map 20.25.080-2: Corridor Typologies Conceptual Map

3. Overlay Applicability

a. Project Applicability

- (1) Within the Design Excellence Overlay, application of the standards in this Section is required for any development for which Zoning Compliance Review is required in 20.85.130, except for detached houses, two-unit houses and townhouses.
- (2) Within the Design Excellence Overlay, the standards of this Section apply to:
 - (a) New construction;
 - (b) Redevelopment (including demolition of existing structures and modification of existing sites, including paving, parking and landscaping);
 - (c) Additions; and
 - (d) Modification of the building materials or window/door openings on a primary or secondary street-facing facade.
- (3) When the approval is for an addition or modification of the building, only the newly constructed or modified portion of the building and any associated modifications to the site are included in review under this Overlay.
- (4) Where development includes property within the Design Excellence Overlay, the entire project is subject to the requirements of the Overlay.
- (5) Where more than one subdistrict of the Design Excellence Overlay applies to a property or project, the design standards of each subdistrict apply as mapped on the official zoning map.
- (6) Ordinary maintenance and repair is exempt from the standards of this Section, including in-kind replacement of windows, doors and siding. Replacement of siding with types allowed in the Overlay is encouraged. Ordinary maintenance and repair of site elements such as parking lot sealing or re-striping and landscape replacement in-kind is also exempt from the standards of this Overlay.

b. Application of Other Title 20 Standards

(1) General

The Design Excellence Overlay is subject to the applicability provisions of 20.25.010 - General.

(2) Enterprise Commercial

- (a) Where Enterprise Commercial Uses are allowed through conditional use review in a Business and Commercial District (20.10.020) or Industrial and Manufacturing District (20.15.020), they are exempt from conditional use review within the Design Excellence Overlay.
- (b) The following Enterprise Commercial (20.40.050) standards apply in the Design Excellence Overlays:
 - (i) The Traffic Impact Analysis provisions of 20.40.050B.
- (c) The remaining Enterprise Commercial standards do not apply in the Design Excellence Overlay.

(3) /NC-SR Overlay

- (a) The following /NC-SR Overlay standards apply in the Design Excellence Overlays:
 - (i) The additional allowed uses in 20.25.060E.; and
 - (ii) The prohibited uses banned in 20.25.060F.
- (b) The remaining /NC-SR standards do not apply in the Design Excellence Overlay.

(4) Multi-Dwelling Building Design

- (a) The following multi-dwelling building standards apply in the Design Excellence Overlays:
 - (i) Building height in 20.40.090B.
 - (ii) Pedestrian access in 20.40.090C.
 - (iii) Entry treatment in 20.40.090E.1.
 - (iv) Storage in 20.40.090E.3.
- (b) The remaining design standards for multi-dwelling buildings do not apply in the Design Excellence Overlay.

(5) Commercial Design Standards

The standards of 20.40.170 - Commercial Uses Not Exceeding 30,000 Square Feet do not apply within the Design Excellence Overlay.

(6) Landscaping Standards

- (a) The following Landscaping (20.65.) standards apply in the Design Excellence Overlay:
 - (i) The General Site Landscaping provisions of 20.65.020, except as specifically modified in 20.25.080D.5.
 - (ii) The Interior Parking Lot Landscaping provisions of 20.65.040, except as expressly modified in 20.25.080C.3.g.
 - (iii) The Buffer provisions of 20.65.060.
 - (iv) The Screening provisions of 20.65.070.
 - (v) The Landscape Material and Design provisions of 20.65.080.
 - (vi) The Installation and Maintenance provisions of 20.65.090.
- (b) The following Landscaping standards do not apply in the Design Excellence Overlay:
 - (i) The Street Frontage Landscaping provisions of 20.65.030, except as otherwise noted.
 - (ii) The Perimeter Parking Lot Landscaping provisions of 20.65.050.
 - (iii) The Alternative Compliance provisions of 20.65.100. (although a Design Variation may be requested - see 20.25.080.B.4).

(7) Landscape Alternative Compliance

Landscape alternative compliance, as described in 20.65.100B, is not allowed in the Design Excellence Overlay; however, a Design Variation ([20.25.080.B.3. Design Variation](#)) may be requested.

B. Review Process

1. General

The Design Excellence Overlay provides for several levels of review, as follows:

- a. Zoning Compliance Review for smaller projects in the Corridors and for projects that create or modify site improvements only.
- b. Design Excellence review by the Zoning Officer, in which design guidelines apply in addition to zoning standards.
- c. In particularly complex cases, when seeking relief through the Design Variation process, or when requested by the applicant, Design Excellence Review is conducted by the Design Review Board.

2. Review Thresholds

a. Zoning Compliance Review

Projects that fall below the Design Excellence Review thresholds in the table in paragraph B.1.d. are reviewed using the Zoning Compliance Review process and the design standards in this Section and 20.25.081 or 20.25.082, respectively.

b. Design Excellence Review

- (1) Design Excellence Review is required for all Downtown subdistricts, Corridor Typology 1 and all Corridor Nodes.
- (2) Design Excellence Review thresholds in Corridor Typologies 2, 3 and 4 are based on the gross square footage of all structures added or modified.
- (3) Design Excellence Review is required for conditional uses, height above the base zoning (which is reviewed by the Design Review Board), and design variations.

THRESHOLDS FOR DESIGN EXCELLENCE REVIEW

THRESHOLDS FOR DESIGN EXCELLENCE REVIEW					
DOWNTOWN	Inner Core	Outer Core	Hip Strip	Gateway	North
	Required	Required	Required	Required	Required
CORRIDOR	Typology 1	Typology 2	Typology 3	Typology 4	
	Required	8,000 SF or more	15,000 SF or more	30,000 SF or more north of river 15,000 SF or more from river to South Ave 30,000 SF or more south of South Ave	
OTHER	Corridor Nodes	Conditional Use*	Design Variation	Height Above Base Zoning	
	Required	Required	Required	Required, review by Design Review Board	

* Enterprise commercial is not a conditional use in the Design Excellence Overlay.

3. Zoning Compliance Review

a. Review and Decision - Zoning Officer

- (1) Where Zoning Compliance Review is required in 20.25.080B.1.a, the Zoning Officer must review each building permit application and act to approve or deny the Design Excellence Review based solely on whether the proposed structure or development complies with:
 - (a) The design standards of this Section and 20.25.081 or 20.25.082, respectively; and
 - (b) All other applicable provisions of the Zoning Ordinance.
- (2) The Design Excellence Manual is for information only, and not a requirement of Zoning Compliance Review.
- (3) No notice is required for Zoning Compliance Review.
- (4) Appeals of the decision of the Zoning Officer follow the procedure for review by the Board of Adjustment in 20.85.100.

4. Design Excellence Review

a. General

(1) Purpose

The purpose of Design Excellence Review is to ensure the quality of development in the Downtown and select corridors. The Overlay standards combined with the design guidelines are intended to support creativity and flexibility in meeting the City's vision and urban design objectives. The design standards of this 20.25.080, and either 20.25.081 or 20.25.082, along with the applicable design guidelines in the accompanying Design Excellence Manual will be applied during development review.

(2) Authority

- (a) Design Excellence Review is conducted administratively by the Zoning Officer; however, the applicant or Zoning Officer may request that the application be reviewed at a public meeting by the Design Review Board.
- (b) Design Excellence Review is conducted by the Historic Preservation Commission or the Historic Preservation Officer where the project involves a Historic Resource.

(3) Common Review Procedures

Design Excellence Review is subject to the Common Provisions of 20.85.020A. through C.

(4) Review and Decision-Making Criteria; Burden of Proof or Persuasion

Design Excellence Review is subject to the Review and Decision-Making Criteria; Burden of Proof or Persuasion provisions of 20.85.030.

b. Timing of Design Excellence Review

- (1) Where required, Design Excellence Review must occur before any structure, or part of a structure may be created, erected or changed, wholly or in part, in its construction. While a building permit application may be submitted and review conducted concurrently, such an application may need modification following design review, and prior to issuance of the building permit. For this reason, it is preferred that a separate application for review of project design be approved prior to submission of a building permit application.

- (2) Where Design Excellence Review is conducted for a conditional use, such approval is required prior to conditional use approval.

c. Applications

(1) Pre-Application Meeting

A pre-application meeting is highly recommended, although not required. Please contact the Zoning Officer to schedule a pre-application meeting.

(2) Authority to File

Applications for Design Excellence Review may be initiated only by the owner of the subject property or by the owner's authorized agent.

(3) Notices

- (a) No notice is required for Design Excellence Review by the Zoning Officer.
- (b) Notice for Design Excellence Review by the Design Review Board follows 20.85.080E.

(4) Forms

Applications required under this Overlay must be submitted in a form and in such numbers as required by the Zoning Officer. Application forms and checklists of required submittal information are available at Development Services.

d. Review and Decision - Zoning Officer

The Zoning Officer must review each application and act to approve or deny the Design Excellence Review based solely on whether the proposed structure or development complies with:

- (1) The design standards of this Section and 20.25.081 or 20.25.082, respectively;
- (2) All other applicable provisions of the Zoning Ordinance; and
- (3) The applicable design guidelines in the accompanying Design Excellence Manual.

e. Use of Design Excellence Manual

The design guidelines are qualitative and focus on broader design objectives. The design guidelines are intended to allow for flexibility in how a project meets them, and

as such, discretion and interpretation are required to determine when a project is consistent with the guidelines. The guidelines in this document include intent statements under each topic. These statements describe the desired design objective. More specific guidelines follow each intent statement.

f. Appeals

Zoning Officer decisions of noncompliance with the Design Excellence Overlay may be appealed to the Design Review Board. Such applications will be considered by the Design Review Board based on the record, including the application materials submitted previously and the decision of the Zoning Officer. An appeal may be sustained only if the Design Review Board finds that the Zoning Officer erred in determining the project was not compliant.

g. Referral to Design Review Board

- (1) The Zoning Officer may refer any application for Design Excellence Review to the Design Review Board. The Design Review Board makes the final decision on all applications referred to the Board.
- (2) In general, applications appropriate for consideration by the Board include those applications with:
 - (a) Unusually-shaped sites;
 - (b) Complex architecture;
 - (c) Significant Design Variation requests; or
 - (d) High potential for detrimental impacts on immediately abutting residential neighbors.
- (3) Referral to the Design Review Board is required for any application requesting height above that allowed in the base zoning district.
- (4) The applicant may also request review by the Design Review Board.
- (5) When Design Excellence Review will occur by the Design Review Board, the Zoning Officer must review the application in relation to Title 20 and this Overlay. In particular, the Zoning Officer must confirm that the application is sufficient to meet the design standards in 20.25.081 or 20.25.082, respectively.

- (6) Design Excellence Review follows the Design Review process by the Design Review Board outlined in 20.85.080.
 - (a) The Design Review must rely on the determination of the Zoning Officer with regard to sufficiency of the application to meet Title 20 and this Overlay's design standards.
 - (b) Review by the Design Review Board consists of the application of the appropriate guidelines in the accompanying Design Excellence Manual, which will be considered the review criteria.

5. Design Variation

a. General

- (1) A Design Variation allows a project to use an alternative design approach to satisfy a particular design standard in this Section. The alternative design approach must satisfy the specified intent of the particular design standard.
- (2) A Design Variation is only allowed for design standards in 20.25.080.C, 20.25.081 or 20.25.082, respectively.
- (3) A Design Variation is not a variance, which provides relief from a requirement considered to be an unnecessary hardship. The Design Variation is required to meet the intent of the applicable standard in an alternative way.

b. Design Variation Review

- (1) Applicants may seek a Design Variation through Design Excellence Review.
- (2) Applicants may apply for a Design Variation even when Design Excellence Review is not required; however, the request will trigger Design Excellence Review for the entire project.
- (3) A Design Variation allows a project to use an alternative design approach to satisfy a particular design standard in 20.25.080.C, 20.25.081 or 20.25.082, respectively. The alternative design approach must satisfy the specified intent of the particular design standard.
- (4) The Zoning Officer will use the design guidelines in the Design Excellence Manual to determine whether an alternative design approach appropriately satisfies the intent of the design standard.
- (5) Design Variation review occurs concurrent with Design Excellence Review. A Design Variation may be submitted during the Design Excellence Review process where it resolves an issue identified during review.
- (6) Following approval of a project, no further Design Variation is allowed, and changes must be made through either a new review of the entire project or through the Variance process.

C. Standards, Interpretation

1. Introduction

a. Location, Interpretation of Design Standards

The following paragraphs explain the location and applicability of the design standards for all districts in 20.25.080C.2, as well as the specific design standards that apply in various Downtown and Corridor subdistricts in 20.025.081 and 20.025.082. In addition, the interpretation of the various design standards is enhanced through the rules of interpretation in 20.25.080C.3 through C.7. below.

(1) Design Standards for All Districts

20.25.080C.2. contains design standards and interpretations that apply in the all Design Excellence Overlay subdistricts, except where expressly stated otherwise in the Applicability text of the specific design standard.

(2) Subdistrict Design Standards

The subdistrict design standards are found in 20.25.081 and 20.25.082. This 20.25.080C. must be used in conjunction with these subdistrict-specific standards to determine applicability of each standard, measure each specific standard, and interpret the intent of each specific design standard.

(3) Rules for Interpretation

- (a) 20.25.080C.3 through C.7. below include the following components:
 - (i) Design standard definitions.
 - (ii) Design standard intent for consideration in Design Variation requests.
 - (iii) Design standard applicability.
 - (iv) Detailed design standards.
 - (v) Rules for design standard measurement.
- (b) The Design Excellence Manual may also be used to interpret the intent of any design standard.

2. General Standards

a. Primary Streets

(1) Definition

High priority streets in Downtown and Corridors where maintaining an urban character is particularly important.

(2) Downtown Primary Streets

The Downtown Master Plan identifies a series of streets where street level interest and a clearly-defined street wall should be emphasized. These Primary Streets are indicated on Map 20.25.080-1 and include:

- (a) Broadway Street
- (b) Main Street
- (c) Front Street
- (d) Orange Street
- (e) Woody Street
- (f) Ryman Street
- (g) Higgins Avenue
- (h) Pattee Street
- (i) Madison Street

(3) Corridor Primary Streets

As part of the Design Excellence project, the following Corridors are considered Primary Streets. The Corridor Primary Streets are indicated on Map 20.25.080-2.

- (a) Brooks Street
- (b) Russell Street
- (c) South Avenue
- (d) West 3rd Street
- (e) Higgins Avenue
- (f) Mount Avenue
- (g) SW Higgins Avenue
- (h) 39th Street
- (i) East Broadway Street
- (j) Reserve Street
- (k) West Broadway
- (l) Stephens Avenue

b. Primary Street Property line

(1) Definition

A primary street property line is a property line separating a parcel from a designated Primary Street right-of-way or a property line separating a parcel from an undesignated street determined to be primary.

(2) Standards

- (a) Standards specified for primary streets apply to property lines designated as primary street property lines.
- (b) Each parcel in the Downtown must have at least one primary street property line.
- (c) In the Corridors, only those streets designated as Primary Streets have a primary street property line. All other streets following the rules for Secondary Streets, except in the case of a through lot.
- (d) Parcels abutting more than one mapped primary street have more than one primary street property line.
- (e) Once designated for a parcel, a primary street property line cannot be changed (e.g., a primary street property line cannot, for purposes of subsequent development, be re-designated a secondary street property line) unless all requirements of the applicable Design Excellence Overlay subdistrict can be met by existing development on the site.
- (f) For parcels in the Downtown that abut multiple streets, none of which have been mapped as primary streets, a primary street property line is determined using the following criteria:
 - (i) The street or streets with the highest functional classification;
 - (ii) The established orientation of the block;
 - (iii) The street abutting the longest face of the block;
 - (iv) The street parallel to an alley within the block;
 - (v) The street that the parcel has historically taken its address from;

- (vi) The pedestrian orientation of adjacent or abutting development, existing or proposed;
- (vii) Whether the street faces an important open space.

c. Secondary Street Property line

(1) Definition

A secondary street property line is a property line separating a parcel from a street right-of-way not designated as a primary street.

(2) Standards

Standards specified for secondary streets apply to property lines designated as secondary street property lines.

d. Primary and Secondary Street Interpretation

Where there is a question of interpretation, the Zoning Officer will determine the primary and secondary street standards to be applied to the affected properties.

e. Vehicular Access

(1) Definition

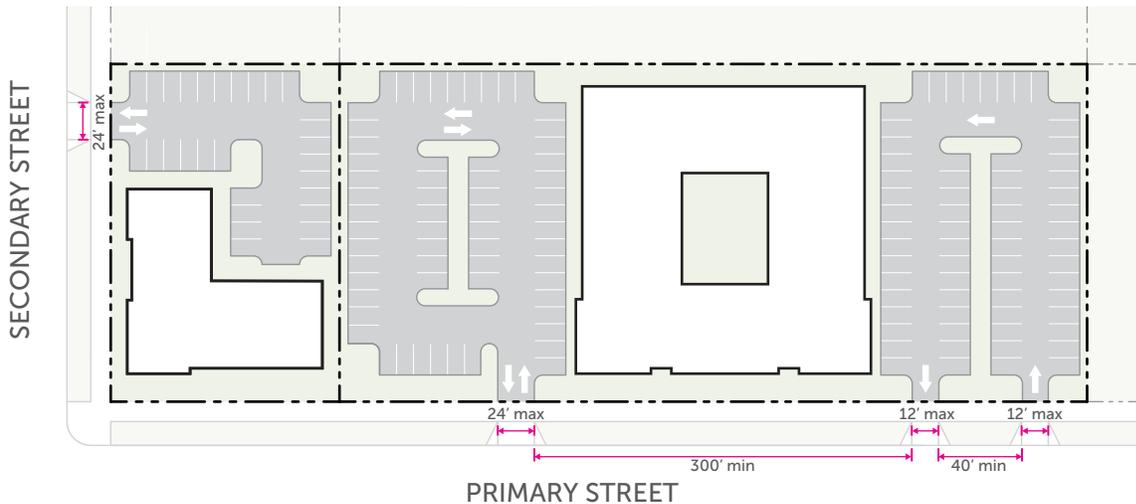
This standard regulates the location and width of vehicular access driveways onto a property.

(2) Intent

The number, location and width of driveways directly affects safety and walkability. Standards limiting vehicular access are intended to reduce potential conflicts between pedestrians, bicyclists and vehicles and improve the comfort of sidewalks and roadways for pedestrians and bicyclists.

(3) Standards

- (a) Final determination on access is made by the City Engineer. Where feasible, access is preferred from the alley or secondary street.



- (b) Driveways on primary and secondary streets must be no more than 12 feet wide for a one-way drive and no more than 24 feet wide for a two-way drive.
- (c) One-way driveways must be separated by a minimum of 40 feet.
- (d) Properties taking access from primary and secondary streets are limited to 1 two-way drive or 1 pair of one-way drives for every 300 feet of parcel frontage.
- (e) These standards may be waived or modified at the discretion of the City Engineer.

f. Build-To Area Character

(1) Definition

The build-to area is considered that area lying between the back of sidewalk (or edge of right-of-way where no sidewalk exists) and that portion of the building face that lies within the build-to zone,

(2) Standards

- (a) Where space is available, the sidewalk must be located in the right-of-way. Where additional space is required to accommodate the desired right-of-way facilities, the build-to area must be used to supplement the substandard right-of-way and a public access easement will be required.
- (b) This determination will be made by the Zoning Officer, based on current area plans and adopted

streetscape standards and engineering codes, which may indicate the preferred cross-section for sidewalk width and space for landscaping or hardscaping.

- (c) Where a portion or all of the build-to area is required for a sidewalk adjacent to a substandard right-of-way, the Zoning Officer must adjust the maximum setback to allow at least 5 feet between the back of sidewalk and the maximum setback.
- (d) Remaining portions of the build-to area that are not covered by structures, or paved for driveways or parking areas, must contain one or more of the following:
 - (i) Landscaped areas (see 20.65.030C.4. - Street Frontage Landscaping).
 - (ii) Hardscaped plazas (including, but not limited to, pavers, cut stone or colored cement). Plazas must be unenclosed exterior space with public pedestrian access, and must not include areas used for vehicles, except for incidental service, maintenance or emergency access.
 - (iii) Increased sidewalk or boulevard area.

g. Sidewalks

- (1) Internal pedestrian walkways must be a minimum of 5 feet in width.
- (2) For any non-residential building over 30,000 square feet in gross floor area, internal sidewalks along any building face that contains the primary building entrance must be a minimum of 8 feet in width.

3. Site Design

a. Street Setback

(1) Definition

The location beyond which buildings may be placed. This concept is used only when no Build-To Zone applies.

(2) Intent

The intent is to allow maximum flexibility in building placement on the parcel.

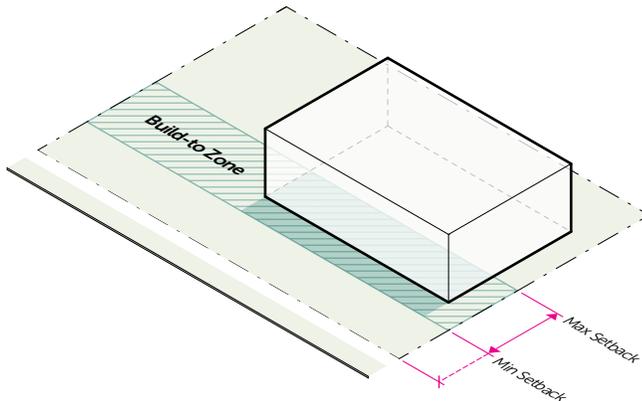
(3) Standards

- (a) No structure may be located between a street setback and the street with the exception of allowed encroachments in 20.110.050D.
- (b) The street setbacks established in 20.25.081 and 20.25.082 supersede any street setbacks of the underlying zoning.

b. Build-To Zone

(1) Definition

The area on a parcel between the minimum and maximum setbacks that the primary building is required to occupy.



(2) Intent

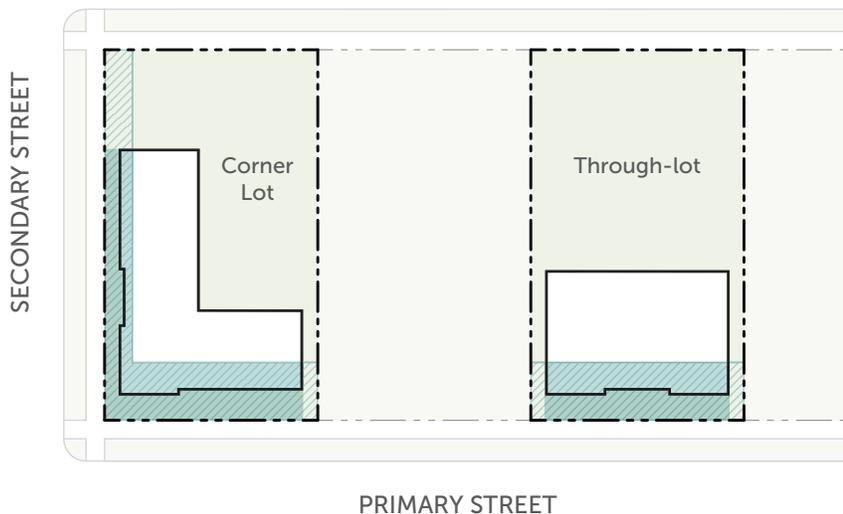
To regulate the placement of buildings along a street such that:

- (a) The public right-of-way is framed by a legible and consistent street wall.
- (b) There is a strong visual and physical connection between the private and public realm.

- (c) There is adequate space between ground floor uses and high-speed roadways.
- (d) Buildings create visual interest along a sidewalk.
- (e) Buildings enhances pedestrian comfort.

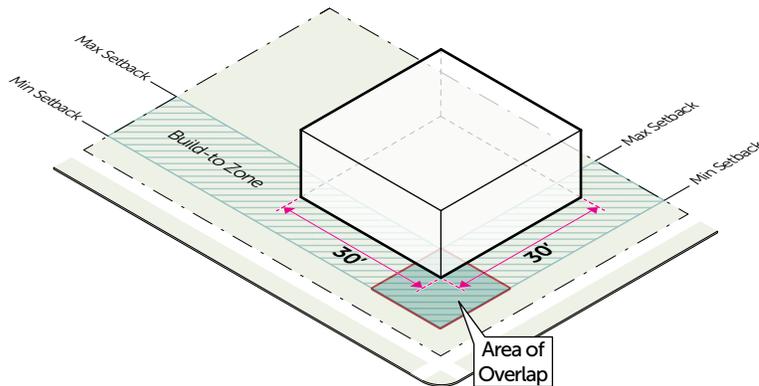
(3) Applicability

- (a) For a property with a single street frontage, the build-to zone applies to that frontage.
- (b) For a corner parcel with two frontages, the build-to zone applies to both the primary street and secondary street frontages.
- (c) For a parcel that has two street frontages (such as a "through-lot") and is not a corner parcel, the build-to zone applies to the property line adjacent to the designated primary street in 20.25.080C.2.a. above.
- (d) For a property with three or more street frontages (such as a "full-block" parcel), the build-to zone is only applied to two frontages that create a corner.



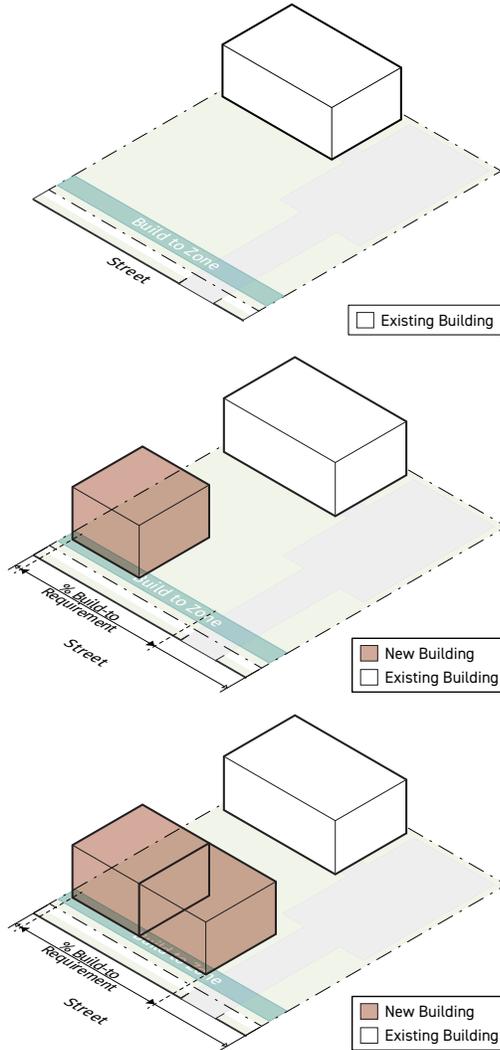
(4) Standards

- (a) The build-to zone supersedes any minimum setback established in the base zoning district. The minimum build-to line is considered the minimum setback in the Design Excellence subdistricts.
- (b) No structure may be located between a minimum setback and the street.
- (c) Once the minimum build-to width has been met, portions of the building, or additional buildings on the site, may be placed outside the build-to zone (beyond the maximum setback).
- (d) On a corner parcel, the primary building must be placed on or within the area where the build-to range of the two intersecting streets overlap. The building facade must be placed on or within the build-to range for a minimum of 30 feet in both directions.

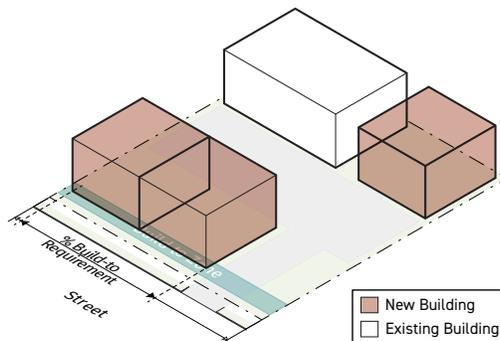


(5) Nonconforming Build-To: New Buildings

- (a) All new buildings must be placed in the build-to zone until the required percentage for the parcel has been met.

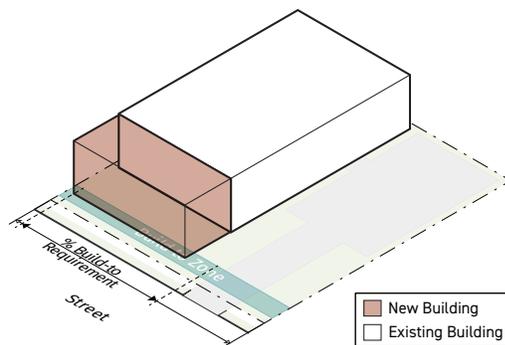


- (b) Once the required percentage has been met for the parcel, new buildings may be placed outside of the build-to zone.

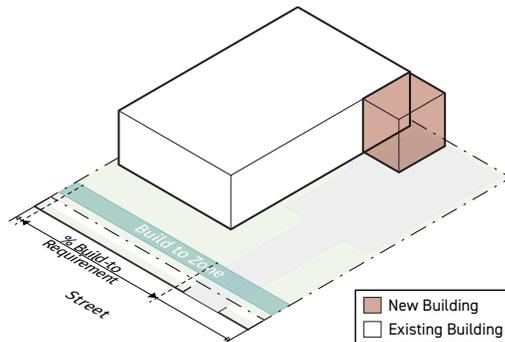


(6) Nonconforming Build-To: Additions**(a) Front Additions**

- (i) Any addition to the front of an existing building must be placed in the build-to zone. The addition does not have to meet the required percentage for the entire parcel.
- (ii) Front additions no greater than 10% cumulatively of the existing building footprint are allowed outside of the build-to zone.

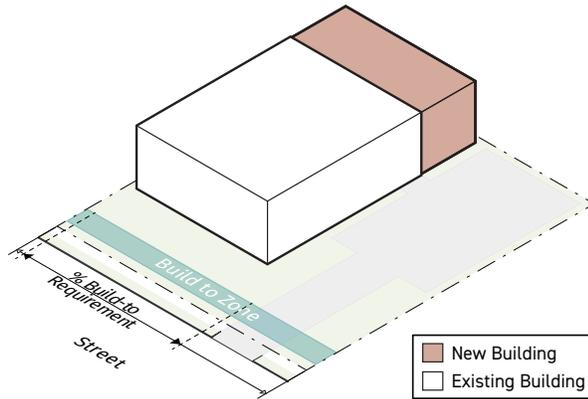
**(b) Side Additions**

Side additions no greater than 20% cumulatively of the existing building footprint are allowed outside of the build-to zone. Once the required percentage for the parcel has been met, side additions of any size are allowed.

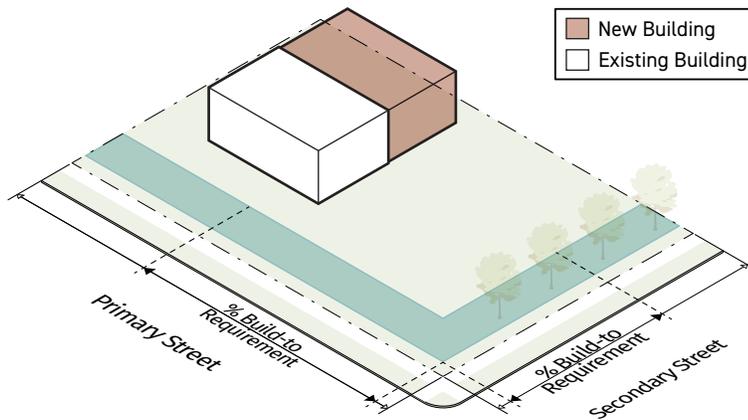


(c) Rear Additions

- (i) Rear additions are allowed outside of the build-to zone.



- (ii) Rear additions on corner lots where the secondary street does not meet the build-to requirement must include additional street planting to screen the side street for the width of the existing and expanded building. The screening must consist of a 10-foot landscape strip planted with trees every 30 feet on center and landscaped with shrubs.



c. Build-to Width

(1) Definition

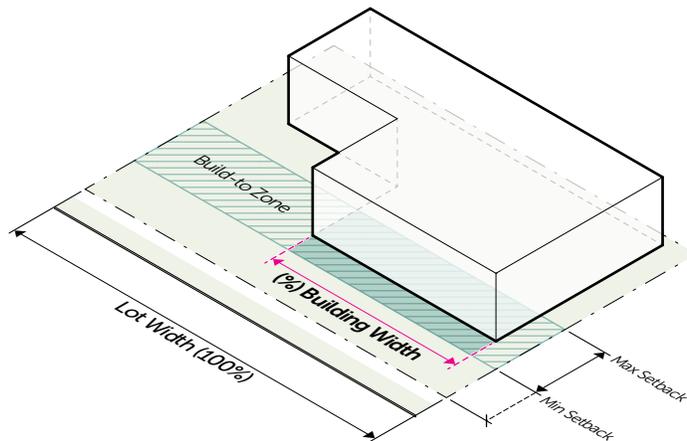
The minimum cumulative building width that must occupy the build-to zone, based on the width of the parcel at the street.

(2) Intent

To regulate the width of buildings along a street such that the public right-of-way is framed by a legible and consistent street wall, and there is a strong visual and physical connection between the private and public realm.

(3) Standards

- (a) The minimum build-to width indicated in a Design Excellence Overlay subdistrict specifies the cumulative building width that must occupy the build-to range.



- (b) When providing a driveway prohibits a building from achieving the required build-to width, a build-to width less than the subdistrict requirement may be allowed by the Zoning Officer, provided the following:
- (i) The driveway is the minimum width allowed;
 - (ii) The building conforms to the applicable build-to width standard to the greatest extent possible;
 - (iii) Automobile access to the parcel is required by the City Engineer to be taken from the Primary or Secondary Street.

- (c) Where the minimum build-to width is listed as not applicable (n/a), there is no minimum requirement for a building of any specific width. The applicant may choose their preferred building width, provided it does not exceed the maximum building width allowed for the subdistrict.

(4) Measurement

The build-to width is measured as the sum of all building widths occupying the build-to range, measured parallel to the applicable primary or secondary street property line, divided by the total width of the parcel at the street.

(5) Phased Development

When multiple buildings on the property will be developed in phases, and the initial phase of development would not meet the required build-to width, the applicant must designate a reserve area along the street frontage for future building phases that would allow the project to comply with the build-to width, provided the following conditions are met:

- (a) The reserve area must include the entire property frontage abutting the primary street or secondary street for a depth of no less than 60 feet.
- (b) Parking of vehicles, water quality facilities, detention/retention facilities, and utilities are not allowed within the reserve area.
- (c) The reserve area must be landscaped (see 20.65.020).
- (d) Required pedestrian access and circulation through the reserve area must be provided.

d. Building Width

(1) Definition

The maximum width of any individual building or the cumulative width of physically connected structures within a development site.

(2) Intent

To promote a fine-grained pattern of development even on large properties and to prevent long buildings that are significantly out of context with the traditional pattern of development.

(3) Measurement

Building width is measured parallel to each street property line.

e. Parking Between Building and Street

(1) Intent

- (a) Where parking is not allowed between the building and the street, the intent is to promote a streetscape with a high level of pedestrian interest and comfort and increase the visual and physical connection between a building and the public right-of-way.
- (b) Where parking is allowed between the building and the street, the intent is to allow maximum building siting flexibility in sites with limited expectation of pedestrian activity.

(2) Standards

(a) Prohibited

Where a Design Excellence Overlay subdistrict indicates that parking between a building and the street is prohibited, no parking or vehicular use areas may be located between a street facing building facade within 60 feet of a street and the associated street property line.

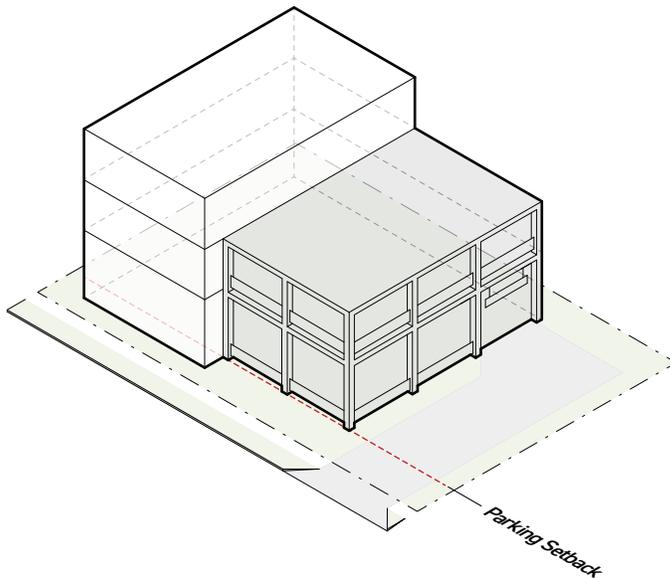
(b) Limited

Where a Design Excellence Overlay subdistrict indicates that parking between a building and the street is limited, a maximum of one double row of parking and its associated drive aisle is allowed.

f. Parking Setback from Street

(1) Intent

To minimize the impact of automobile dominated areas on the public right-of-way and to promote a comfortable, safe, engaging and attractive streetscape.



(2) Standards

All surface and structured parking and vehicular use areas must be set back from the street property line the minimum dimension indicated in the applicable subdistrict.

(3) Measurement

Parking setback from street distances are measured perpendicularly from the street property line.

g. Interior Parking Lot Landscaping

(1) Definition

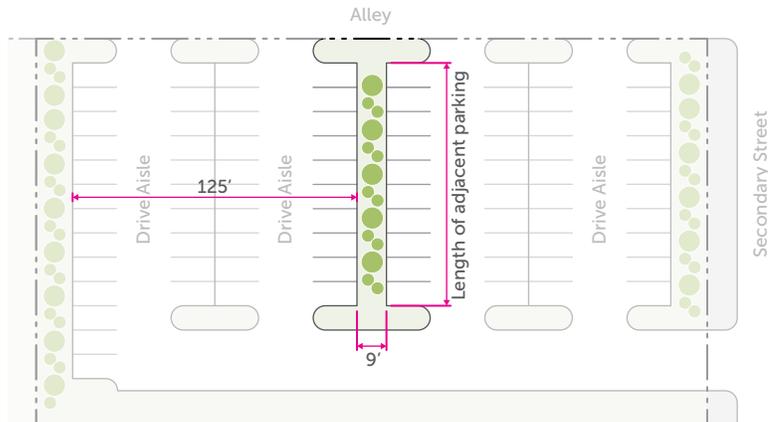
Landscaping required within surface parking lots in addition to the landscaped island requirements of 20.65.040C.2.

(2) Intent

To increase permeable surfaces, break-up large surface parking areas, reduce noise and glare, and moderate heat.

(3) Applicability

- (a) All surface parking lots with at least three parallel drive aisles.
- (b) The landscaped island requirements of 20.65.040C.2 continue to apply in addition to this interior parking lot landscaping standard.

**(4) Standards**

- (a) Provide a landscaped area at least 9 feet wide between rows of parking.
- (b) Spaced a maximum of 125 feet from a perimeter parking lot screening landscaped area or another interior parking lot landscaping area.
- (c) Landscaped area must be continuous for the length of the adjacent rows of parking.
- (d) Planted in with 2 trees and 12 shrubs per 1,000 square feet of landscaped area and groundcover in accordance with 20.65.040.

(5) Measurement

- (a) Interior parking lot landscaped area width is measured from the outside edge of the curb.
- (b) Maximum spacing is measured perpendicular to the outside edge of the curb.

h. Perimeter Parking Lot Screening**(1) Definition**

Minimum requirements for screening parking and other vehicular use areas from a street.

(2) Intent

To minimize the impact of automobile-dominated areas on the public right-of-way and to promote a comfortable, safe, engaging and attractive streetscape.

(3) Applicability

- (a) All surface parking lots adjacent to a public street.
- (b) Perimeter parking lot screening is required for vehicular use areas located within 60 feet of the street property line.
- (c) These standards apply in place of the perimeter parking lot landscaping requirements in 20.65.050.

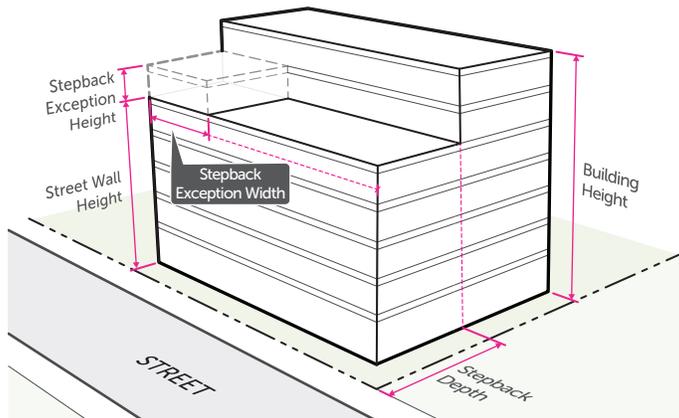
(4) Standards

- (a) Where required, one or more of the following parking lot buffers must be provided:

Landscape Hedge:		
Landscape area width (min)	6'	
Shrub height (min)	3'	
Shrub spacing (max)	3' on-center	
Landscape Wall:		
Landscape area width (min)	4'	
Wall height (min)	3'	
Grade Change:		
Landscape area width (min)	3'	
Finished grade change (min)	-3'	
Shrub height (min)	3'	
Shrub spacing (max)	3' on-center	
Landscape Berm*:		
Berm height (min)	3'	
Slope (max)	3:1	
*Allowed only in Corridor Typology 3 and 4		

- (b) Screening elements such as a wall or hedge must be placed to the interior of the site.
- (c) Parking lot perimeter screening may be provided in a required parking setback.

4. Vertical Scale



a. Building Height

Design Excellence Overlay subdistricts do not limit maximum building height. Building height is controlled by the underlying zoning.

b. Street Wall Height

(1) Definition

The height in number of stories and feet that may be built adjacent to a street without including an upper story stepback.

(2) Intent

To open up views to topographic features from the public right-of-way and reduce the perceived scale of a building at the street level.

(3) Standards

- (a) Any building height greater than the maximum street wall height listed in a Design Excellence Overlay subdistrict must be set back by the minimum stepback depth dimension indicated in the applicable subdistrict. Street wall height is measured in both feet and stories, and is not allowed to exceed either standard.
- (b) Where the maximum street wall height is greater than the maximum building height in the underlying zoning, the underlying zoning standard prevails. Greater height up to the maximum street wall height may be allowed as a Design Variation through Design Excellence Review by the Design Review Board.

c. Stepback Depth

(1) Intent

To assure an appropriate height along the street, while allowing the rest of the building to meet the maximum building height established in the base zoning.

(2) Standards

Portions of a building above the maximum street wall height must be set back from the street property line the minimum distance listed in the applicable subdistrict.

d. Stepback Exception

(1) Definition

The maximum height and width of building that may deviate from the maximum street wall height and stepback depth standards.

(2) Intent

To provide sufficient relief from stepback depth and street wall height standards to allow minor vertical architectural elements that do not substantially alter the perceived scale of a building from the public right-of-way.

(3) Standards

A building may deviate from the maximum street wall height and stepback depth for the height and width indicated in the applicable subdistrict.

(4) Measurement

- (a) Stepback exception width is measured as the cumulative building width deviating from the maximum street wall height or stepback depth divided by the total building width.
- (b) Stepback exception height is measured vertically from the maximum street wall height.

e. Floor-to-Ceiling Height (Ground Floor)

(1) Definition

The minimum height for the first story of a building. Does not apply to a basement.

(2) Intent

To ensure ground floor building heights that are adequate to support high quality space for tenants, activate the public realm, and reflect historic ground floor heights.

(3) Standard

The ground floor of a building must meet the minimum floor-to-ceiling height listed in the applicable subdistrict for a minimum depth of 30 feet into the building from any street facing facade.

(4) Measurement

Ground floor height is measured vertically from the top of the finished ground floor to the lowest ceiling surface above.

5. Facade Design

a. Glazed Area

(1) Definition

The amount of transparent glass on ground and upper floor street-facing building facades.

(2) Standards

- (a) Window and door glass meeting the following transparency standards counts as glazed area:
 - (i) Visible light transmittance of 60% or more.
 - (ii) External reflectance of 20% or less.
- (b) In addition to door and window glass, muntins, mullions, window sashes, window frames and door frames no more than 3 inches wide may be considered glazed area when a part of a window or door assembly with glazing meeting the requirements above.
- (c) Interior walls and other interior visual obstructions are not allowed within 6 feet of any facade area counting toward glazed area. This distance is measured perpendicularly from the exterior face of the glazed area.
- (d) Interior security gates and window displays may obstruct a maximum of 25% of window area for any individual window counting toward glazed area.
- (e) In the event that these glazed area requirements conflict with City building or energy code requirements, the Zoning Officer, in consultation with the Building Official, may reduce the required amount of glazing.

b. Ground Floor Glazed Area

(1) Definition

The amount of transparent glass on a ground floor street-adjacent building facade.

(2) Applicability

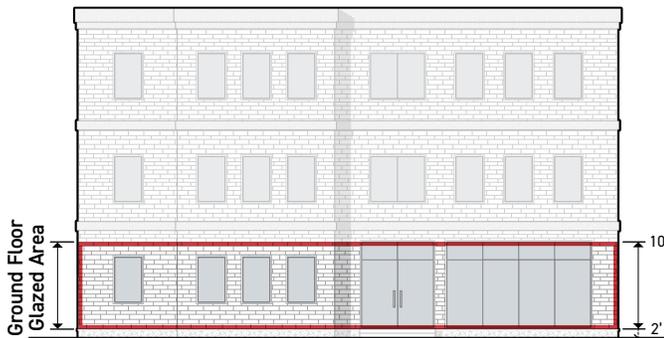
Only street-facing building facades must meet ground floor glazed area standards.

(3) Intent

To provide visual interest along the sidewalk, passive surveillance of the public realm and visual connection from the public realm to the inside of a building.

(4) Measurement

Ground floor glazed area is calculated as the total glazed area between 2 feet and 10 feet above finished grade divided by the total facade area between 2 feet and 10 feet above finished grade.



(5) Standards

- (a) The ground floor building facades of a building must meet the minimum glazed area percentage listed in the applicable subdistrict.
- (b) Glazed area must meet the glazed area standards in 20.25.080.C.5.a.

c. Upper Floor Glazed Area

(1) Definition

The amount of transparent glass on an upper floor street-adjacent building facade.

(2) Applicability

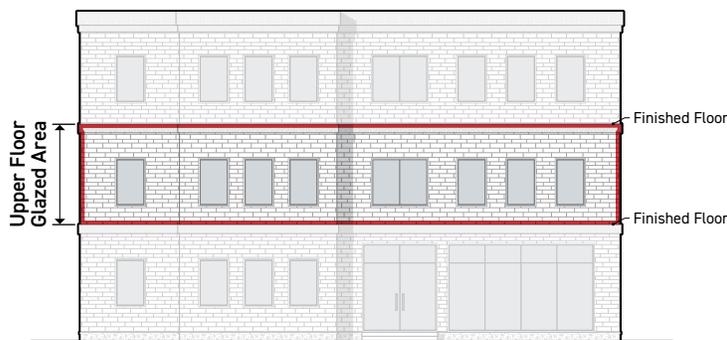
Only street-facing building facades must meet upper floor glazed area standards.

(3) Intent

To provide the public realm with visual interest and passive surveillance.

(4) Measurement

Upper floor glazed area is calculated as the total glazed area between the finished floor of each upper floor to the finished floor of the upper floor above.



(5) Standards

- (a) An upper floor building facade must meet the minimum glazed area percentage listed in the Design Excellence Overlay subdistrict.
- (b) Glazed area must meet the glazed area standards in 20.25.080.C.5.a.

d. Upper Floor Blank Wall Width

(1) Definition

The maximum linear space allowed between windows on an upper floor building facade.

(2) Intent

To prevent large monotonous wall planes along the public realm, distribute windows and their associated benefits across the width of a building and more

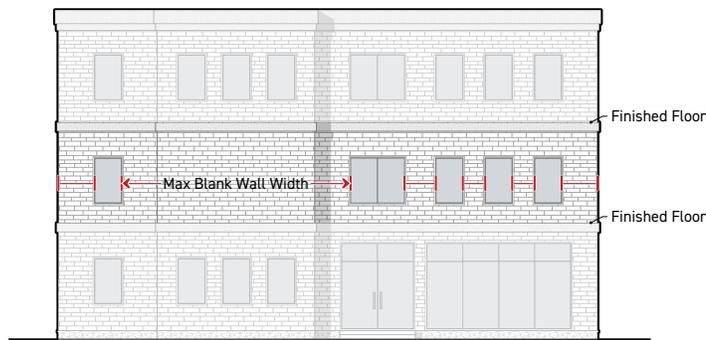
closely resemble window patterns in nearby traditional buildings.

(3) Applicability

Only street-facing building facades between the second finished floor and the maximum street wall height must meet upper floor blank wall standards.

(4) Standard

An upper floor building facade must meet the minimum blank wall width listed in the applicable subdistrict.



(5) Measurement

Upper floor blank wall width is measured horizontally for any individual length of building wall that does not include glazed area between 3 feet and 7 feet from the finished floor.

e. Street-Facing Entrance

(1) Definition

A door providing access from the public sidewalk to the first habitable story of a building.

(2) Intent

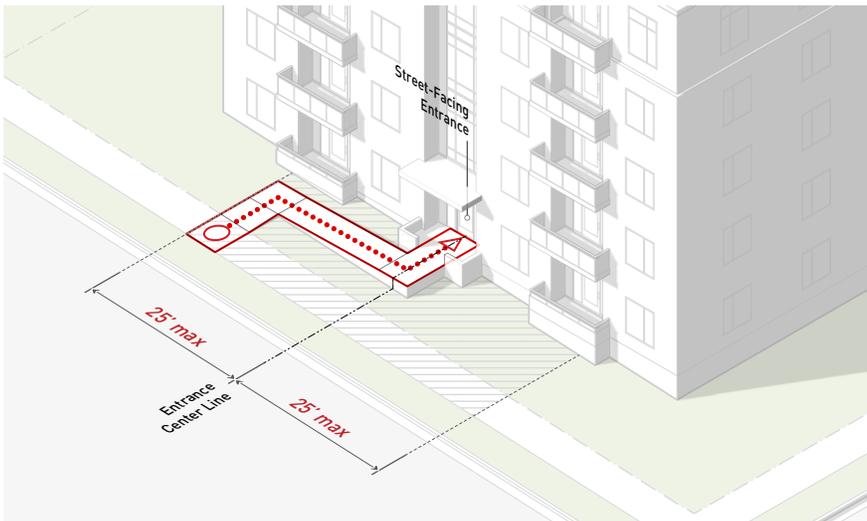
Enhance walkability and provide visual and physical connections between a site and the public realm.

(3) Standards

Entrances qualifying as a street-facing entrance must meet the following standards:

- (a) Provide both ingress and egress access to the first floor of a building (not the basement).
- (b) Operable for residents or tenants at all times.

- (c) Facing the public sidewalk
- (d) Not providing access to parking, utility areas or fire stairs.
- (e) On a corner parcel, an entrance angled between 30 to 60 degrees may be provided at the building corner near the street intersection to meet a street-facing entrance requirement for both streets.
- (f) Each required street-facing entrance must connect to the public sidewalk with a direct pedestrian connection that is physically separated from vehicular use areas and uninterrupted by parking except where required to cross a drive aisle.
- (g) Direct pedestrian connections must be at least 5 feet wide and located within 25 feet of the center of the street-facing entrance when measured parallel to the sidewalk.



f. Distance Between Entries

(1) Definition

The maximum distance allowed between street-facing entrances.

(2) Intent

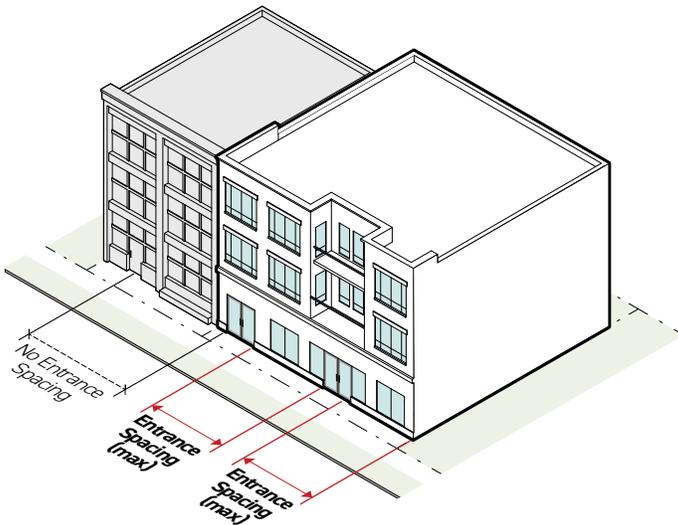
Concentrate pedestrian activity on the public sidewalk and provide a strong connection between buildings and the public realm.

(3) Applicability

- (a) The maximum entrance spacing requirements must be met for each building, but do not apply to adjacent or abutting buildings.
- (b) Maximum distance between entries only apply to street-facing facades.

(4) Standards

- (a) Street-facing entrances must be provided at the frequency listed in the applicable subdistrict.
- (b) On a corner parcel where the building width along a secondary street is greater than the required distance between entries, a secondary street entrance is required.

**(5) Measurement**

The maximum distance between entries is measured parallel to the street property line from the edge of door to edge of door and edge of door to edge of building.

6. Material Coverage

a. General

(1) Intent

To ensure that a building's facade design reflects Missoula's location and character by incorporating traditional and locally significant materials.

(2) Applicability

All building facades must comply with material coverage standards.

(3) Measurement

Material coverage is calculated as the total facade area clad in the regulated material divided by the total facade area.

(4) Standards

All building facades must meet the minimum and maximum material coverage requirements listed for the applicable subdistrict.

b. Traditional Masonry

Traditional Masonry building materials include stone and brick.

c. Natural Materials

Natural building materials include wood, stone and brick.

d. Synthetic Stucco

Synthetic Stucco includes, but is not limited to, External Insulation and Finish System (EIFS) and similar synthetic materials.

e. Other Materials

Other materials may be substituted for materials listed above if deemed appropriate by the Zoning Officer, using the design guidelines for materials in the Design Excellence Manual. Potential examples include:

- (1) Authentic stucco
- (2) Patterned pre-cast concrete
- (3) Detailed concrete
- (4) Cast stone
- (5) Prefabricated brick panels
- (6) Architectural concrete (textured or patterned)
- (7) Fiber cement siding

7. Articulation

a. Mass Variation

(1) Definition

A substantial change in mass, clearly legible as a deviation from the massing along the other street-facing portions of a building.

(2) Intent

To provide visual interest and a human-scale to otherwise large and monotonous building facades through the use of design features that break a large building mass into different, clearly identifiable elements.

(3) Applicability

Mass Variation standards apply to primary and secondary street-facing building facades longer than 50 feet.

(4) Standard

- (a) When required, all applicable building facades must meet the standards for at least one mass variation method.
- (b) Multiple building widths using the same mass variation technique may be added together to meet the minimum building width for the mass variation standards.
- (c) Mass variation applies to single-story buildings.

(5) Measurement

The percentage of building width with mass variation is calculated as the building width meeting the standards of a mass variation method divided by the total width of the building.

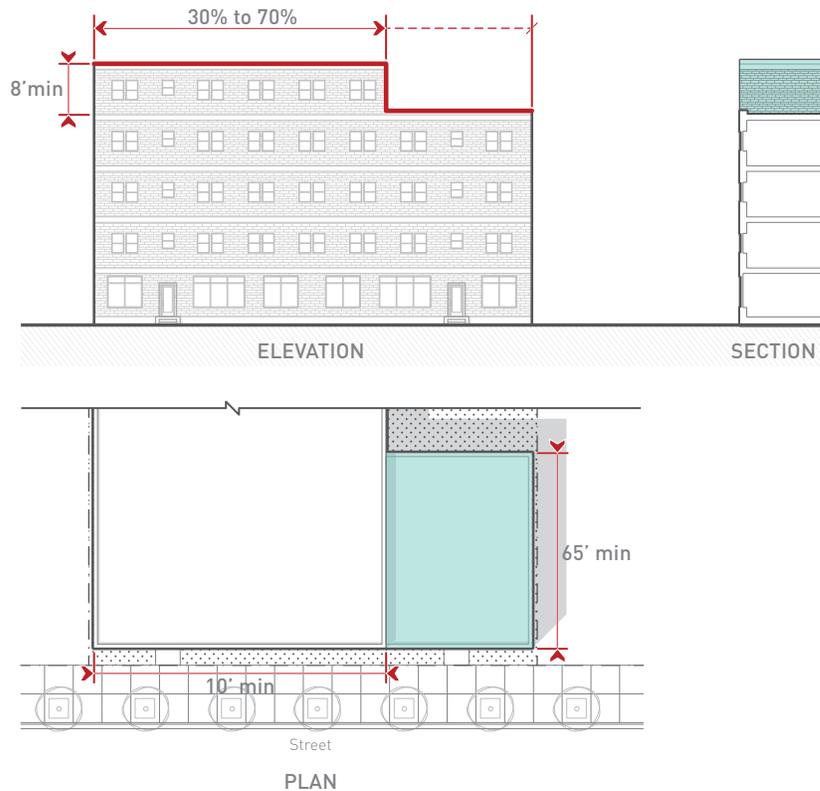
(6) Mass Variation Methods

Meeting the standards for one of the following mass variation methods counts as meeting the requirement for mass variation.

(a) Height Variation

A significant change in height for a significant depth of the building.

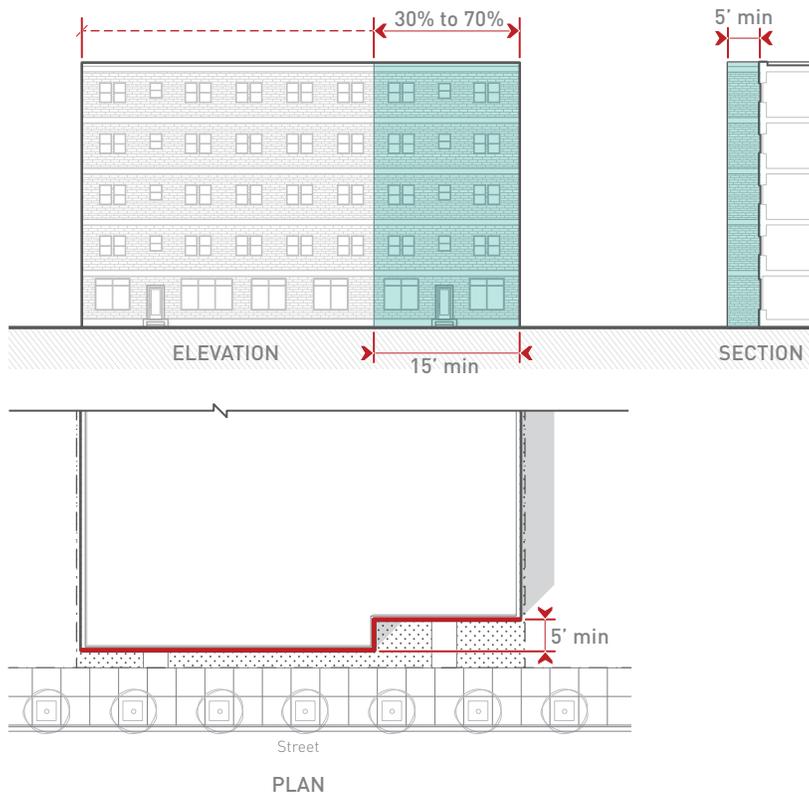
- (i) The minimum allowed building width without a height variation is 30% of the total building width.
- (ii) The maximum allowed building width without a height variation is 70% of the total building width.
- (iii) Vary in height a minimum of 8 feet from the rest of the building width.
- (iv) Minimum width of 10 feet
- (v) Must be conditioned (habitable) space.
- (vi) Minimum depth of a height variation is 65 feet or the full building depth, whichever is less.



(b) Increased Setback

A significant variation in setback along the width of a building.

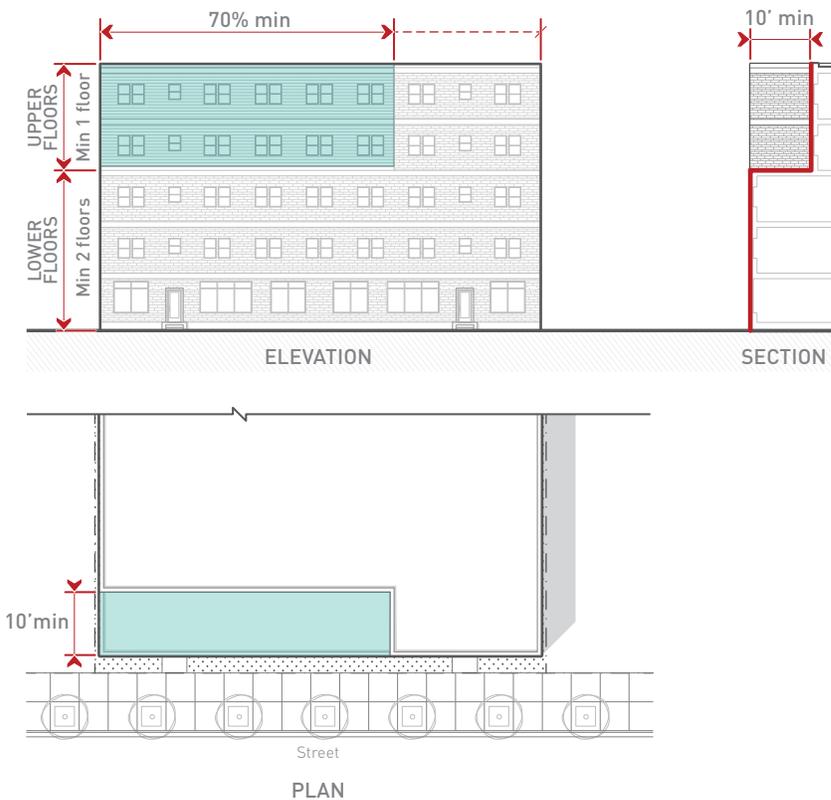
- (i) A minimum of 30% and a maximum of 70% of the building width must be set back from the rest of the building width.
- (ii) Increased setback area must be set back at least 5 feet for a minimum width of at least 15 feet.



(c) Upper Floor Stepback

Upper floors of a building set back significantly from the lower floors of a building for the remaining height of a building.

- (i) A minimum of 70% of the building width must include an upper floor stepback.
- (ii) Upper floors must be set back from the lower floors a minimum of 10 feet for all building widths counting as having an upper floor stepback.
- (iii) Lower floor must include at minimum the ground floor and the second floor. The upper story stepback must occur between the third floor and the maximum street wall height.



b. Facade Articulation

(1) Definition

Architectural elements changing the depth and surface of a building face or facade, providing varying shadow lines and textures.

(2) Intent

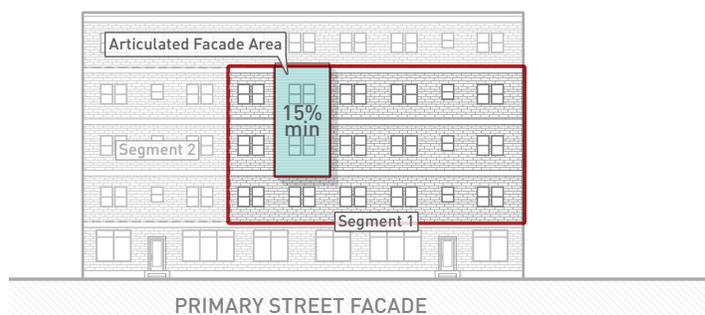
Provide visual interest and a human-scale to otherwise flat and monotonous building facades through the use of design features that “break up” street-facing building facades into smaller visual components.

(3) Applicability

- (a) Facade articulation standards apply to primary and secondary street-facing building facades longer than 50 feet.
- (b) Articulation standards apply to portions of the facade above the ground floor up to the maximum street wall height.
- (c) Facade articulation does not apply to single-story buildings.

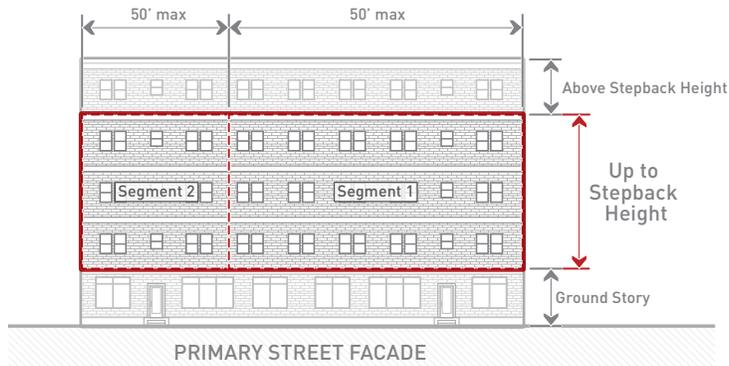
(4) Standards

- (a) When required, all applicable building facades must meet the standards for at least one mass variation method.
- (b) Each facade segment must be articulated for a minimum of 15% of the applicable facade area.



(5) Measurement

- (a) For the purpose of calculating articulated facade area, the primary and secondary street facade area must be divided horizontally into segments of no more than 50 feet in width along a primary street and no more than 100 feet in width along a secondary street.



- (b) The percentage of articulated facade is calculated as the total area of articulated facade in an individual facade segment divided by the total facade segment area.

(6) Facade Articulation Methods

The following articulation methods count toward articulated facade area:

(a) Color or Material Change

A facade area clad in a different material or finished in a different color from the primary facade.

- (i) Must be recessed or project from the primary facade plane a minimum of 1 foot.
- (ii) Must cover a contiguous area a minimum of 1 story in height and 6 feet in width.
- (iii) Change from one material or color to the next must occur at an inside corner.

**(b) Balconies**

Exterior platforms that project from a building, designed for human occupation.

- (i) Minimum of 4 feet deep and 6 feet wide.
- (ii) Articulated facade area for a balcony is measured as the height of the floor to which the balcony is applied, multiplied by the width of the balcony.



(c) Structural articulation

Bands of facade area that express or reveal significant structural elements of a building by protruding from the primary facade plane. Examples include; cornices, columns, struts, lintels and spandrels.

- (i) Minimum 8 inches wide.
- (ii) Projecting from primary facade 6 inches minimum.
- (iii) Bands must be located adjacent to significant structural elements of a building.



D. Incentives

1. General

a. Intent

The intent of these incentives is to encourage development in the Design Overlay areas by reducing or removing certain Title 20 development requirements, while promoting the community vision for Downtown and the Corridors.

b. Availability

Incentives in this Section are available based on the applicability stated in each credit or reduction below. Reductions are allowed in amounts that vary by subdistrict.

c. Design Variation

Design flexibility through the Design Variation review process is also available as an incentive to apply the design guidelines in place of a specific prescriptive design standard in the Design Excellence Overlay. See 20.25.080B.3.

2. On-Street Parking Substitution

- a. On-street parking substitution is allowed in order to meet the zoning requirements for both residential and non-residential projects in the Downtown Gateway, Downtown North, Downtown Hip Strip, and Corridor Typology 1, 2 and 3.
- b. Where on-street parking spaces with a minimum dimension of at least 23 feet in length exist in the public right-of-way, 1 on-street parking space may be substituted for every required on-site parking space, provided the on-street space immediately abuts the subject property.
- c. Each on-street parking space may only be counted for one property. Where an on-street parking space straddles an extension of a property line, the space may only be counted by the owner whose property abuts 50% or more of the on-street parking space.
- d. ADA parking spaces, if required, must be provided on-site.
- e. The Zoning Officer will determine if the credit for on-street parking spaces is appropriate based on area plans and adopted streetscape standards to ensure that the on-street parking spaces will exist into the foreseeable future. The Zoning Officer may determine that to ensure future roadway capacity, the on-street parking credit is not available.

3. Parking for Adaptive Reuse

- a. No parking is required for the adaptive reuse for non-residential purposes of any existing building (but not an addition or new construction) in the Design Excellence Overlay that is both:
 - (1) Under 4,000 square feet in gross floor area; and
 - (2) At least 50 years old as of the date of any application for development review.
- b. The burden of proving the building's age is on the applicant.
- c. Any existing parking associated with the building must be retained.

4. Off-Street Parking Reduction

a. Maximum Reduction

- (1) Any off-street parking reduction allowed in this Overlay is calculated based on the final parking requirement following the standards in 20.60.
- (2) The maximum parking reduction allowed through 20.60 and this Overlay is 50% of the overall parking reduction according to 20.60 and does not duplicate reductions.
- (3) The parking exemption in 20.25.080.D3. is not a parking reduction subject to this limitation.

b. Small Non-Residential Use Parking Reduction

- (1) This incentive is available in the Downtown Gateway, Downtown North, Downtown Outer Core, Downtown Hip Strip, and Corridor Typology 1 and 2.
- (2) No off-street parking spaces are required for the first 1,500 square feet of non-residential space in a project (whether adaptive reuse of an existing building or new construction).
- (3) Uses greater than 1,500 square feet must provide parking only for the floor area in excess of 1,500 square feet.
- (4) On properties occupied by two or more uses, the reduction may only be applied once.

c. Transit-Served Location Parking Reduction

- (1) This incentive is available in the Downtown Hip Strip, Downtown Gateway, Downtown North, and Corridor Typology 1, 2 and 3.
- (2) In the Downtown Hip Strip, Downtown Gateway, Downtown North, and Corridor Typology 1 and 2, projects located within 1,250 feet of a transit stop may reduce the required off-street parking spaces by up to 15%.
- (3) In Corridor Typology 3, projects located within 1,250 feet of a transit stop may reduce the required off-street parking spaces by up to 10%.
- (4) Staff will evaluate the quality of the transit stop design and the adequacy of the connectivity between the transit stop and the project using the existing criteria in 20.85.110B.8. to ensure:
 - (a) The transit stop operates at an adequate level of service; and
 - (b) The transit stop is conveniently located and connected to the development.

d. Bike-Served Location Parking Reduction

- (1) This incentive is available in the Downtown Gateway, Downtown North, Downtown Outer Core, Downtown Hip Strip, and Corridor Typology 1, 2 and 3.
- (2) In the Downtown Gateway, Downtown North, Downtown Outer Core, Downtown Hip Strip, and Corridor Typology 1 and 2, any use located adjacent to a designated bicycle lane may reduce the required off-street parking spaces by up to 20%.
- (3) In Corridor Typology 3, any use located adjacent to a designated bicycle lane may reduce the required off-street parking spaces by up to 15%.
- (4) The connection to the bicycle route or trail will be evaluated to ensure there is convenient access from the development.

e. Bike Parking Reduction

- (1) This incentive is available in the Downtown Gateway, Downtown North, Downtown Outer Core, Downtown Hip Strip, and Corridor Typology 1, 2 and 3.

- (2) Required off-street parking spaces may be reduced by 1 space for every 4 bicycle parking spaces (short-term or long-term bike parking spaces) provided in excess of the requirement in 20.60.090.
- (3) This credit may be used to reduce the total required off-street parking spaces no more than 25%.
- (4) The bike parking spaces must meet the design guidelines for bicycle amenities in the Design Excellence Manual and 20.60.090 in terms of quality and location.

5. Landscaping Reduction

a. General Site Landscaping

- (1) This incentive is available in the Downtown Gateway, Downtown North, Downtown Hip Strip, and Corridor Typology 1, 2, 3 and 4.
- (2) The minimum landscaped area requirements as a percentage of the property size identified in 20.65.020B.2. may be reduced to 15% of the gross area of the property.
- (3) Staff will use the design guidelines in the Design Excellence Manual applying best practices to the specific site to determine if the quality of the provided landscape area qualifies for receipt of this Regulatory Improvement.

6. Vertical Mixed Use

a. No Density Restriction

There is no minimum parcel area per dwelling unit requirement for a Vertical Mixed-Use Building meeting the definition in 20.100.010.

7. Activity Area Reduction

a. Activity Area Requirement

- (1) This incentive is available in Corridor Typology 1, 2, 3 and 4 and applies to the activity area requirements for multi-dwelling houses and multi-dwelling buildings in 20.65.020C.
- (2) In Corridor Typology 1 and 2, activity area requirements may be reduced or waived for projects located within 1,250' (measured along accessible existing and applicant-proposed travel routes) of existing public amenity space that is equivalent to or greater in size than the required activity area.
- (3) In Corridor Typology 3 and 4, activity area requirements may be reduced to 10% for projects located within 1,250' (measured along accessible existing and applicant-proposed travel routes) of existing public amenity space that is equivalent to or greater in size than the required activity area.
- (4) Approved public spaces (open spaces, parks or trails) that meet the intention of activity or recreation for year-round use are considered existing public amenities spaces.
- (5) Staff will use the design guidelines in the Design Excellence Manual to determine if the alternative amenity is sufficient to receive this Regulatory Improvement.

20.25.081 /DE-D,
**Design Excellence -
Downtown Overlay**

A. General

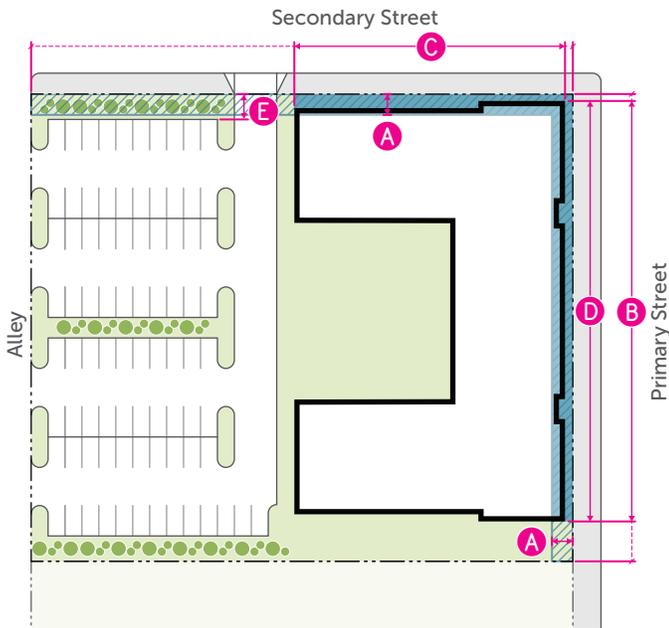
1. The design standards in this Section apply to development within the /DE-D Design Excellence - Downtown Overlay. The City maintains a map of specific parcels subject to each of the subdistricts in this Section.
2. Additional general design standards that apply to all Design Excellence Overlay subdistricts are included in 20.25.080C.2. This Section also contains definitions, rules for measurement, and guidance for interpretation of these standards.
3. These Design Excellence - Downtown Standards apply to projects that require Zoning Compliance Review (see 20.25.080B.1.b.) as well as those that require Design Excellence Review (see 20.25.080B.1.a.).

B. Downtown Inner Core

In the future, the Downtown Inner Core should remain the urban center of the community. It should be comparatively higher in density, in terms of building scale and intensity of land use. Compatibility with traditional character is paramount.

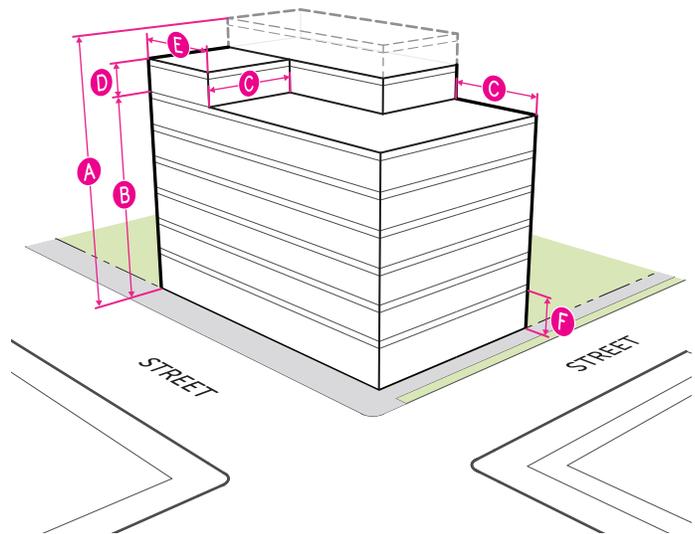
1. Site Design

(See 20.25.080C.3.)



2. Vertical Scale

(See 20.25.080C.4.)



BUILDING

A	Build-to zone (min/max)	0'/5'
B	Build-to width: primary street (min)	90%
C	Build-to width: secondary street (min)	70%
D	Building width (max)	325'

PARKING

	Parking between building and street	Prohibited
E	Parking setback from street (min)	15'
	Interior parking lot landscaping	n/a
	Parking lot perimeter screening	n/a

BUILDING HEIGHT

A	Building height (max)	See underlying zoning
----------	-----------------------	-----------------------

UPPER STORY STEPBACK

B	Street wall height (max)	85' 6 stories
C	Stepback depth (min)	10'
D	Stepback exception: height (max)	15' 1 story
E	Stepback exception: width (max)	30%

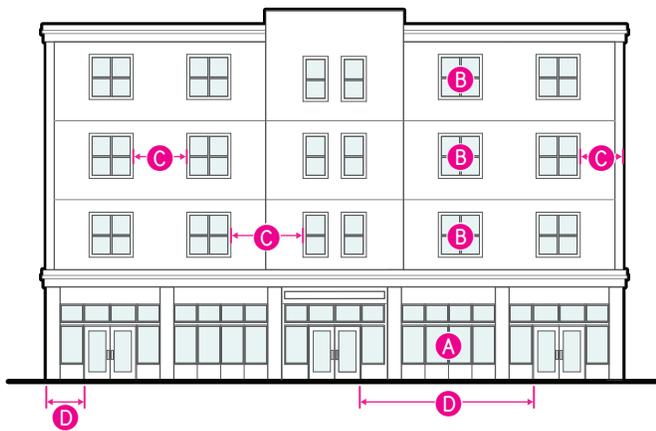
FLOOR TO CEILING HEIGHT

	Residential (min)	10'
F	Non-residential (min)	13'

Downtown Inner Core

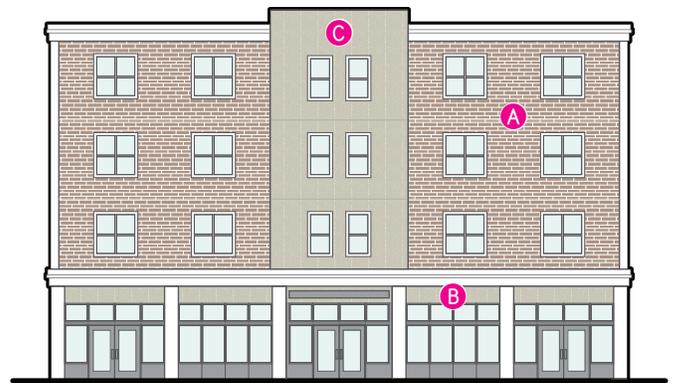
3. Facade Design

(See 20.25.080C.5.)



4. Materials

(See 20.25.080C.6.)



	Primary Street	Secondary Street
GROUND FLOOR		
A Glazed area: commercial (min)	65%	50%
Glazed area: residential (min)	65%	50%
UPPER FLOOR		
B Glazed area (min)	20%	20%
C Blank wall width (max)	8'	8'
ENTRANCES		
Street-facing entrance	Required	n/a
D Distance between entries (max)	50'	50'

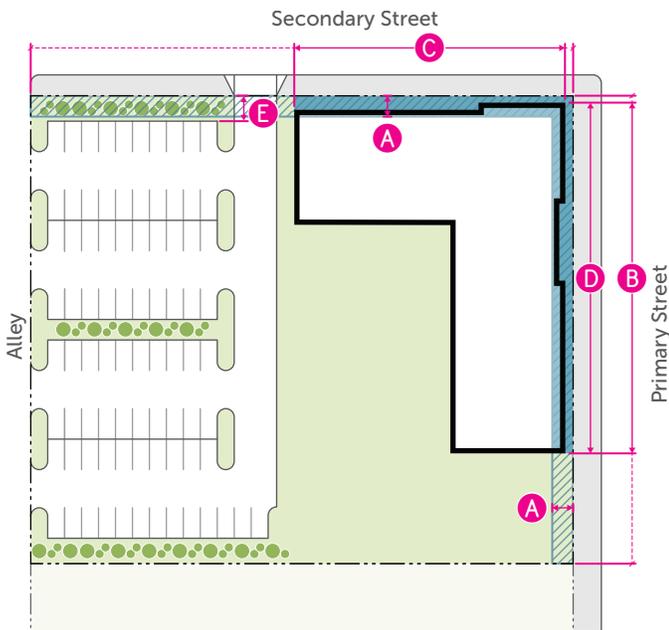
	Street-facing	Non-street-facing
MATERIAL COVERAGE		
Natural material (min)	n/a	n/a
A Traditional masonry (min)	70%	40%
B Synthetic Stucco: ground floor (max)	20%	70%
C Synthetic Stucco: upper floor (max)	40%	70%

C. Downtown Outer Core

The Downtown Outer Core is an essential part of the urban center and should be experienced as part of it. It contains many historic resources that provide a reference for design, but the area is more diverse in building types than the Downtown Inner Core. Nonetheless, most buildings contribute to an urban street experience, with facades located at the street edge and activated with storefronts. New designs in the Downtown Outer Core should contribute to this engaging street experience.

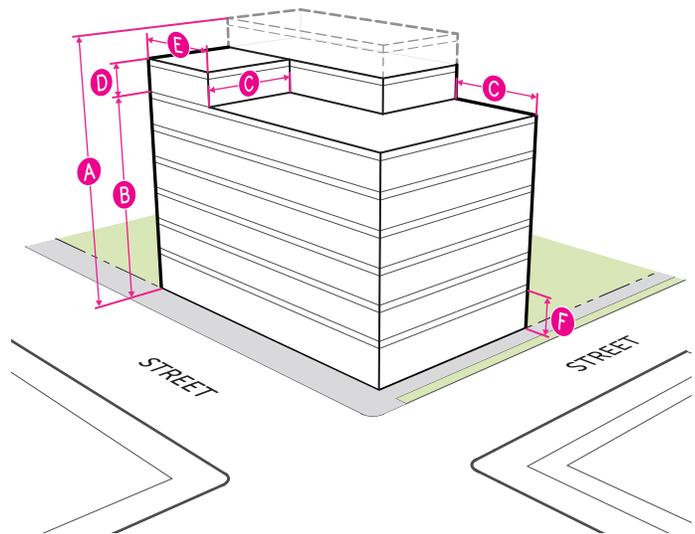
1. Site Design

(See 20.25.080C.3.)



2. Vertical Scale

(See 20.25.080C.4.)



BUILDING

A	Build-to zone (min/max)	0'/5'
B	Build-to width: primary street (min)	80%
C	Build-to width: secondary street (min)	60%
D	Building width (max)	275'

PARKING

	Parking between building and street	Prohibited
E	Parking setback from street (min)	15'
	Interior parking lot landscaping	n/a
	Parking lot perimeter screening	n/a

BUILDING HEIGHT

A	Building height (max)	See underlying zoning
----------	-----------------------	-----------------------

UPPER STORY STEPBACK

B	Street wall height (max)	85' 6 stories
C	Stepback depth (min)	10'
D	Stepback exception: height (max)	15' 1 story
E	Stepback exception: width (max)	30%

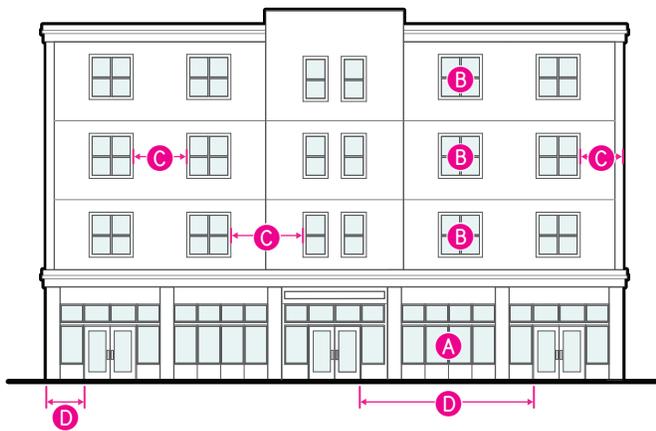
FLOOR TO CEILING HEIGHT

	Residential (min)	10'
F	Non-residential (min)	13'

Downtown Outer Core

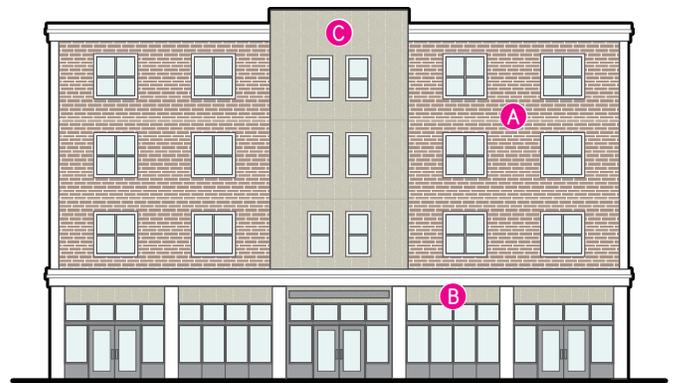
3. Facade Design

(See 20.25.080C.5.)



4. Materials

(See 20.25.080C.6.)



	Primary Street	Secondary Street
GROUND FLOOR		
A Glazed area: commercial (min)	65%	40%
Glazed area: residential (min)	30%	30%
UPPER FLOOR		
B Glazed area (min)	20%	20%
C Blank wall width (max)	10'	10'
ENTRANCES		
Street-facing entrance	Required	n/a
D Distance between entries: Non-residential (max)	70'	70'
Distance between entries: Residential (max)	100'	100'

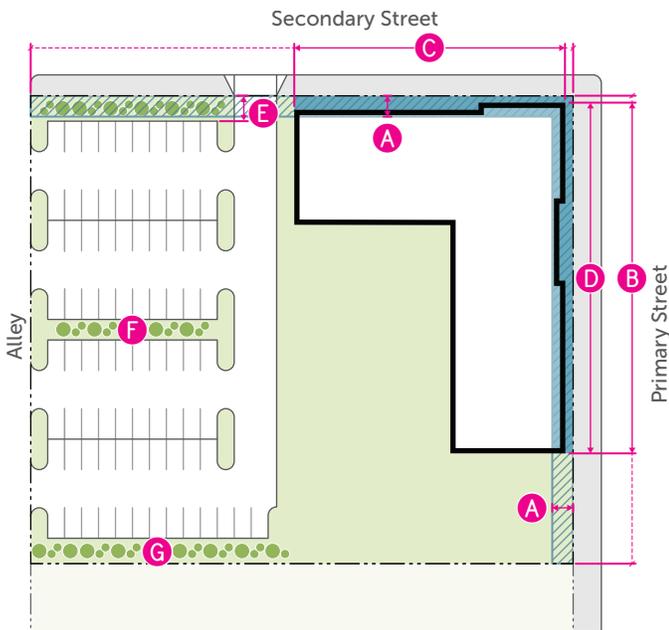
	Street-facing	Non-street-facing
MATERIAL COVERAGE		
Natural material (min)	n/a	n/a
A Traditional masonry (min)	60%	40%
B Synthetic Stucco: ground floor (max)	20%	70%
C Synthetic Stucco: upper floor (max)	40%	70%

D. Downtown Hip Strip

The Downtown Hip Strip is a distinctively unique part of Downtown, with a mix of older and newer buildings of a moderate scale. It has a diverse range of building types that are interesting at the street level, and generally built close to the street edge in ways that invite exploration. Public art and creative signs, colors and artistic elements are encouraged.

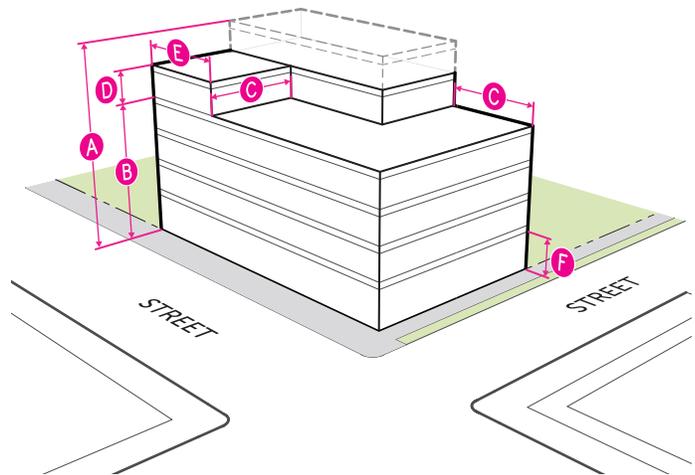
1. Site Design

(See 20.25.080C.3.)



2. Vertical Scale

(See 20.25.080C.4.)



BUILDING

A	Build-to zone (min/max)	0'/5'
B	Build-to width: primary street (min)	70%
C	Build-to width: secondary street (min)	40%
D	Building width (max)	275'

PARKING

	Parking between building and street	Prohibited
E	Parking setback from street (min)	15'
F	Interior parking lot landscaping	Required
G	Parking lot perimeter screening	Required

BUILDING HEIGHT

A	Building height (max)	See underlying zoning
----------	-----------------------	-----------------------

UPPER STORY STEPBACK

B	Street wall height (max)	60' 4 stories
C	Stepback depth (min)	10'
D	Stepback exception: height (max)	15' 1 story
E	Stepback exception: width (max)	30%

FLOOR TO CEILING HEIGHT

	Residential (min)	10'
F	Non-residential (min)	13'

Downtown Hip Strip

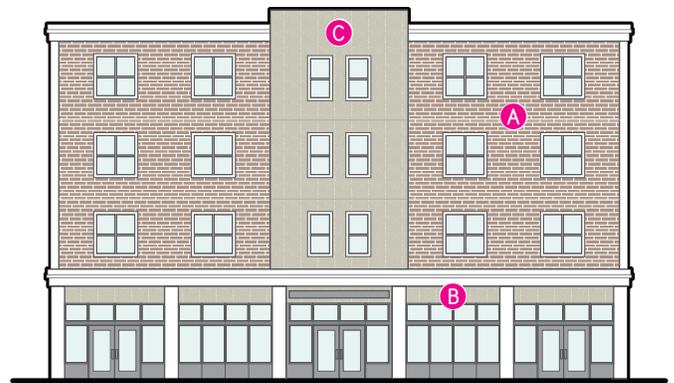
3. Facade Design

(See 20.25.080C.5.)



4. Materials

(See 20.25.080C.6.)



	Primary Street	Secondary Street
GROUND FLOOR		
A Glazed area: commercial (min)	65%	40%
Glazed area: residential (min)	30%	30%
UPPER FLOOR		
B Glazed area (min)	20%	20%
C Blank wall width (max)	10'	10'
ENTRANCES		
Street-facing entrance	Required	n/a
D Distance between entries: Non-residential (max)	70'	70'
Distance between entries: Residential (max)	100'	100'

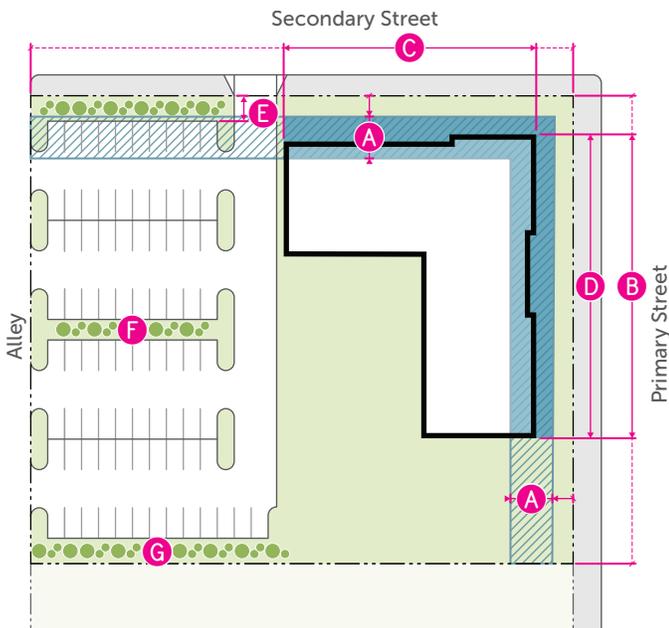
	Street-facing	Non-street-facing
MATERIAL COVERAGE		
Natural material (min)	n/a	n/a
A Traditional masonry (min)	50%	40%
B Synthetic Stucco: ground floor (max)	20%	70%
C Synthetic Stucco: upper floor (max)	40%	70%

E. Downtown Gateway

Gateway areas frame Downtown and contribute to a sense of entry into the urban center. These areas are in transition, evolving from an auto-oriented character to a more urban experience. They will include commercial and residential developments with a variety of building forms and street edge characteristics. New development should establish a more urban feel. Downtown Gateways often have edges that face established residential neighborhoods, and compatible transitions in these locations are important.

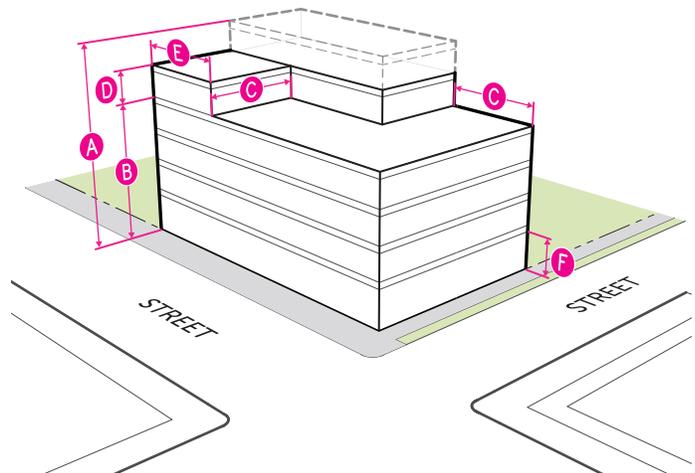
1. Site Design

(See 20.25.080C.3.)



2. Vertical Scale

(See 20.25.080C.4.)



BUILDING

A	Build-to zone (min/max)	5'/15'
B	Build-to width: primary street (min)	60%
C	Build-to width: secondary street (min)	30%
D	Building width (max)	325'

PARKING

E	Parking setback from street (min)	10'
F	Interior parking lot landscaping	Required
G	Parking lot perimeter screening	Required
	Parking between building and primary street	Prohibited
	Parking between building and secondary street	Limited

BUILDING HEIGHT

A	Building height (max)	See underlying zoning
----------	-----------------------	-----------------------

UPPER STORY STEPBACK

B	Street wall height (max)	60' 4 stories
C	Stepback depth (min)	15'
D	Stepback exception: height (max)	15' 1 story
E	Stepback exception: width (max)	30%

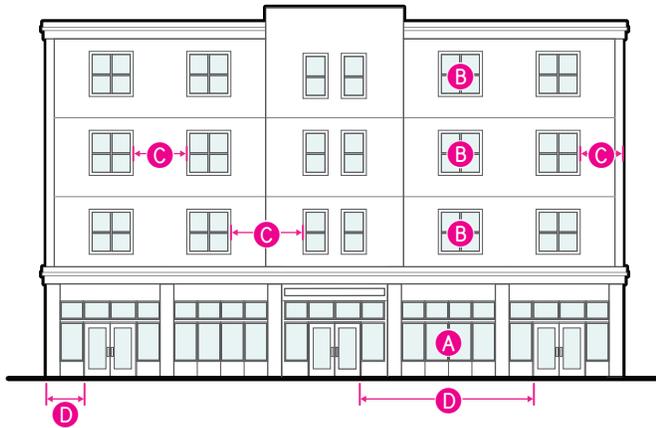
FLOOR TO CEILING HEIGHT

	Residential (min)	10'
F	Non-residential (min)	13'

Downtown Gateway

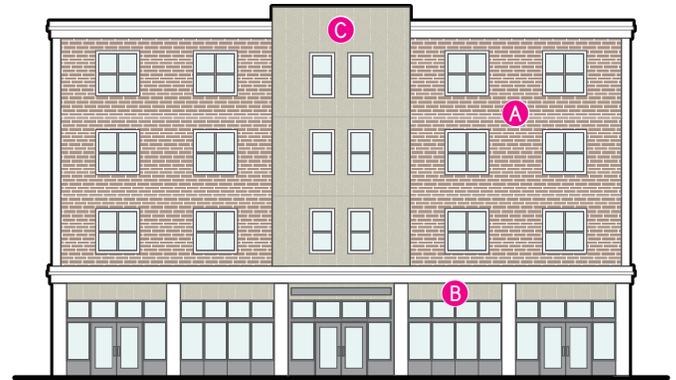
3. Facade Design

(See 20.25.080C.5.)



4. Materials

(See 20.25.080C.6.)



	Primary Street	Secondary Street
GROUND FLOOR		
A Glazed area: commercial (min)	60%	40%
Glazed area: residential (min)	30%	30%
UPPER FLOOR		
B Glazed area (min)	20%	20%
C Blank wall width (max)	12'	12'
ENTRANCES		
Street-facing entrance	Required	n/a
D Distance between entries: Non-residential (max)	90'	90'
Distance between entries: Residential (max)	120'	120'

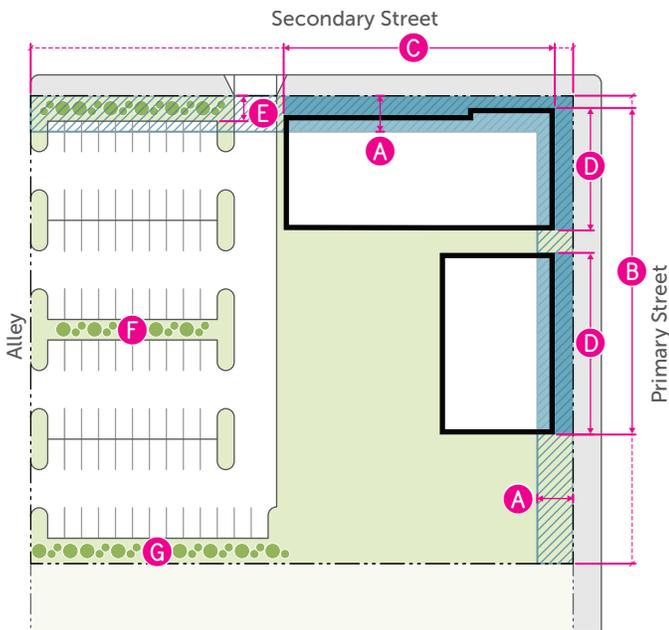
	Street-facing	Non-street-facing
MATERIAL COVERAGE		
A Natural material (min)	25%	25%
Traditional masonry (min)	n/a	n/a
B Synthetic Stucco: ground floor (max)	40%	80%
C Synthetic Stucco: upper floor (max)	60%	80%

F. Downtown North

The Downtown North Context will continue to be home to a variety of building types and forms. It will serve as a transition between the Downtown Gateway Area around Broadway and the residential neighborhood to the north, with moderately scaled buildings. While increases in density and scale are desired, buildings and sites should be designed to fit in with the residential character.

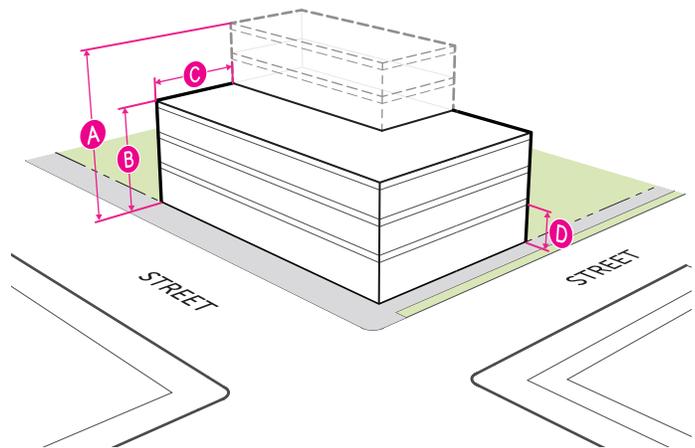
1. Site Design

(See 20.25.080C.3.)



2. Vertical Scale

(See 20.25.080C.4.)



BUILDING

A Build-to zone (min/max)	10'/20'
B Build-to width: primary street (min)	60%
C Build-to width: secondary street (min)	30%
D Building width (max)	160'

PARKING

Parking between building and primary street	Prohibited
Parking between building and secondary street	Limited
E Parking setback from street (min)	10'
F Interior landscaping	Required
G Parking lot perimeter screening	Required

BUILDING HEIGHT

A Building height (max)	See underlying zoning
--------------------------------	-----------------------

UPPER STORY STEPBACK

B Street wall height (max)	45' 3 stories
C Stepback depth (min)	20'

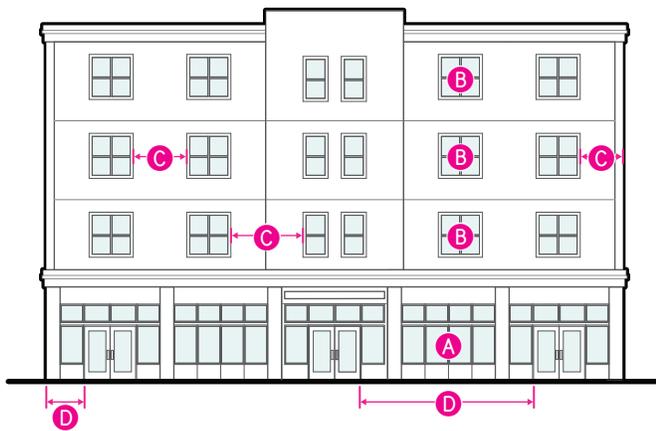
FLOOR TO CEILING HEIGHT

Residential (min)	10'
D Non-residential (min)	13'

Downtown North

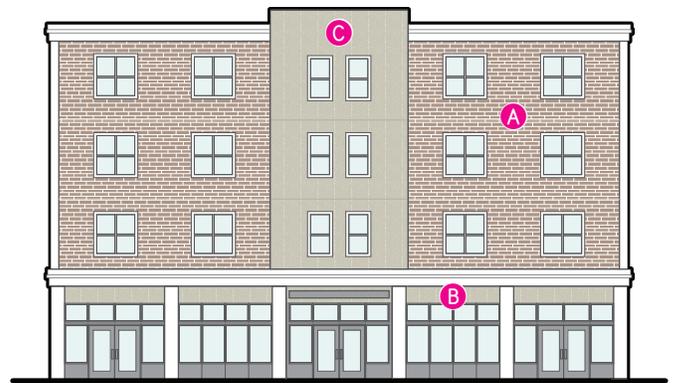
3. Facade Design

(See 20.25.080C.5.)



4. Materials

(See 20.25.080C.6.)



	Primary Street	Secondary Street
GROUND FLOOR		
A Glazed area: commercial (min)	45%	30%
Glazed area: residential (min)	20%	20%
UPPER FLOOR		
B Glazed area (min)	20%	20%
C Blank wall width (max)	12'	12'
ENTRANCES		
Street-facing entrance	Required	n/a
D Distance between entries: Non-residential (max)	90'	90'
Distance between entries: Residential (max)	120'	120'

	Street-facing	Non-street-facing
MATERIAL COVERAGE		
A Natural material (min)	25%	25%
Traditional masonry (min)	n/a	n/a
B Synthetic Stucco: ground floor (max)	60%	n/a
C Synthetic Stucco: upper floor (max)	75%	n/a

20.25.082 /DE-C, Design Excellence - Corridor Overlay

A. General

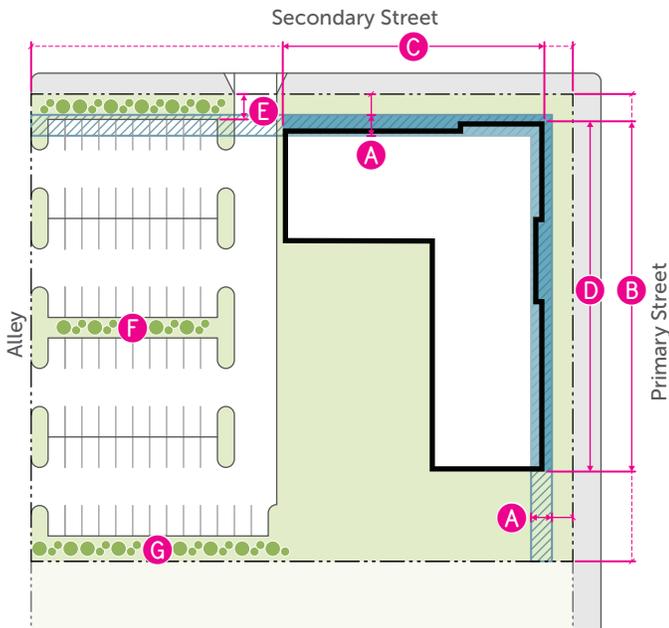
1. The design standards in this Section apply to development within the /DE-C Design Excellence - Corridor Overlay. The City maintains a map of specific parcels subject to each of the subdistricts in this Section.
2. Additional general design standards that apply to all Design Excellence Overlay subdistricts are included in 20.25.080C.2. This Section also contains definitions, rules for measurement, and guidance for interpretation of these standards.
3. These Design Excellence - Corridor Standards apply to projects that require Zoning Compliance Review (see 20.25.080B.1.b.) as well as those that require Design Excellence Review (see 20.25.080B.1.a.).
4. Those portions of the various Corridors that are designated as Nodes in Corridor Typologies 2, 3 and 4 are required to meet the Site Design standards and Floor to Ceiling Height for Typology 1 (20.25.082B.).

B. Corridor Typology 1

Typology 1 Corridors have been identified to be redeveloped as mixed-use, pedestrian-oriented streets that support transit and prioritize placemaking. Walkability in these areas should be heavily emphasized. Mid-rise development is encouraged. Buildings are located to tightly frame the street with a consistent street wall, but some minor fluctuation in front setback is encouraged. Parking should be shared among multiple buildings wherever possible. High levels of transparency and detailing are promoted at the street level.

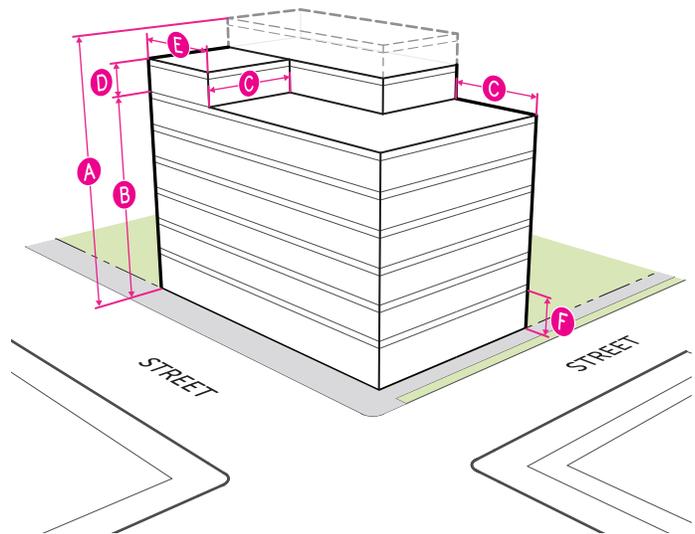
1. Site Design

(See 20.25.080C.3.)



2. Vertical Scale

(See 20.25.080C.4.)



BUILDING

A	Build-to zone (min/max)	5'/10'
B	Build-to width: primary street (min)	75%
C	Build-to width: secondary street (min)	55%
D	Building width (max)	300'

PARKING

	Parking between building and street	Prohibited
E	Parking setback from street (min)	15'
F	Interior landscaping	Required
G	Parking lot perimeter screening	Required

BUILDING HEIGHT

A	Building height (max)	See underlying zoning
----------	-----------------------	-----------------------

UPPER STORY STEPBACK

B	Street wall height (max)	85' 6 stories
C	Stepback depth (min)	15'
D	Stepback exception: height (max)	15' 1 story
E	Stepback exception: width (max)	30%

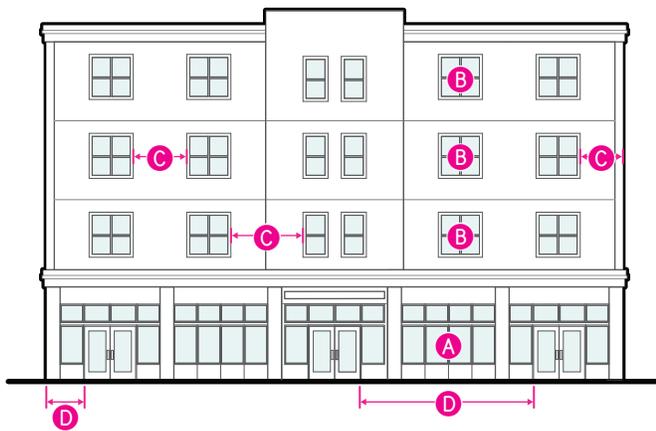
FLOOR TO CEILING HEIGHT

	Residential (min)	10'
F	Non-residential (min)	13'

Corridor Typology 1

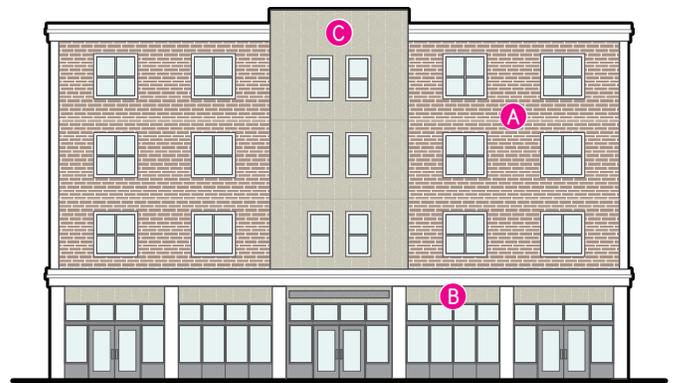
3. Facade Design

(See 20.25.080C.5.)



4. Materials / Articulation

(See 20.25.080C.6.) / (See 20.25.080C.7.)



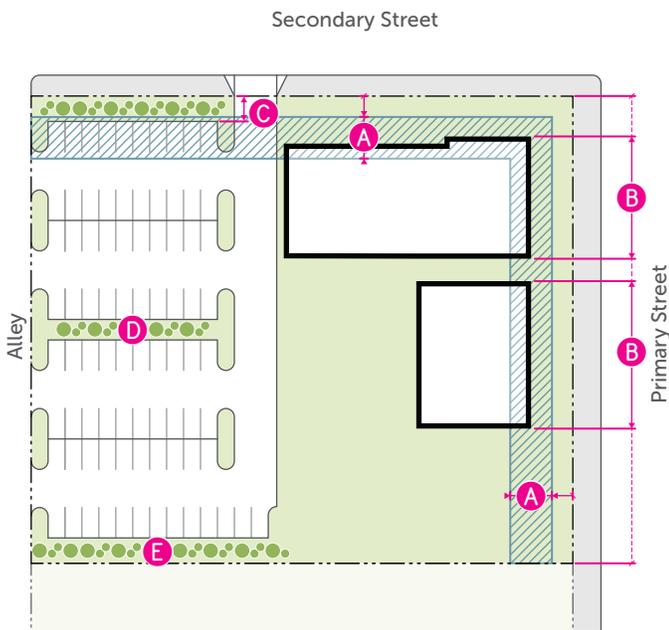
	Primary Street	Secondary Street
GROUND FLOOR		
A Glazed area: commercial (min)	60%	40%
Glazed area: residential (min)	30%	30%
UPPER FLOOR		
B Glazed area (min)	20%	20%
C Blank wall width (max)	8'	12'
ENTRANCES		
Street-facing entrance	Required	n/a
D Distance between entries (max)	60'	60'

	Street-facing	Non-street-facing
MATERIAL COVERAGE		
A Natural material (min)	35%	15%
B Synthetic Stucco: ground floor (max)	20%	70%
C Synthetic Stucco: upper floor (max)	40%	70%
MASS VARIATION		
Building width: 50' -120'	n/a	n/a
Building width: 120' +	Required	n/a
FACADE ARTICULATION		
Building width: 50' -120'	Required	n/a
Building width: 120' +	Required	n/a

C. Corridor Typology 2

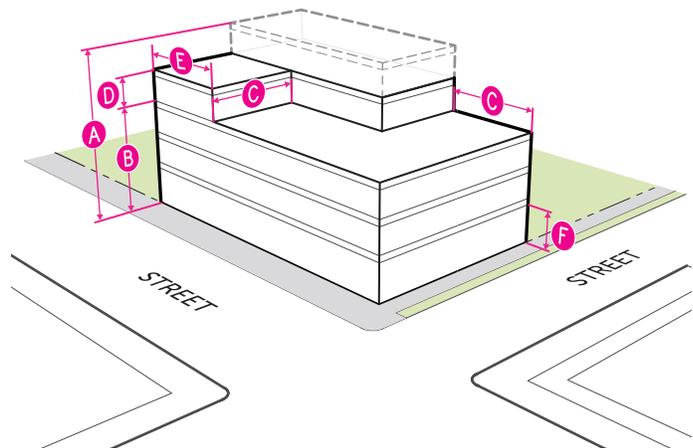
Typology 2 Corridors are closely knitted with the residential neighborhoods that surround them. Where residentially-zoned properties front a Corridor, adjacent commercial development should be designed to respond sensitively to them; designed with smaller scale elements and lower scale at the street edge to help them fit in. The visual impact of parking should be minimized to provide a highly walkable street edge. Buildings are oriented to the street, but building placement flexibility is promoted. Sets of buildings that cluster around courtyards or other amenities are encouraged.

1. Site Design



2. Vertical Scale

(See 20.25.080C.4.)



BUILDING

A	Build-to zone (min/max)	5'/15'
B	Build-to width: primary street (min)	50%
C	Build-to width: secondary street (min)	45%
B	Building width (max)	175'

PARKING

	Parking between building and street	Prohibited
C	Parking setback from street (min)	10'
D	Interior landscaping	Required
E	Parking lot perimeter screening	Required

BUILDING HEIGHT

A	Building height (max)	See underlying zoning
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UPPER STORY STEPBACK

B	Street wall height (max)	45' 3 stories
C	Stepback depth (min)	15'
D	Stepback exception: height (max)	15' 1 story
E	Stepback exception: width (max)	30%

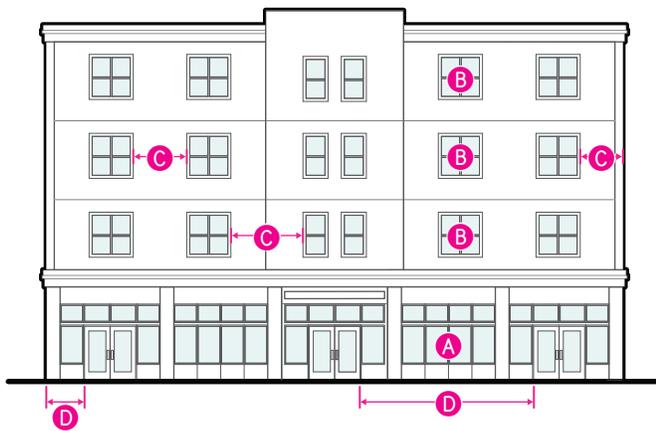
FLOOR TO CEILING HEIGHT

	Residential (min)	10'
F	Non-residential (min)	10'

Corridor Typology 2

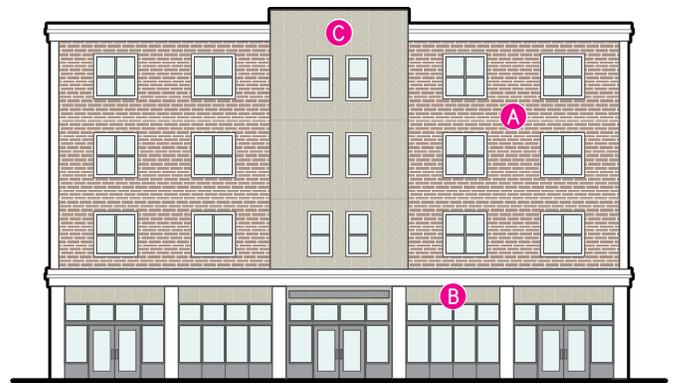
3. Facade Design

(See 20.25.080C.5.)



4. Materials / Articulation

(See 20.25.080C.6.) / (See 20.25.080C.7.)



	Primary Street	Secondary Street
GROUND FLOOR		
A Glazed area: commercial (min)	50%	35%
Glazed area: residential (min)	30%	30%
UPPER FLOOR		
B Glazed area (min)	20%	20%
C Blank wall width (max)	12'	16'
ENTRANCES		
Street-facing entrance	Required	n/a
D Distance between entries: Non-residential (max)	80'	80'
Distance between entries: Residential (max)	100'	100'

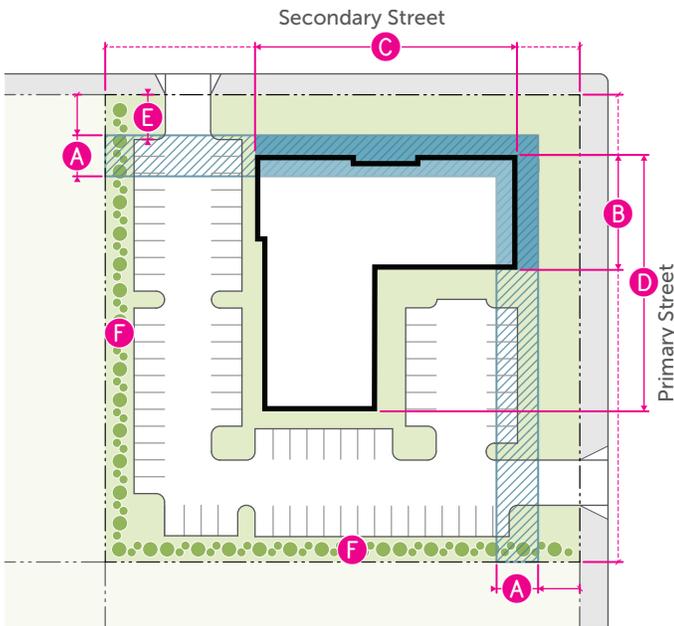
	Street-facing	Non-street-facing
MATERIAL COVERAGE		
A Natural material (min)	20%	10%
B Synthetic Stucco: ground floor (max)	40%	70%
C Synthetic Stucco: upper floor (max)	60%	70%
MASS VARIATION		
Building width: 50' -80'	n/a	n/a
Building width: 80' +	Required	n/a
FACADE ARTICULATION		
Building width: 50' -80'	Required	n/a
Building width: 80' +	Required	n/a

D. Corridor Typology 3

Typology 3 Corridors should be designed to promote an enhanced entry experience for those coming into the City or Downtown, and establish a strong emphasis on walkability and visual interest. Development along Typology 3 Corridors should provide a moderately-strong building presence along the street to frame the roadway and pedestrian space. Parking adjacent to the street should be limited, with the majority of surface parking located to the side or rear of a building.

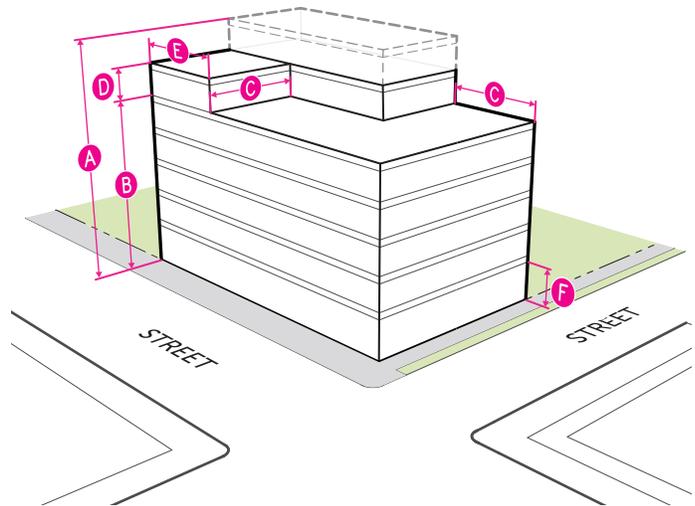
1. Site Design

(See 20.25.080C.3.)



2. Vertical Scale

(See 20.25.080C.4.)



BUILDING

A	Build-to zone (min/max)	10'/20'
B	Build-to width: primary street (min)	40%
C	Build-to width: secondary street (min)	35%
D	Building width (max)	300'

PARKING

	Parking between building and street	Limited
E	Parking setback from street (min)	10'
	Interior landscaping	Required
F	Parking lot perimeter screening	Required

BUILDING HEIGHT

A	Building height (max)	See underlying zoning
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UPPER STORY STEPBACK

B	Street wall height (max)	70' 5 stories
C	Stepback depth (min)	20'
D	Stepback exception: height (max)	15' 1 story
E	Stepback exception: width (max)	30%

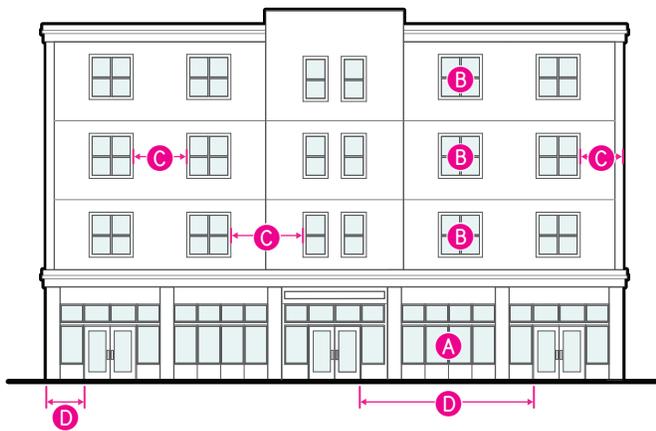
FLOOR TO CEILING HEIGHT

	Residential (min)	10'
F	Non-residential (min)	10'

Corridor Typology 3

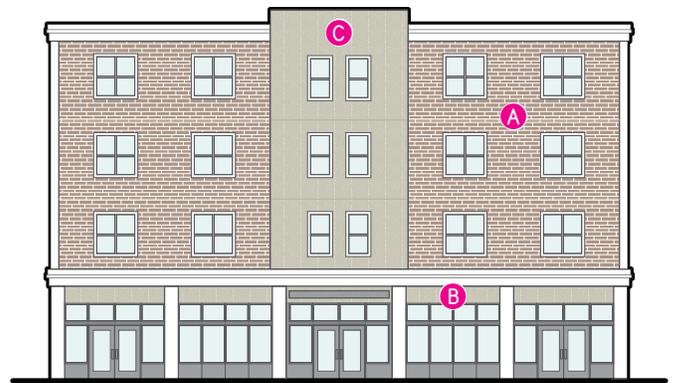
3. Facade Design

(See 20.25.080C.5.)



4. Materials / Articulation

(See 20.25.080C.6.) / (See 20.25.080C.7.)



	Primary Street	Secondary Street
GROUND FLOOR		
A Glazed area: commercial (min)	50%	35%
Glazed area: residential (min)	30%	30%
UPPER FLOOR		
B Glazed area (min)	20%	20%
C Blank wall width (max)	14'	14'
ENTRANCES		
D Street-facing entrance	Required	n/a
D Distance between entries: Non-residential (max)	120'	120'
Distance between entries: Residential (max)	150'	150'

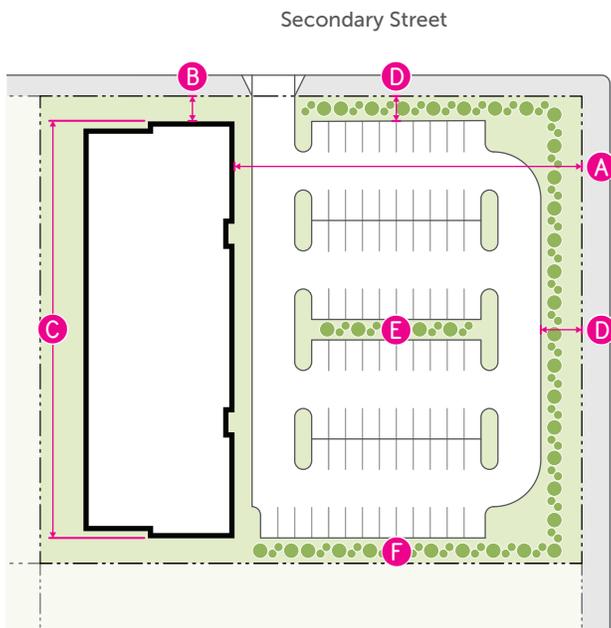
	Street-facing	Non-street-facing
MATERIAL COVERAGE		
A Natural material (min)	30%	15%
B Synthetic Stucco: ground floor (max)	60%	80%
C Synthetic Stucco: upper floor (max)	60%	80%
MASS VARIATION		
Building width: 50' -150'	n/a	n/a
Building width: 150' +	Required	n/a
FACADE ARTICULATION		
Building width: 50' -150'	Required	n/a
Building width: 150' +	Required	n/a

E. Corridor Typology 4

Typology 4 Corridors continue to facilitate larger-format commercial development that caters to the needs of drivers, but provide an attractive edge environment that softens the visual impact of parking and buffers the pedestrian. Flexibility in parking siting and variety in building placement relative to the street is supported. Development should not be a barrier to connectivity, and opportunities to enhance pedestrian and multi-modal mobility should be promoted.

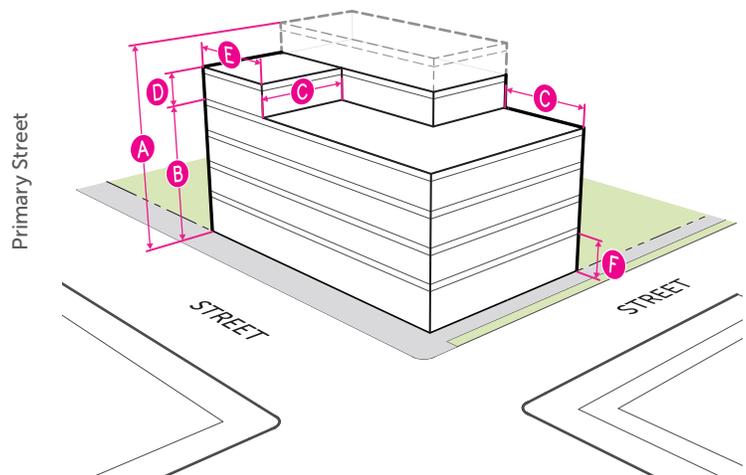
1. Site Design

(See 20.25.080C.3.)



2. Vertical Scale

(See 20.25.080C.4.)



BUILDING

A Street setback: primary street (min)	15'*
B Street setback: secondary street (min)	10'
Build-to zone (min/max)	n/a
Build-to width	n/a
C Building width (max)	600'

PARKING

Parking between building and street	Allowed
D Parking setback from street (min)	10'
E Interior parking lot landscaping	Required
F Parking lot perimeter screening	Required

* See 20.25.082E.5 for special setback.

BUILDING HEIGHT

A Building height (max)	See underlying zoning
--------------------------------	-----------------------

UPPER STORY STEPBACK

B Street wall height (max)	60' 4 stories
C Stepback depth (min)	15'
D Stepback exception: height (max)	15' 1 story
E Stepback exception: width (max)	30%

FLOOR TO CEILING HEIGHT

Residential (min)	10'
F Non-residential (min)	10'

Corridor Typology 4

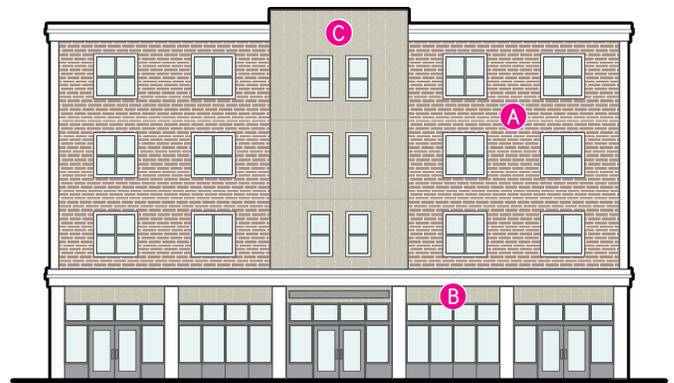
3. Facade Design

(See 20.25.080C.5.)



4. Materials / Articulation

(See 20.25.080C.6.) / (See 20.25.080C.7.)

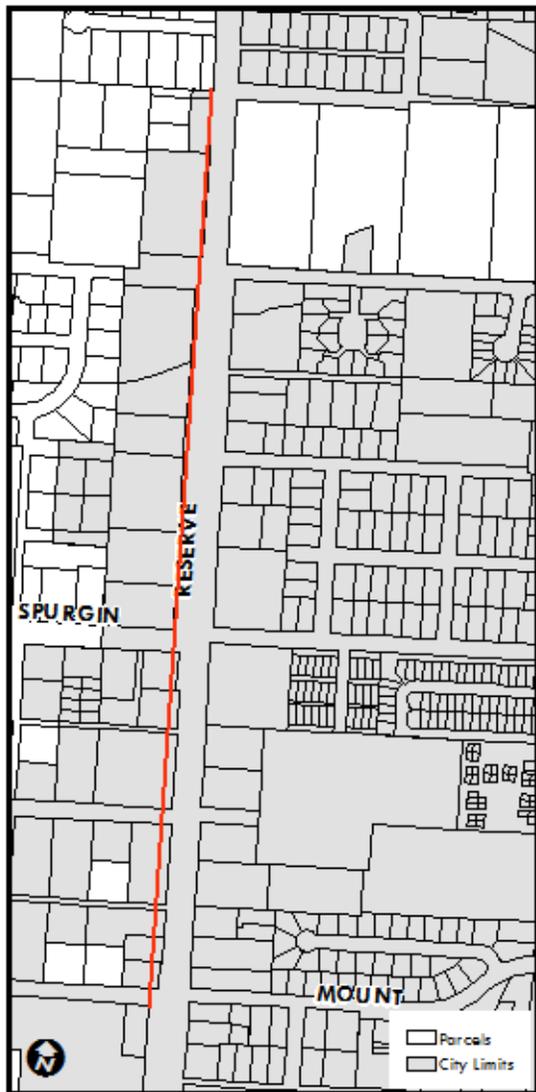


	Primary Street	Secondary Street
GROUND FLOOR		
A Glazed area: commercial (min)	35%	25%
Glazed area: residential (min)	20%	20%
UPPER FLOOR		
B Glazed area (min)	20%	20%
C Blank wall width (max)	16'	16'
ENTRANCES		
D Street-facing entrance	Visible from the Corridor	n/a
E Distance between entries (max)	160'	160'

	Street-facing	Non-street-facing
MATERIAL COVERAGE		
A Natural material (min)	10%	n/a
B Synthetic Stucco: ground floor (max)	75%	n/a
C Synthetic Stucco: upper floor (max)	85%	n/a
MASS VARIATION		
Building width: 50'-200'	n/a	n/a
Building width: 200' +	Required	n/a
FACADE ARTICULATION		
Building width: 50'-200'	Required	n/a
Building width: 200' +	Required	n/a

5. Special Setback

In Corridor Typology 4, due to irregular right-way, the setback along the west side of Reserve Street generally from Mount Street and South 5th Street West, as more specifically depicted on the map below, will be measured from the back edge of a 30-foot "no build" line that begins at the back of the existing curb and approximates the right-of-way line for the blocks to the north and south of the designated area.



20.85.080 - Design Review

A. Intent

The design review procedure of this section is intended to provide a transparent, public review process for consideration of alternative compliance plans when an applicant proposes deviations from otherwise applicable development standards, as well as offer a heightened level of scrutiny for some of the plans submitted within the Design Excellence Overlay.

B. Applicability

The design review procedure of this section applies only when expressly authorized or required under this zoning ordinance.

C. Authority to File

Applications for design review approval may be initiated only by the owner of the subject property or by the owner's authorized agent. Design Excellence Overlay plans may be sent to the Design Review Board for review based on the criteria in 20.25.80B.4.g. The Design Review Board also hears the appeal of the Zoning Officer decision on following Design Excellence Review.

D. Application Filing

1. Complete applications for design review approval must be filed with appropriate personnel in Development Services.
2. At least 40 days before the required public hearing the applicant must submit an intake form.
3. At least 30 days before the required public hearing the applicant must provide the following to the zoning officer:
 - a. Legal description of the subject property;
 - b. Ownership and mailing address of all owners of the subject property; and
 - c. All submittal materials required by the zoning officer for the review, which may include elevation drawings or photographs of existing and proposed buildings, site plans including landscaping, and other materials that will help the Design Review Board conduct a competent review and support the required decision and findings of fact.

E. Notice of Hearing

1. Newspaper Notice

At least two separate notices of required public hearings must be published in the newspaper. The first notice must be published at least 15 days before the date of the public hearing. (See 20.85.020.D.3 for additional information on public hearing notices.)

2. Mailed Notice

Notice of required public hearings on must be mailed to the subject property

owner and all owners of property within 150 feet of the subject parcel at least 15 days before the scheduled hearing. Notification must also be mailed to the neighborhood council representative for the subject neighborhood at least 15 days before the scheduled hearing. (See 20.85.020.D.3 for additional information on public hearing notices.)

3. Posted Notice

Notice of required public hearings must be posted at least 15 days before the public hearing. (See 20.85.020.D.3 for additional information on public hearing notices.)

F. Review and Report—Zoning Officer

The zoning officer must prepare a report and recommendation that evaluates the proposal in light of the review criteria of 20.85.080.H.

Commentary: Written testimony (from the public) must be received by the zoning officer at least seven business days before the public hearing to be included in the written staff report to the Design Review Board. Written testimony received by the zoning officer after this time but before the meeting will be hand delivered by the zoning officer to the Design Review Board at the time of the hearing.

G. Hearing and Final Action—Design Review Board

1. The Design Review Board must hold at least one public hearing on each application.
2. Following the close of the hearing, at the same or subsequent meeting, the Design Review Board must take action to approve, approve with modifications or conditions or deny the application based on the review criteria of 20.85.080.H. The Design Review Board's decision must be supported by written findings of fact.

H. Review Criteria

1. Design review applications may be approved by the Design Review Board only when they determine that the review criteria listed below, as applicable, have been satisfied. All of the applicable review criteria, listed below, must be addressed in the Design Review Board's findings of fact in support of their decision.
 - a. That new buildings and structures are located to create a positive relationship with their environment, both urban and natural;
 - b. That the site design properly addresses building orientation, open space, light, sun exposure, views and protection of natural features;
 - c. That buildings, structures and uses are compatible with adjacent properties and uses in terms of physical design elements such as volume and mass management, building materials, color, open space design, screening, and any other design elements considered important by the Design Review Board;

- d. That the overall project will be attractive, functional and safe in terms of pedestrian, bicycle and vehicular access, parking, loading, and servicing;

Commentary: Not all review criteria will apply in every case. Only the applicable review criteria need to be met.

2. Alternative compliance plans proposing deviations from otherwise applicable development standards may be approved by the Design Review Board only when they determine that the proposed plan will result in a development project that:
 - a. Does as good or better job of meeting the overall intent of the subject regulations and the zoning ordinance as a whole than would strict compliance with the standard from which relief is sought; and
 - b. Will result in a project design that is as good as or better than would strict compliance with the standard from which relief is sought.
3. Within the Design Excellence Overlay, the design guidelines of the Design Excellence Manual must be applied as the applicable review criteria.

Commentary: Not all design guidelines will apply in every case. Only the applicable design guidelines need to be met.

I. Lapse of Approval

1. An approved design review plan will lapse and have no further effect two years after it is granted by the Design Review Board, unless:
 - a. A building permit has been issued; or
 - b. A zoning compliance permit has been issued.
2. The zoning officer may extend the expiration period by up to one year if it is determined that there are unusual circumstances warranting the extension. Requests for extensions must be submitted to the zoning officer before the design review approval expires.
3. Design review approval also lapses upon revocation of a building permit for violations of conditions of approval or upon expiration of a building permit.

J. Transferability

The status of design review approval is not affected by changes of tenancy, ownership or management.

K. Amendments

A request for changes in conditions of approval of an approved plan must be processed as a new design review application, including the requirements for fees, notices and hearings.

L. Appeals

Any person aggrieved by a decision of the Design Review Board may appeal the Design

Review Board's decision to the City Council. In the case of such appeal, the City Council may act on the appeal as a new matter (de novo) and, by simple majority vote, approve, approve with conditions or deny the design review application. The requirements for notices, hearings and approval criteria are the same as required of the original action before the Design Review Board, although upon appeal the hearing is held by the City Council rather than the Design Review Board. Appeals must be filed within 30 days of final action by Design Review Board.

20.90.020 - Design Review Board

A. Purpose

The purpose of the Design Review Board (DRB) is to promote high quality building design and site planning that enhances the character of the city. The Board reviews proposed development projects for consistency with adopted design standards and guidelines and alternative compliance plans in accordance with 20.85.080.A.

B. Authority

1. General

- a. A Design Review Board is established to promote the health, safety and general welfare of the city. The Design Review Board is responsible for reviewing projects assigned to it by the City Council via the City Council's ordinances, resolutions and motions.
- b. The Design Review Board, consistent with all City Council resolutions, motions and City Council-approved review criteria, may deny or approve, in whole or in part, or may modify and set conditions for approval, or provide advice and counsel, for any request pursuant to this chapter.

2. Specific

The Design Review Board has specific authority and responsibility for furthering the stated purposes of zoning ordinances that the City Council may adopt that provide for design review. Those areas of critical development that positively affect surrounding properties and should be reviewed by the Design Review Board include:

- a. Exceptions from /NC-B Overlay district standards;
- b. Phases of planned unit developments, as required by the City Council;
- c. Signage requests, as provided by 20.75.100; and
- d. Design review approval, as required by 20.85.080.

C. Membership

1. The Design Review Board must consist of seven (7) regular members and one alternate member, all of whom reside in the city, who shall represent the following four categories:
 - a. At least two members shall be from these design and planning professions:
 - (1) Licensed architect
 - (2) Licensed landscape architect
 - (3) Urban planner
 - (4) Urban designer

- b. At least one member shall be from these construction and building fields:
 - (1) Licensed civil engineer
 - (2) Licensed contractor
 - (3) Builder/Developer
 - c. At least one member shall represent the profession of graphic design, signage or wayfinding.
 - d. No more than one member shall represent the community at large and not be from the above listed professions.
- 2. All individuals who seek appointment to the DRB should have a demonstrated interest in the design of the community and be motivated by a desire to serve fellow members of the community. Members of the board should be persons who, as a result of their training and experience, are qualified to analyze and interpret architectural and landscape drawings and site plans.
 - 3. The alternate member serves in the absence or vacancy of any regular board member.

D. Terms

Members of the Design Review Board serve terms to be set by the City Council, ranging from one to three years at the City Council's discretion. In setting terms, the City Council must attempt to stagger the expiration of board member terms to help ensure continuity.

E. Operation

- 1. The Design Review Board must establish a regular meeting schedule and make the schedule available to the general public.
- 2. Special meetings may be called by the chairperson or by an affirmative vote of at least four members.
- 3. The zoning officer is responsible for announcing meetings of the Design Review Board.
- 4. The Design Review Board must adopt its own rules and bylaws, consistent with its powers and duties under this zoning ordinance, the Municipal Code and state law. The zoning officer must file a copy of the bylaws in Development Services.
- 5. The zoning officer must keep a summary of all actions of the Design Review Board in the form of minutes or reports on the Design Review Board's decisions.
- 6. No member of the Design Review Board may vote on any project in which they or any partner has worked or has any financial, personal, or other direct interest.

F. Voting

A quorum of the Design Review Board requires the presence of at least four members.

Unless otherwise expressly stated, action by the Design Review Board requires a simple majority vote of Design Review Board members present and voting.

G. Staff Support

The Design Review Board is served primarily by the zoning officer, who acts as staff to the Design Review Board. It is the duty of other city departments to render such assistance as may be reasonably required or requested by the Design Review Board. See also 20.90.050 for a description of the zoning officer's powers and duties.

H. Appeals of Design Review Board Decisions

Any person aggrieved by a decision of the Design Review Board may appeal the Design Review Board's decision to the City Council. See 20.85.080.M for process.

Effective date. The provisions of this ordinance shall be effective in 30 days after adoption.

Severability. If any selection, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

PASSED by a vote of:

First reading and preliminary adoption: 9 Ayes, Stacie M. Anderson, Julie Armstrong, Michelle Cares, John DiBari, Heather Harp, Jordan Hess, Gwen Jones, Bryan von Lossberg, Heidi West; 0 Nays; 0 Abstentions; 3 Absent, Mirtha Becerra, Julie Merritt, Jesse L. Ramos

Second and final reading: 10 Ayes, Stacie M. Anderson, Julie Armstrong, Mirtha Becerra, John DiBari, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Bryan von Lossberg, Heidi West; 2 Nays: Michelle Cares, Jesse L. Ramos; 0 Abstentions; 0 Absent

APPROVED by the Mayor this 17th day of December, 2018.

ATTEST:

/s/ Martha L. Rehbein

Martha L. Rehbein

City Clerk

APPROVED:

/s/ John Engen

John Engen

Mayor

(SEAL)