

115.115 Required Yards

5. Driveways and Parking Areas – Driveways and parking areas are not allowed in required yards except as follows:

a. Detached Dwelling Units and Duplexes

1) General – Vehicles may be parked in the required front, rear and north property line yards if parked on a driveway and/or parking area. For the purpose of this section, vehicles are limited to those devices or contrivances which can carry or convey persons or objects and which are equipped as required by federal or state law for operation on public roads. A driveway and/or parking area shall not exceed 20 feet in width in any required front yard, and shall not be closer than five feet to any side property line (see Plate 14); provided:

a) That where access to a legally established lot is provided by a panhandle or vehicle access easement measuring less than 20 feet in width, a driveway not exceeding 10 feet in width, generally centered in the panhandle or access easement, shall be permitted (see Plate 14A); and

(b) That any driveway which generally parallels a right-of-way or easement road shall be set back at least five feet from the right-of-way or easement, except for a 20-foot wide section where the driveway connects with the right-of-way or easement. Such driveway shall not have a width of more than 10 feet within the front or rear yard (see Plate 14B). Where more than one driveway is permitted within a front or rear yard, those driveways shall be separated by a landscape strip at least five feet in width.

2) Exception – Driveways and/or parking areas may exceed 20 feet in width if:

a) The driveway/parking area serves a three-car garage; and

b) The subject property is at least 60 feet in width; and

c) The garage(s) is (are) located no more than 40 feet from the front property line; and

d) The driveway/parking area flares from 20 feet at the property line to a maximum of 30 feet in width.

3) The Planning Official may approve a modification to the driveway and/or setback requirements in KZC 115.115(5)(a)(1) if:

a) The existing topography of the subject property or the abutting property decreases or eliminates the need for the setback; or

b) The location of pre-existing improvements or vegetation on the abutting site eliminates the need for or benefit of a setback; and

ATTACHMENT 7 (4/07)
MSC: ZON07-00007

c) The modification will not have any substantial detrimental effect on abutting properties or the City as a whole.

b. Attached and Stacked Dwelling Units (Except Duplexes) and Assisted Living Facilities in Residential Zones

1) Vehicle parking areas shall have a minimum 20-foot setback from all front property lines and meet the minimum required setbacks from all other property lines for that use.

2) Driveways shall have a minimum five-foot setback from all property lines, except for the portion of any driveway which connects with an adjacent street.

c. Vehicle parking areas for schools and day-care centers greater than 12 students shall have a minimum 20-foot setback from all property lines.

d. Other Uses –

1) Parking areas and driveways for uses other than those addressed in subsections (5)(a), (b), and (c) of this section may be located within required setback yards, but, except for the portion of any driveway which connects with an adjacent street, not closer than five feet to any property line.

2) Exception – In the Market Street Corridor, vehicle parking areas shall have a minimum 20-foot setback from all front property lines and meet the minimum required setbacks from all other property lines for that use.

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92.05 INTRODUCTION

1. General – This chapter establishes the design regulations that apply to development in the Central Business District (CBD), Juanita Business District (JBD), Rose Hill Business District (RHBD), Totem Lake Neighborhood (TLN), North Rose Hill Business District (NRHBD) and in Totem Center.

Special provisions that apply to only the CBD, the JBD, the TLN, RHBD, NRHBD or Totem Center are noted in the margins and text of the chapter.

Market Street Corridor (MSC)

MSC

2. Applicability – The provisions of this chapter apply to all new development. The provisions of Chapters 142 and 162 KZC regarding Design Review and nonconformance establish which of the regulations of this chapter apply to developed sites. Where provisions of this chapter conflict with provisions in any other section of the code, this chapter prevails.
3. Design Review Procedures – The City will use Chapter 142 KZC to apply the regulations of this chapter to development activities that require Design Review approval.

ALL

4. Landscaping – Various places in this chapter require that landscaping be installed and maintained. The following provisions apply to the installation and maintenance of all landscaping, including street trees, installed under the provisions of this chapter unless otherwise specifically indicated:

- a. At the time of planting, deciduous trees must be three to four inches in diameter, as measured using the standard of the American Association of Nurserymen, and coniferous trees must be six to eight feet in height at the time of planting.
- b. Shrubs must be 18 inches high at the time of planting.
- c. Drought-tolerant plants are encouraged.
- d. The City will review plant choice and specific plant location as part of the Design Review approval. The City may also require or permit modification to the required plant size as part of Design Review approval. Where appropriate, the City will apply the provisions of KZC 95.40(5)(b)(3) to require additional or more mature landscaping.

RHBD

- e. Varieties of rose shrubs or ground cover, along with other plant materials, shall be included in the on-site landscaping.

ALL

5. Dedication – The City may require the applicant to dedicate development rights, air space, or an easement to the City to ensure compliance with any of the requirements of this chapter.

RHBD

6. Design Districts in Rose Hill Business District – Various places in this chapter refer to the three design districts in the Rose Hill Business District: Regional Center, Neighborhood Center and East End. Figure 92.05.A below describes where these are located. For a more detailed description of each area, see the Design Guidelines for the Rose Hill Business District adopted by reference in Chapter 3.30 KMC.

- 1) The *major pedestrian sidewalk* must be installed in the approximate location shown on Figures 92.10.A, 92.10.B, 92.10.C, 92.10.D and 92.10.E, and make the connections shown on the figures.
- 2) The *major pedestrian sidewalk* must be paved with concrete or unit pavers and have a minimum width of at least eight feet, unless otherwise noted in Figure 92.10.A. If the required improvements cannot be accommodated within the existing right-of-way, the difference may be made up with a public easement over private property. Buildings may cantilever over such easement areas, flush with the property line.
- 3) The *major pedestrian sidewalk* must have adequate lighting with increased illumination around building entrances and transit stops.
- 4) If parcels are developed in aggregate, then alternative solutions may be proposed.

ALL

d. Pedestrian-Oriented Elements Provisions Supersede – If the provisions of subsections (1)(a) and (1)(c) of this section both apply to improvements within and/or adjacent to a street, the provisions of subsection (1)(a) of this section, and not subsection (1)(c) of this section, must be followed.

ALL

e. All other streets shall meet the standards specified in Chapter 110 KZC.

Pedestrian Circulation in the CBD

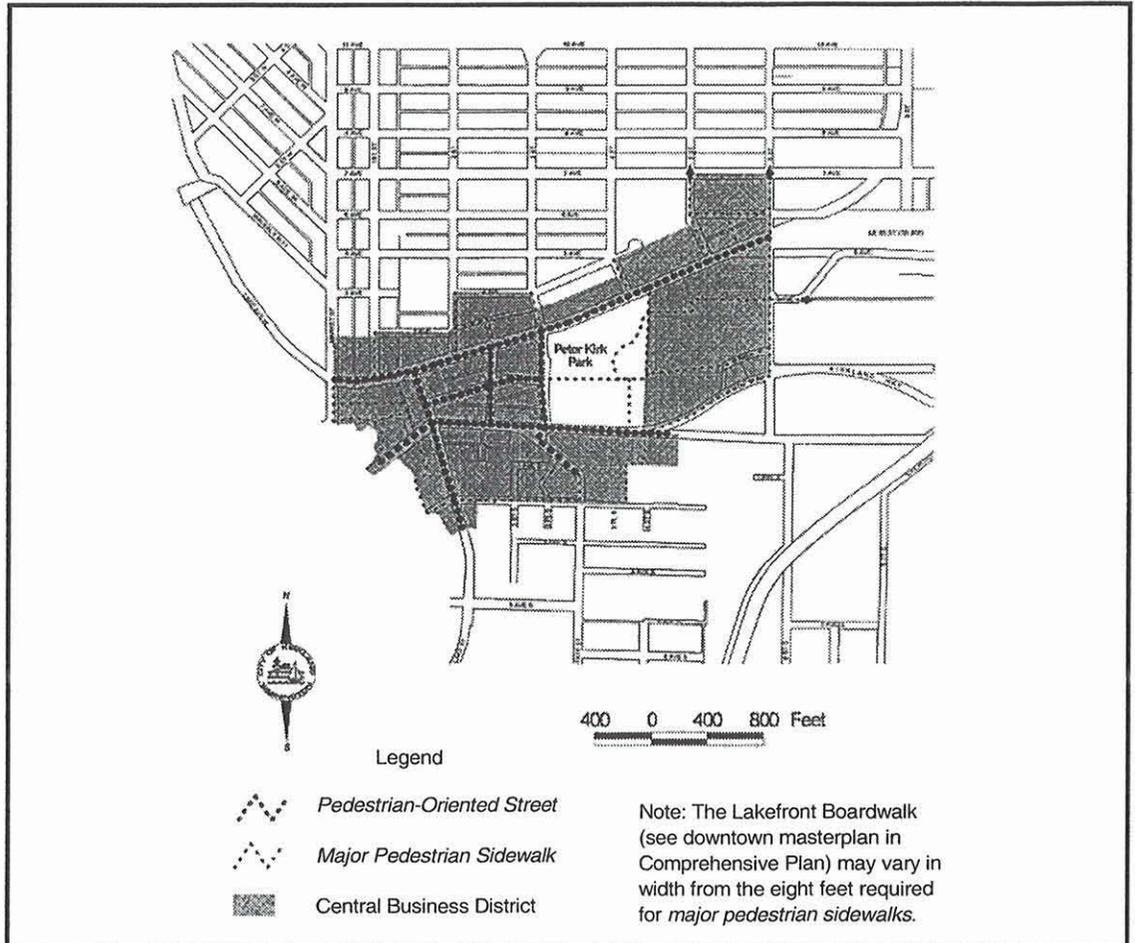


FIGURE 92.10.A

Required Sidewalk on Pedestrian-Oriented Streets and Major Pedestrian Sidewalks

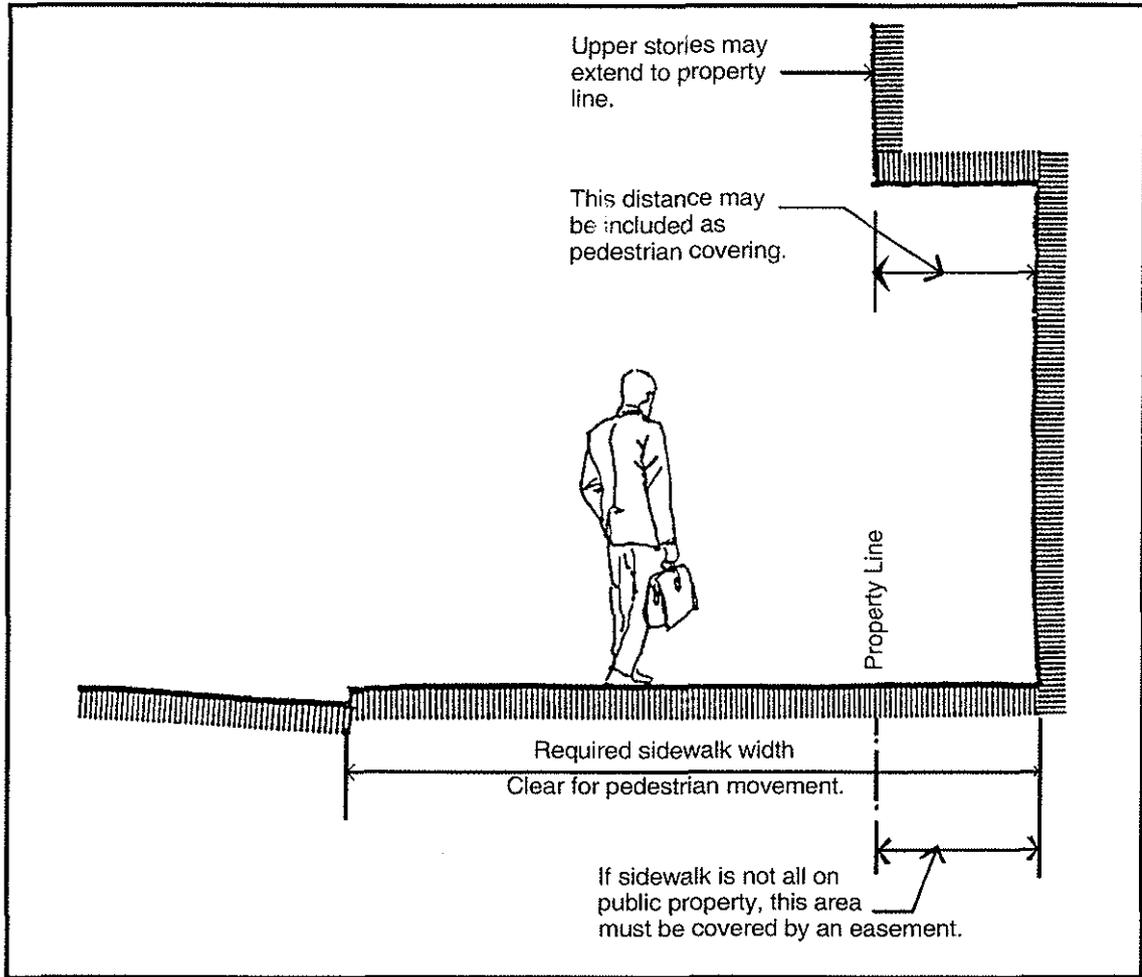


FIGURE 92.10.E

ALL

2. Through-Block Pathways

a. *Through-block pathways* refer to interior on-site pedestrian walkways that are not located within a public right-of-way (but may be located on public property (i.e., in CBD)). The alignment of these pathways, where required, shall take into account pedestrian connections shown in the Comprehensive Plan, proposed and existing buildings and, to the extent possible, extend along building fronts or property lines to enhance the pedestrian environment and connections to adjacent property. *Through-block pathways* must be constructed to the following standards unless otherwise noted herein:

- 1) A minimum unobstructed pavement width of eight feet, paved with concrete or unit pavers.
- 2) Trees placed at an average of 30 feet on-center between the pathway and any parking or vehicular access area. Exceptions:
 - a) Pedestrian-scaled light fixtures, at 12 feet in height and placed no more than 30 feet on-center, may be used in place of some of the required trees.

- b) To increase business visibility and accessibility, the City may allow modifications in the required tree coverage adjacent to major building entries; however, no less than one tree per 60 lineal feet of the required walkway shall be provided.
- c) The required trees must be placed in planting strips at least 4.5 feet in width or within tree grates.

ALL 3) Adequate lighting with increased illumination around building entrances and transit stops. Pedestrian-scaled lighting fixtures, at 12 feet in height, are encouraged along the pathway.

ALL 4) Barriers which will limit pedestrian access between the subject property and adjacent properties are not permitted.

ALL 5) If applicable parcels are developed in aggregate, then alternative solutions may be proposed.

Through-Block Pathway

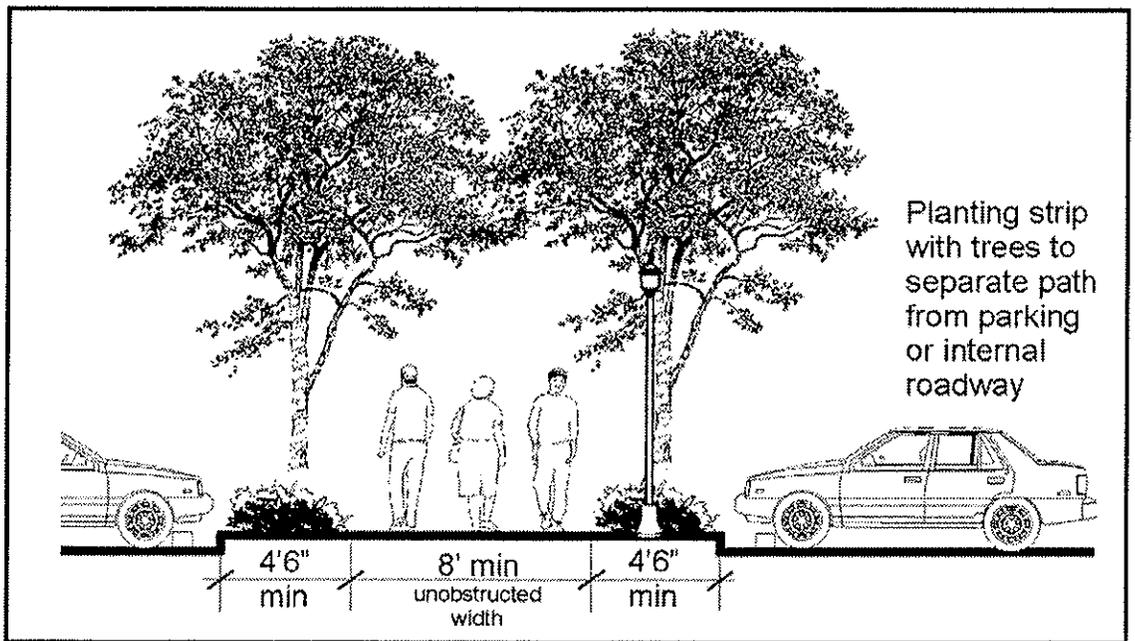


FIGURE 92.10.F

JBD b. *Through-Block Pathways* in the **JBD** – The applicant shall install a *through-block pathway* extending from the north end to the south end of **JBD** 1 of the Juanita Business District. Two *through-block pathways*, spaced far enough apart to provide maximum accessibility for the whole block, will also extend from the east side to the west side of **JBD** 1 (see Figure 92.10.B).

The alignment of these pathways will take into account proposed and existing buildings and, to the extent possible, will extend along building fronts or property lines.

- 1) The applicant must install pathways that run generally north/south (or diagonally north-east/southwest) and east/west on the subject property. The pathways shall be located to provide a direct continuation of the existing or future *through-block pathway* on adjacent properties. When possible, the pathways shall be located to create view corridors

Pathway Along Building Facade and Parking Area

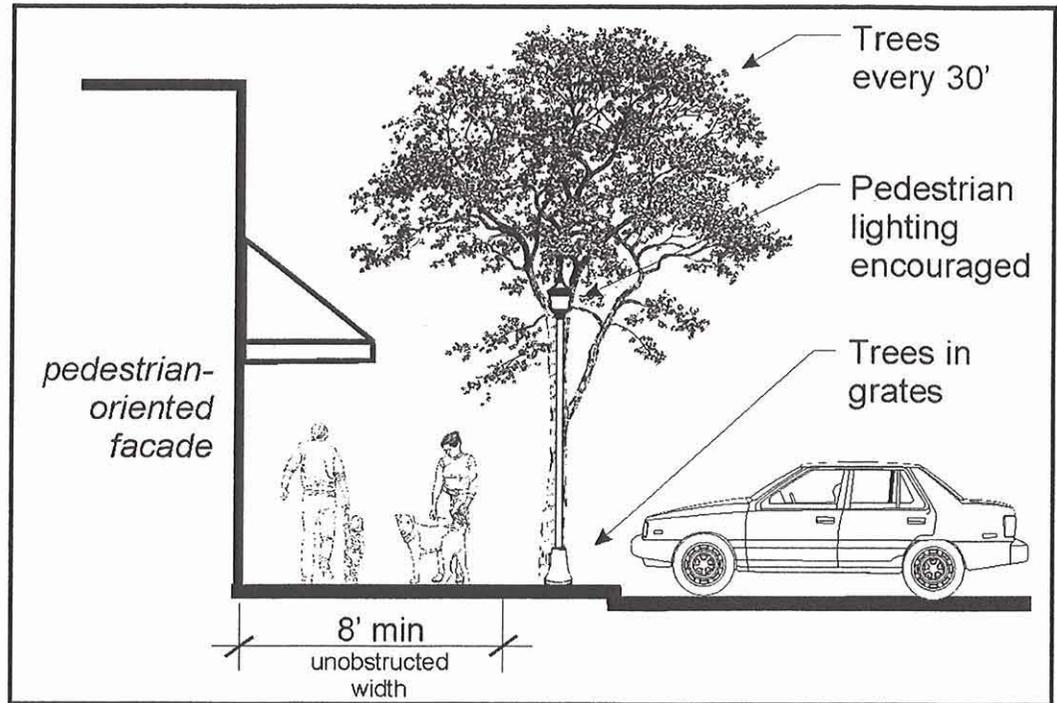


FIGURE 92.10.J

RHBD, TLN b. Internal Pathways Not Along Building Facades – For all other internal on-site pedestrian pathways, the applicant must successfully demonstrate to the City that the proposed walkway is of sufficient width, materials, and design to accommodate the anticipated number of users. At a minimum, pathways shall feature five feet of unobstructed width.

CBD, MSC 4. Pedestrian Weather Protection – The applicant shall provide overhead weather protection, consistent with the following standards:
 JBD, TC,
 RHBD, TLN

CBD a. In the CBD, along at least 80 percent of the frontage of the subject property on each *pedestrian-oriented street*;

RHBD, TLN b. In the RHBD and the TLN, buildings must feature weather protection at least five feet wide along at least 75 percent of the *pedestrian-oriented facade*;

TLN, RHBD, MSC c. Weather protection is required over the primary exterior entrance to all buildings, including residential units. Weather protection features must cover the width of the entry at a depth of at least three feet from the building entry. This may include covered porches, overhangs, awnings, marquees, recessed entries or other similar features;

JBD d. In the JBD, along 100 percent of the front of the building;

ALL e. The overhead weather protection may be composed of awnings, marquees, canopies or building overhangs;

ALL, except MSC f. It must cover at least five feet of the width of the sidewalk. The width may vary (not less than three feet) to accommodate street trees, streetlights, etc.;

- ALL** g. The lowest element of the overhead weather protection must be at least eight feet above the ground immediately below it;
- ALL** h. The City will specifically review and approve the color, material and configuration of all overhead weather protection as part of the Design Review decision. See KZC 92.35(5), Awnings.
- JBD** 5. Building Frontage – In the JBD, all buildings must front on a right-of-way or *through-block pathway*.
6. Pedestrian Access to Buildings
- CBD** a. In the CBD, all buildings on property abutting *pedestrian-oriented streets* must have direct access from the sidewalk of the *pedestrian-oriented street* to the main building entrance.
- JBD, RHBD** b. In the JBD, RHBD and TLN, all buildings must have convenient access from the street
TLN, MSC sidewalk or the *through-block pathway* to the main building entrance.
- NRHBD** c. In the NRHBD, all buildings on property abutting *major pedestrian sidewalks* must have direct access from the sidewalk to the main building entrance.
- TC** d. In Totem Center, all buildings on property abutting a *major pedestrian sidewalk* or a *pedestrian-oriented street* must have convenient access from the sidewalk or the *major pedestrian sidewalk* or *pedestrian-oriented street* to the main building entrance.
- RHBD** 7. Building Location and Pedestrian-Oriented Facades – Buildings may be located adjacent to the
TLN sidewalk of any street (except west of 124th Avenue NE) if they contain a *pedestrian-oriented facade*. As part of the Design Review process required, yard setbacks or other development standards may be modified (see Chapter 142 KZC).
- a. To meet the definition of *pedestrian-oriented facade* (see Figure 92.10.K):
- 1) The building's primary entrance must be located on this facade. For purposes of this chapter, "primary entrance" shall be defined as the primary or principle pedestrian entrance of all buildings. The primary entrance is the entrance designed for access by pedestrians from the sidewalk. This is the principal architectural entrance even though customers or residents may use a secondary entrance associated with a garage, parking area, driveway or other vehicular use area more frequently.
 - 2) Transparent windows and/or doors must occupy at least 75 percent of the facade area between two and seven feet above the sidewalk.
 - 3) Weather protection feature(s) at least five feet wide over at least 75 percent of the facade. This could include awnings, canopies, marquees, or other permitted treatments that provide functional weather protection.

- b) Provide clear pedestrian access from the sidewalk to the building entry.
- c) Provide a walkway along the building facade meeting *through-block pathway* standards as described in subsection (2)(a) of this section.

RHBD

- i. East End – Rear Yard Building Placement: Pursuant to KZC 95.40, in most cases, commercial uses shall install a required landscaped buffer adjacent to single-family properties. By requesting a modification to these provisions, the property owners may negotiate an agreement to reduce the landscape buffer/setback in a way that can benefit both parties.

Where buildings are sited towards the rear of the property, the applicant must utilize one of the following standards to minimize impacts to adjacent residential areas (see Figure 92.10.M and options below):

- 1) Meet the required landscape buffer pursuant to KZC 95.40.
- 2) Provide a blank wall no taller than 15 feet in height with no openings placed at the rear property line (building itself serves as a wall, uses are inside the building, shielded from adjacent residential uses). To qualify for this method, the treatment must be agreed to by the adjoining property owners per the modifications section of Chapter 95 KZC.
- 3) Provide a combination of both methods above. For example, provide a blank wall no taller than 15 feet in height between zero and 15 feet from the property line and landscape the applicable area between the building and the property line. In addition, an unfenced design option would effectively enlarge the adjacent homeowners' rear yard (a mutually beneficial arrangement). To qualify for these methods, the treatment must be agreed to by the adjoining property owners per the landscape buffer modifications section of Chapter 95 KZC.

MSC X. Building Orientation on Market Street Corridor

Multi-story buildings on sites adjacent to a low density zone shall be configured and designed to minimize privacy impacts on adjacent low density uses. For example, a development may meet this requirement by orienting upper floors towards the street and/or towards interior courtyards.

9. Blank Wall Treatment

- ALL** a. Each wall or portion of a wall that is closer than 50 feet to any exterior property line of the subject property and is visible from any right-of-way or is adjacent to a *through-block pathway* must be screened or treated in at least one of the ways listed in subsection (9)(d) of this section if it meets the criteria for a blank wall under subsection (9)(c) of this section.
- RHBD, TLN** b. Each wall or portion of a wall that is visible from any right-of-way, internal access road, *pedestrian-oriented space*, or *through-block pathway* must be screened or treated in at least one of the ways listed in subsection (9)(d) of this section if it meets the criteria for a blank wall under subsection (9)(c) of this section. Internal roadways used primarily for service access and not visible from a street, *pedestrian-oriented space* or *through-block pathway* are exempt from this requirement.
- ALL** c. A blank wall is any wall or portion of a wall that meets either of the following criteria (see Figure 92.10.P):
 - 1) A wall or portion of a wall with a surface area of at least 400 square feet having both a length and a width of at least 10 feet without a window, door, building modulation at least one foot in depth or other architectural feature.
 - 2) Any wall or portion of a wall between four feet and 13 feet above ground level with a horizontal dimension longer than 15 feet without a window, door, building modulation at least one foot in depth or other architectural feature.

Designating Blank Walls

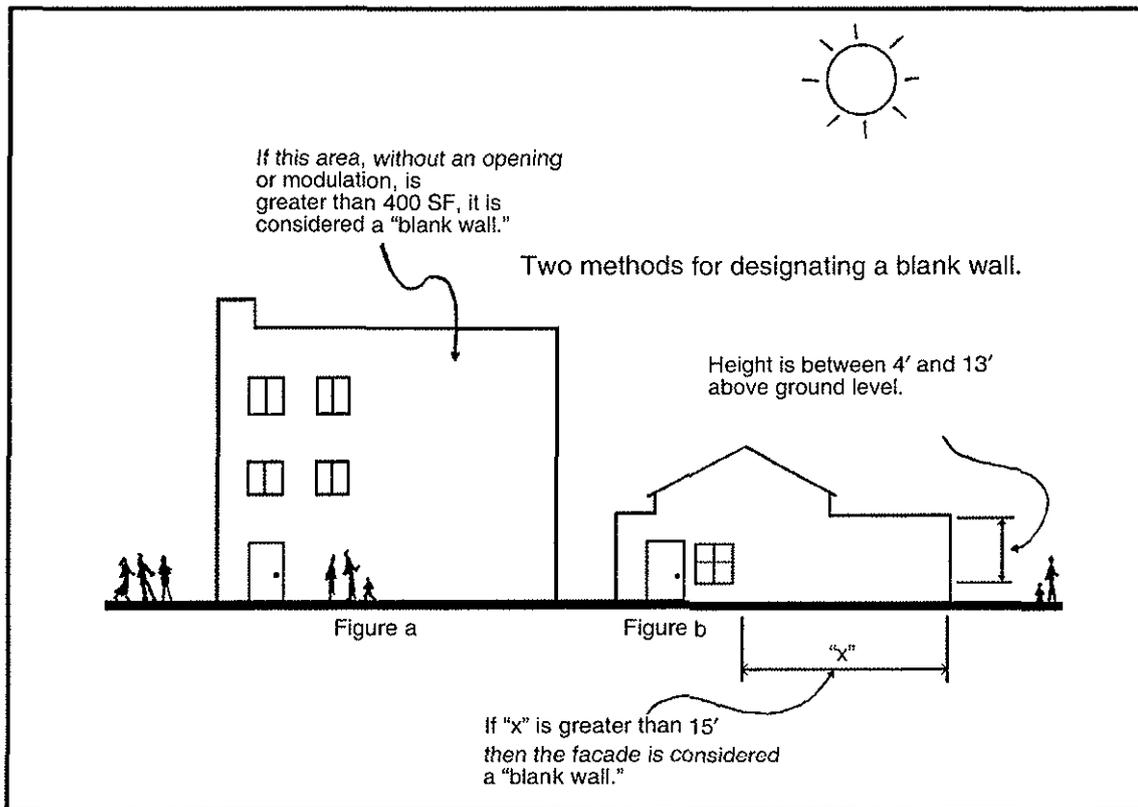


FIGURE 92.10.P

- ALL** d. At least one of the following techniques must be used to treat or screen blank walls:
- 1) By the installation of a vertical trellis with climbing vines or plant material in front of the blank wall.
 - 2) By providing a landscaped planting bed at least five feet wide or a raised planter bed at least two feet high and three feet wide in front of the blank wall and planted with plant materials that will obscure or screen at least 50 percent of the blank wall within two years.
 - 3) By providing artwork, such as mosaics, murals, sculptures or bas-relief on the blank wall.
 - 4) By proposing alternative techniques as part of the Design Review process.
- ALL** e. The provisions of this subsection (9) may be modified or eliminated as part of the Design Review decision if they conflict with the Uniform Building Code.

Pedestrian-Friendly Building Facade Requirements

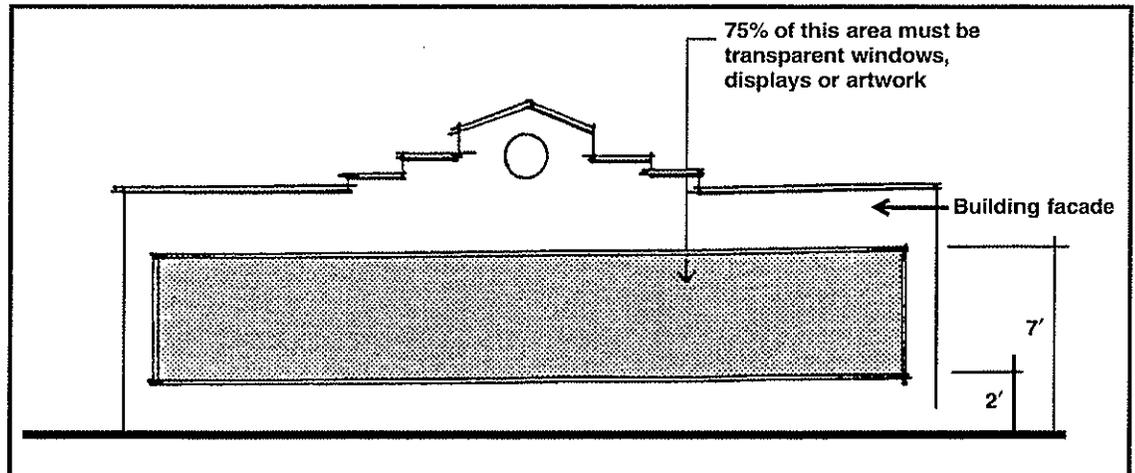


FIGURE 92.10.Q

- CBD** 10. Treatment of Building Facades – In the CBD, each facade of a building facing a *pedestrian-oriented street* or public park must contain or be treated with at least one of the following elements:
- a. It must contain transparent windows or window displays comprising at least 75 percent of the area of the facade between two feet and seven feet above ground level (see Figure 92.10.Q).
 - b. It must contain sculptural, mosaic or bas-relief artwork comprising at least 75 percent of the area of the facade between two feet and seven feet above ground level (see Figure 92.10.Q).
 - c. The area next to the facade must be developed such that for every 10 linear feet of the facade, at least 20 square feet of this area must be developed with landscaping consistent with subsection (9)(d)(1) or (2) of this section, depending on the location, dimensions, and size of the area.

- ALL** 11. Screening of Certain Areas – All loading areas, service areas, and outdoor storage areas of more than 100 square feet; areas containing waste storage and disposal facilities or containers; and similar areas must be:
- a. Located on the subject property so that they are not visible from any street, *through-block pathway*, or public park. If the City determines that this is not physically possible, then these areas must be screened from public view using a compact evergreen hedge, a solid wall or fence, or in a manner approved by the City as part of the Design Review decision.
 - b. Screened from on-site ground floor uses using a compact evergreen hedge, a solid wall or fence, or in a manner approved by the City as part of the Design Review decision.

92.15 ENTRY FEATURES IN THE JBD, RHBD, NRHBD, AND TLN

JBD
RHBD
NRHBD
TLN

In the JBD, RHBD, NRHBD, and TLN, if the subject property includes an area designated for an entry feature in the Comprehensive Plan or design guidelines, the applicant shall provide the City with a publicly maintained easement or dedication of property for this purpose. The size of the entry feature area will be at least 100 square feet. The applicant shall propose and install landscaping for the area that will be reviewed by the City and decided upon as part of the Design Review for the proposed development.

or gateway

or gateway

92.20 PUBLIC IMPROVEMENTS AND SITE FEATURES

ALL 1. Vehicular Circulation

- TLN: TL 5**
- a. Development must provide a grid of internal access roads (see Figure 92.10.G):
 - 1) A north-south street (123rd Avenue NE) from NE 116th Street on the south leading to the extension of NE 120th Street and a potential future bridge connecting over the BNSF railroad to 120th Place NE. This is intended to be a dedicated public street that can be implemented in phases as redevelopment occurs on applicable sites.
 - 2) An east/west connection with the planned NE 120th Street extension. This is intended to link the proposed 123rd Avenue NE extension above with 124th Avenue NE. This is intended to be a dedicated public street that can be implemented in conjunction with redevelopment on applicable sites.
 - 3) Two or three other east-west access roads from 124th Avenue NE towards interior lots and areas closer to I-405. A desirable distance between access roads is between 250 and 300 feet. The maximum allowable distance between access roads shall be 350 feet. These may be public or private streets implemented in conjunction with redevelopment on applicable sites. Wider separation (up to 500 feet) may be considered where properties dedicate a minimum 30-foot-wide public pedestrian corridor.
 - 4) Suggested cross-sections for each of these roads would include:
 - a) Two travel lanes (one lane each way);
 - b) On-street parallel parking;
 - c) Wide sidewalks (eight to 12 feet) on each side of the street with street trees placed toward the curb, 30 feet on-center. Sidewalk width may be reduced where planting strips (minimum four feet wide) are maintained between the street and sidewalk.

- ALL** 2. Public Improvement and Site Feature Standards and Masterplan for Public Property
- a. The Public Works Director, in consultation with the Planning Director, shall administratively adopt and publish public improvement and site feature standards for the placement, installation, construction and maintenance of the following features to be constructed on and adjacent to major pedestrian pathways, streets, alleys and public parks:
- 1) Street trees and street tree grates.
 - 2) Landscape plant materials.
 - 3) Paving materials.
 - 4) Lighting fixtures for streets, pedestrian areas and special areas.
 - 5) Public signs.
 - 6) Benches and seating areas.
 - 7) Trash receptacles.
 - 8) Drinking fountains.
 - 9) Sidewalk widths and details.
 - 10) Bicycle racks.
 - 11) Bollards.
 - 12) Crosswalks.

Until the public improvement and site feature standards are adopted and published for each area of the City subject to Design Review, the City shall, as part of the Design Review decision, specifically review and approve the placement, installation, construction and maintenance of these features.

- b. The City shall adopt a masterplan for public spaces for each commercial district. The masterplan shall discuss the placement of the features noted in subsection ~~(1)~~(a) of this section, present a long-range and coordinated plan for public property, and further implement the Downtown Plan chapter, the JBD plan, and NE 85th Street Subarea Plan provisions of the Comprehensive Plan. ⁽²⁾
- the MSC plan
- c. Once adopted and published, the City may allow departure from the public improvement and site feature standards or the masterplan as part of the Design Review approval where compliance with those standards or masterplan is not feasible or where major development warrants special design emphasis.

- ALL** 3. On-Site Improvements
- a. Mixed use centers, residential projects and office buildings shall provide bicycle racks which are conveniently located for bicyclist use and provide secure storage for bicycles.
- b. Water spigots shall be provided on all building facades along sidewalks for cleaning and plant watering.

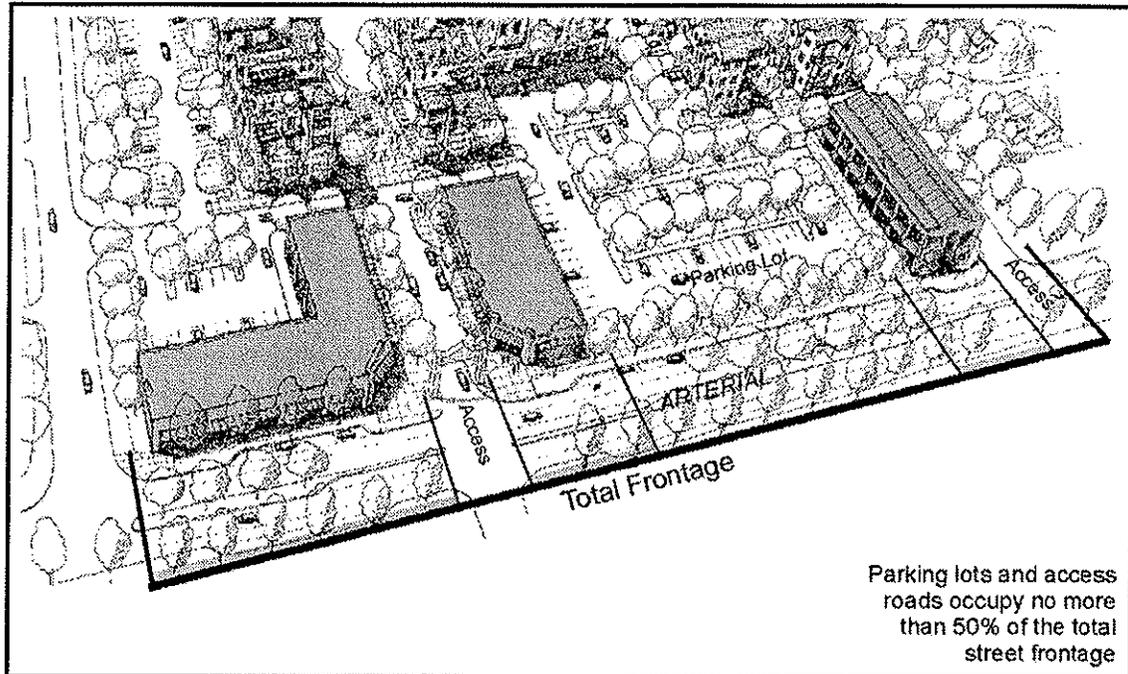


FIGURE 92.25.A

- ALL** 2. Parking Lot Entrances and Driveways – As part of Design Review, the City may impose additional restrictions on the width, number and location of driveways to and from the subject property to improve vehicle circulation or public safety or to enhance pedestrian movement or desirable visual characteristics. Parking lot entrances and driveways must be shared between properties whenever possible, especially along NE 85th Street.
- ALL** 3. Parking Lots – Pedestrian and Vehicular Access
- a. Any property adjacent to a right-of-way or park must contain a pedestrian walkway from the right-of-way or park to the main entrance of the building, or to a central location if the building has multiple entrances, even if this pathway must cross a parking lot (see Figure 92.25.B).
 - b. As determined through Design Review, the walkway shall be:
 - 1) Centrally located within the parking lot.
 - 2) Delineated by painted markings, distinctive pavement, or by being raised six inches above the parking lot pavement.
 - 3) At least five feet wide.
 - 4) Handicapped accessible.

Pedestrian Walkway

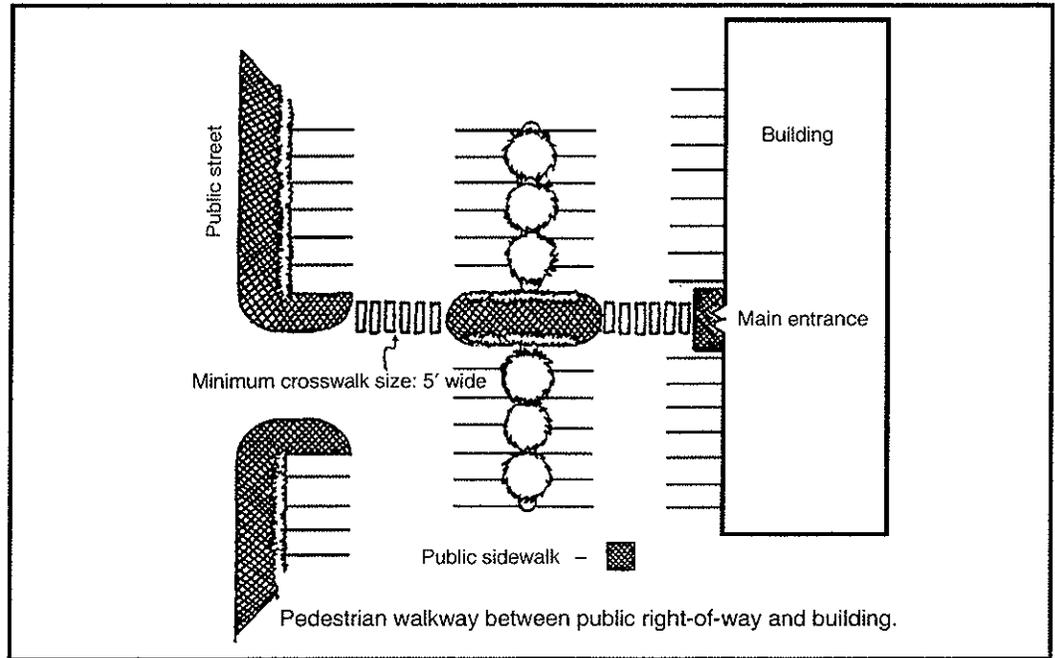


FIGURE 92.25.B

- c. All parking lots which contain more than 25,000 square feet of paved area, including access lanes and driveways, must include clearly identified pedestrian routes from the parking stalls to the main building entrance or central location. At minimum, pathways must be provided for every three parking aisles or at a distance of not more than 150-foot intervals, whichever is less.

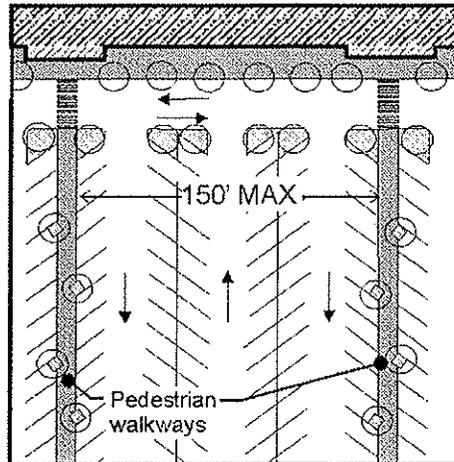


FIGURE 92.25.C

Pathways must be provided through parking lots.

- d. In addition to the walkways required under subsections (4)(a) and (4)(b) of this section, the applicant must provide at least 175 square feet of *pedestrian-oriented space* at the main building entrance, central location, or adjacent to a parking area. This area must be raised at least six inches above the parking lot surface and must be paved with concrete or unit pavers.

- e. Convenient pedestrian access must be provided on the subject property to adjacent properties. Barriers which will limit future pedestrian and vehicular access are not permitted.

ALL

4. Internal Parking Lot Landscaping – The following provisions apply to each parking lot or portion thereof containing more than 14 parking stalls within 100 feet of a street, *through-block pathway* or public park. The provisions do not apply to parking lots that are not visible from a street, *through-block pathway* or public park.
- a. The parking lot must contain 25 square feet of landscape area per parking stall planted as follows (see Figure 92.25.D):
- 1) At least one tree for every six parking stalls.
 - 2) At least one shrub for every 20 square feet of landscaped area. Up to 50 percent of the shrubs may be deciduous.
 - 3) Groundcover shall be selected and planted to achieve 90 percent coverage within two years.
 - 4) The location of the landscaping will be reviewed through Design Review.
- b. As part of the Design Review, the City may require or permit a modification to the provisions of subsection (5)(a) of this section to use existing vegetation for internal parking lot landscaping.

Internal Parking Lot Landscaping

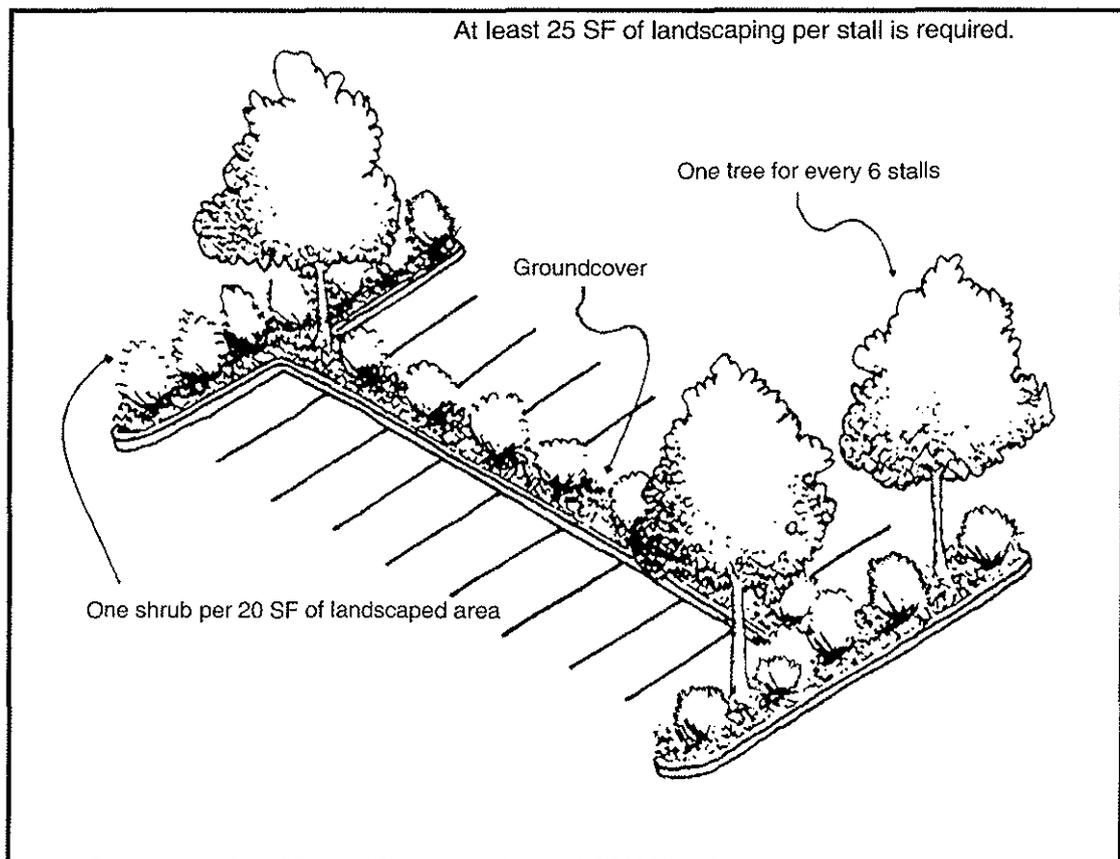


FIGURE 92.25.D

- ALL** 5. Perimeter Parking Lot Landscaping – Each side of a parking lot that abuts a street, *through-block pathway* or public park must be screened from that street, *through-block pathway* or public park using one or a combination of the following methods:
- a. By installation of a compact evergreen hedge or wall consistent with the following standards as applicable (see Figures 92.25.F.1 and F.2):
- 1) The hedge or wall must extend at least two feet, six inches, and not more than three feet above the ground directly below it.
 - 2) The wall may be constructed of masonry or concrete, if consistent with the provisions of KZC 92.35(1)(g)(1), in building material, color and detail, or of wood if the design and materials match the building on the subject property.
- RHBD** 3) The hedge or wall per subsections (6)(a)(1) and (2) of this section is not an option for uses that display vehicles for sale, or uses in the Regional Center fronting on NE 85th Street.
- TLN** 4) The hedge or wall per subsections (6)(a)(1) and (2) of this section is not an option for uses that include vehicular sales, inventory, service, or repair in the TLN.
- JBD** 5) In the JBD, if the street is a *pedestrian-oriented street*, the wall may also include a continuous trellis or grillwork, at least five feet in height above the ground, placed on top of or in front of the wall and planted with climbing vines consistent with KZC 92.05(4), Landscaping. The trellis or grillwork may be constructed of masonry, steel, cast iron and/or wood.
- JBD** 6) In the JBD, if the wall abuts a *pedestrian-oriented street*, the requirements of this subsection may be fulfilled by providing pedestrian weather protection along at least 80 percent of the frontage of the subject property.
- b. By providing a landscaped strip, consistent with KZC 92.05(4), Landscaping, at least five feet wide planted as specified below. In the RHBD Regional Center, a 10-foot perimeter landscape strip along NE 85th Street is required and planted as follows (see Figure 92.25.E):
- 1) Trees planted 30 feet or closer on center.
 - 2) At least one shrub for every 20 square feet of landscaped strip.
 - 3) Groundcover selected and planted to achieve 90 percent coverage of the remaining landscaped strip within two years.
- c. As part of Design Review, the City may require or permit a modification to the provisions of subsection (6)(b) of this section to use existing vegetation for perimeter parking lot landscaping.

Perimeter Parking Lot Landscaping

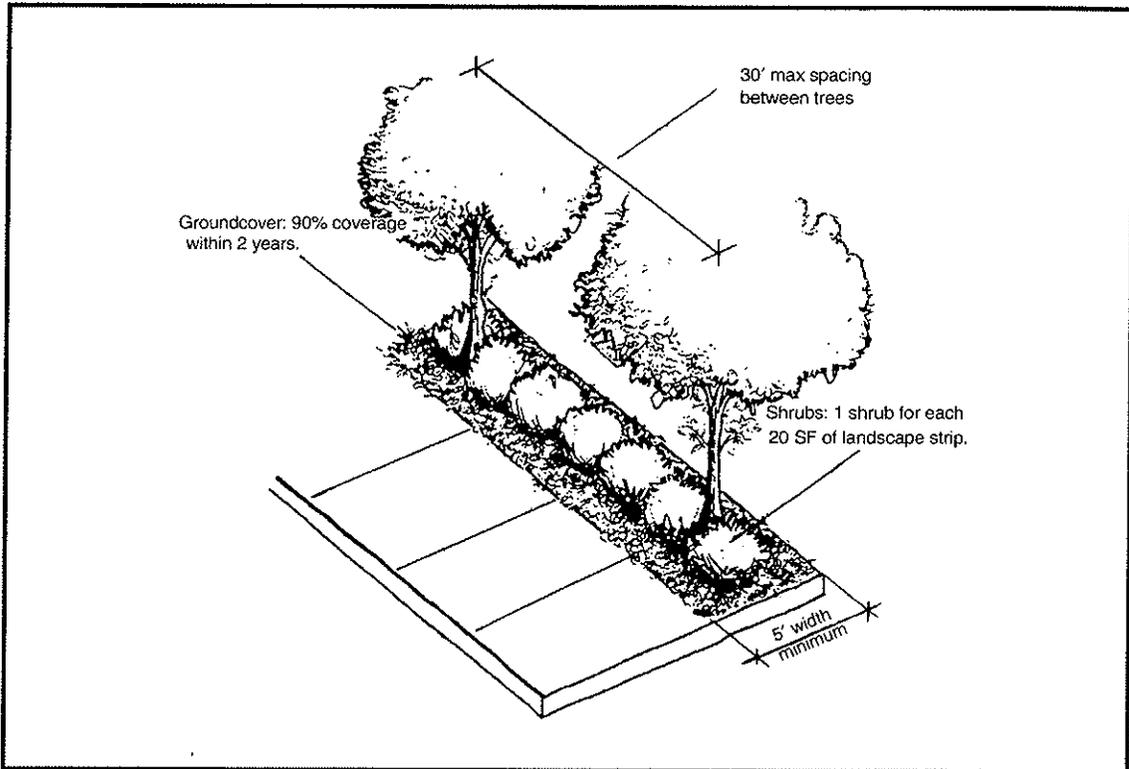


FIGURE 92.25.E

Perimeter Parking – Examples of Various Screen Wall Designs

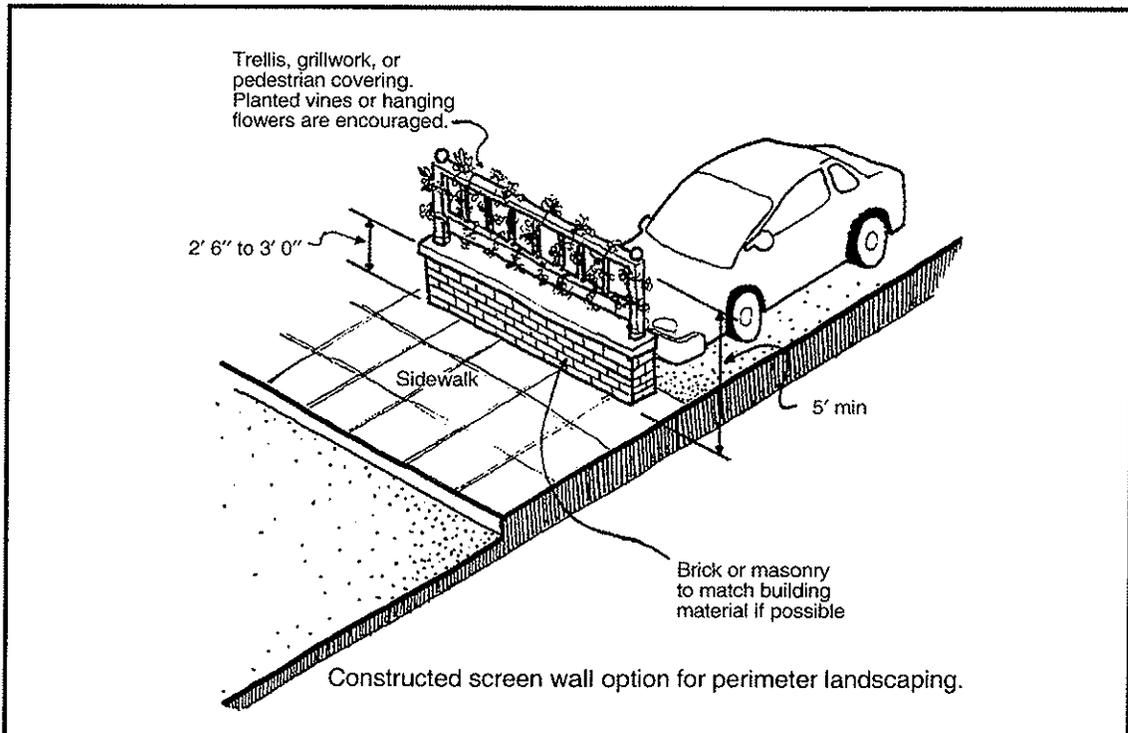


FIGURE 92.25.F.1

Perimeter Parking – Examples of Various Screen Wall Designs

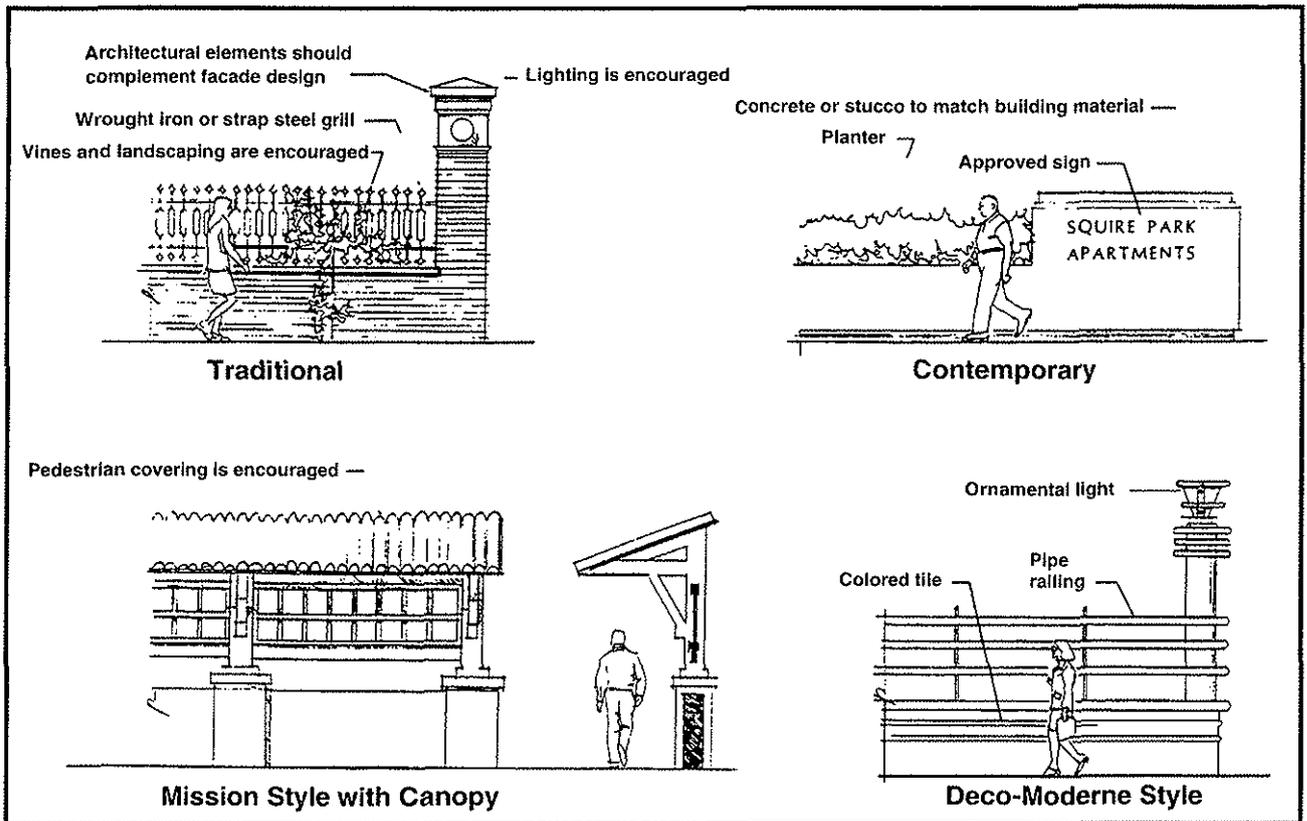


FIGURE 92.25.F.2

ALL 6. Perimeter Parking Lot Landscaping – Adjacent Properties

- a. Each side of the perimeter of a parking lot containing more than 14 parking stalls, that is within 10 feet of any adjacent property and that is not regulated under the provisions of this subsection (7), shall be screened using a combination of the following methods:
 - 1) By installing a solid, continuous fence or wall at least five feet in height constructed of wood and/or masonry.
 - 2) By installing a compact evergreen hedge designed to reach at least five feet in height.
 - 3) As part of Design Review, the City may require or permit a modification to the provisions of this subsection for any side of the parking lot which abuts or is connected to a parking lot on an adjacent property if the parking lots have internal vehicular or pedestrian connections.

ALL 7. Parking Garages

- a. Each facade of a garage or a building containing ground floor parking must either:
 - 1) Provide and maintain a ground floor area of the garage or building extending along the entire facade of the garage or building (excluding vehicle access points) which is developed as and made available for pedestrian-oriented businesses (see Figure 92.25.G); or

Providing Space for Pedestrian-Oriented Business

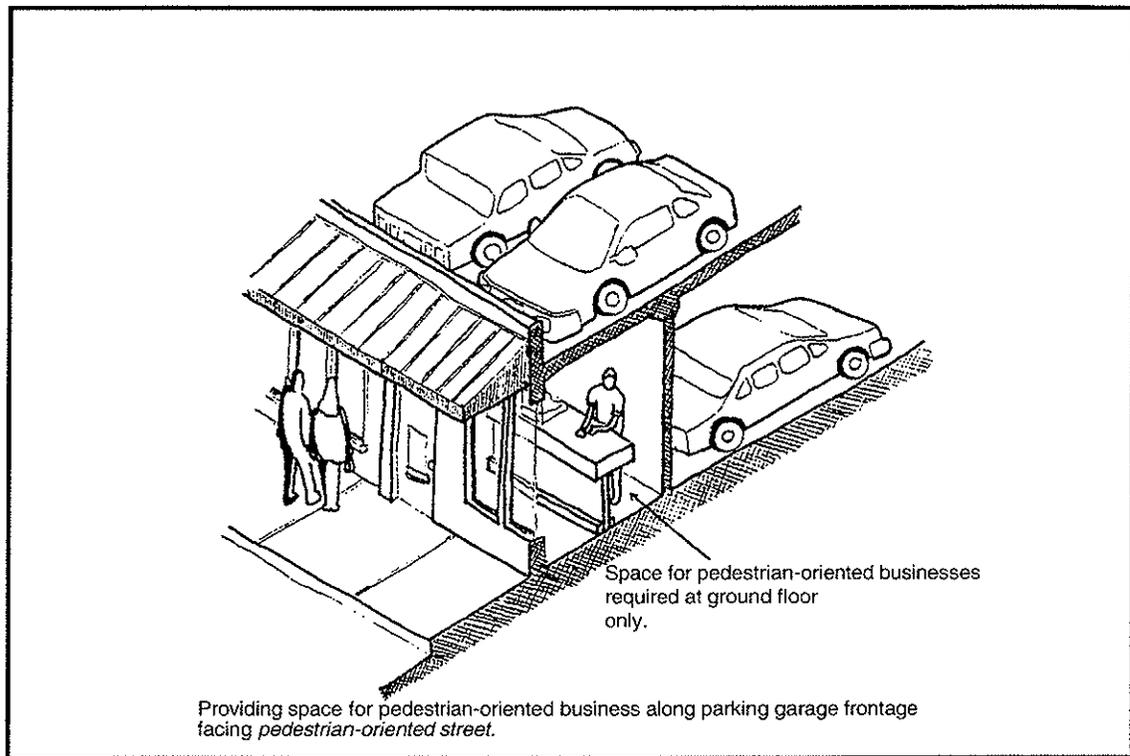


FIGURE 92.25.G

- 2) Provide and maintain a *pedestrian-oriented space*, at least 10 feet in depth and extending along the entire facade of the garage or building (excluding vehicle access points); or
- 3) Treat the facade consistent with KZC 92.10(10)(a), (b), or (c), Treatment of Building Facades; or
- 4) A combination of methods described above.

RHBD, TLN b. Structures containing parking on the ground floor:

- 1) Parking structures on designated *pedestrian-oriented streets* shall provide space for ground-floor commercial uses along street frontages at a minimum of 75 percent of the frontage width. The entire facade facing a *pedestrian-oriented street* must feature a *pedestrian-oriented facade*.

RHBD 2) Parking structures adjacent to non-*pedestrian-oriented streets* may be located adjacent to a sidewalk where they provide space for ground-floor commercial uses along street frontages at a minimum of 75 percent of the frontage width and include a *pedestrian-oriented facade* along the applicable frontage.

TLN, RHBD 3) Parking structures adjacent to non-*pedestrian-oriented streets* and not featuring a *pedestrian-oriented facade* shall be set back at least 10 feet from the sidewalk and feature substantial landscaping between the sidewalk and the structure. This includes a combination of evergreen and deciduous trees (one per 20 lineal feet), shrubs (one per 20 square feet), and ground cover (sufficient to cover 90 percent of the area within three years). Other treatments will be considered in the Design Review process.

- TLN, RHBD** 4) Parking garage entries shall be designed and sited to complement, not subordinate, the pedestrian entry. If possible, locate the parking entry away from the primary street, to either the side or rear of the building.
- TLN, RHBD** 5) The design of structured parking at finished grade under a building shall minimize the apparent width of garage entries.
- TLN, RHBD** 6) Parking within the building shall be enclosed or screened through any combination of walls, decorative grilles, or trellis work with landscaping.
- TLN, RHBD** 7) Parking garages shall be designed to be complementary with adjacent buildings. Use similar forms, materials, and/or details to enhance garages.
- TLN, RHBD** 8) Parking structure service and storage functions shall be located away from the street edge and generally not be visible from the street or sidewalks.
- ALL** c. There must be architectural screening or other treatment of openings above the ground level for the facades of parking garages along *pedestrian-oriented streets, through-block pathways and major pedestrian sidewalks*.
- ALL** d. All parking garages and parking within a structure must contain designated pedestrian walkways that:
- 1) Do not use vehicle entrance or exit driveways, from the parking area to a public right-of-way; and
 - 2) Go from the parking spaces to the pedestrian entrance of the building served by the parking.
- ALL** 8. Miscellaneous Parking Area Design Details
- a. All parking areas must have adequate lighting. Lights in parking lots must be nonglare and must be mounted no more than 20 feet above the ground (unless otherwise stated in each district subject to Design Review).
 - b. All landscape and pedestrian areas shall be protected from encroachment by parked cars. At a minimum, the parking area must be designed and constructed so that car wheels are kept at least two feet from landscape and pedestrian areas. Freestanding wheel-stop bumpers must be replaced or repaired if cracked or broken (see Figure 92.25.H).
 - c. No freestanding or wall-mounted signs for individual parking spaces are permitted to extend more than three feet above the ground. Provisions in the UBC for handicapped stalls supersede this requirement.
 - d. Moveable parking area equipment, such as barrels and sawhorses, may not be visible from a street when not in use. Parking areas and accessory components, areas and facilities must be well-maintained and kept in a clean, neat and litter-free manner at all times.

Extended Curb Used To Protect Landscape Strip

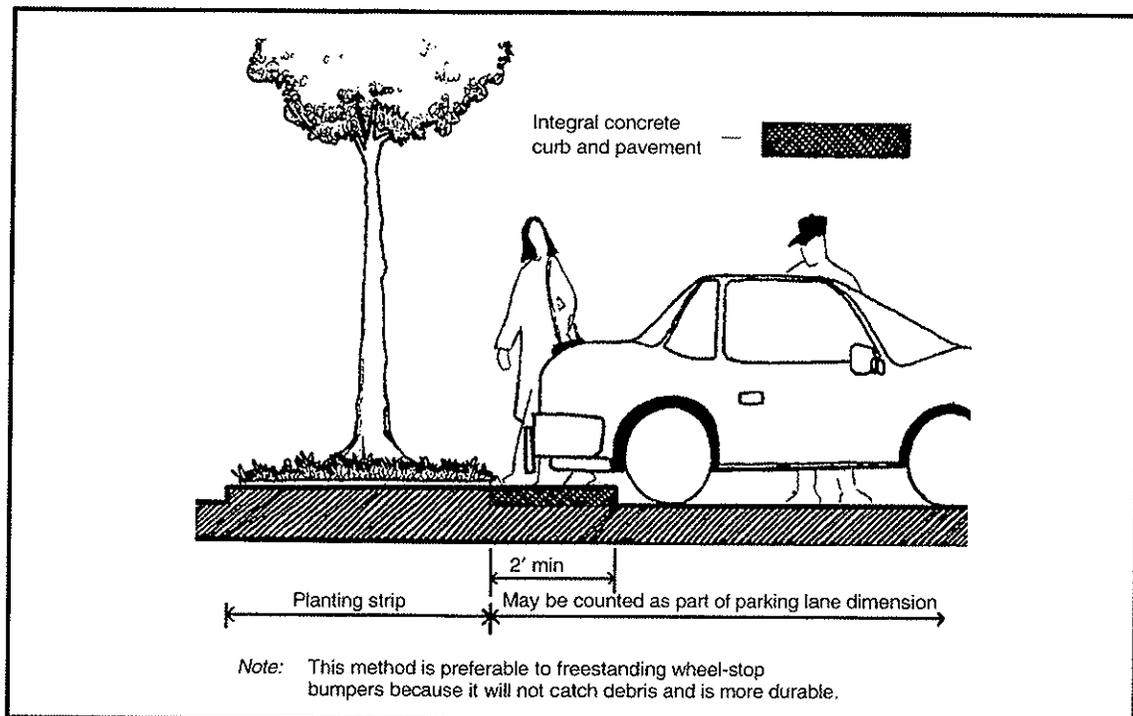


FIGURE 92.25.H

92.30 ARCHITECTURAL AND HUMAN SCALE

CBD 1. Techniques To Moderate Bulk and Mass in the CBD

- a. General – This section establishes required techniques to be used in the design and construction of building facades in specific areas of the CBD. The applicant shall comply with the techniques listed below in order to reduce the perceived bulk and mass of large structures by dividing the building mass into smaller-scale components. As an alternative, the City may approve other techniques, elements, or methods if consistent with the following criteria:
 - 1) The alternative is generally consistent with the downtown plan provisions of the Comprehensive Plan and the design guidelines.
 - 2) The alternative clearly provides superior moderation of the architectural bulk and mass than would result from strict application of the required techniques.
- b. Vertical Definition – The applicant shall comply with the following requirements to moderate the horizontal scale of buildings:
 - 1) All CBD Zones – The maximum length of any facade facing a street is 70 feet without vertical definition. Vertical definition may be in the form of changes in color and materials, modulations of sufficient width and depth to define the vertical element, or some combination of these techniques. This vertical element should carry through all floors of the building.
 - 2) CBD 4, CBD 6, CBD 8 – Along First Street, Second Street South, First Avenue South, and Fifth Street, the maximum length of a facade is 120 feet. Any facade that exceeds

Horizontal Definition: Articulation of Buildings' Top, Middle and Bottom

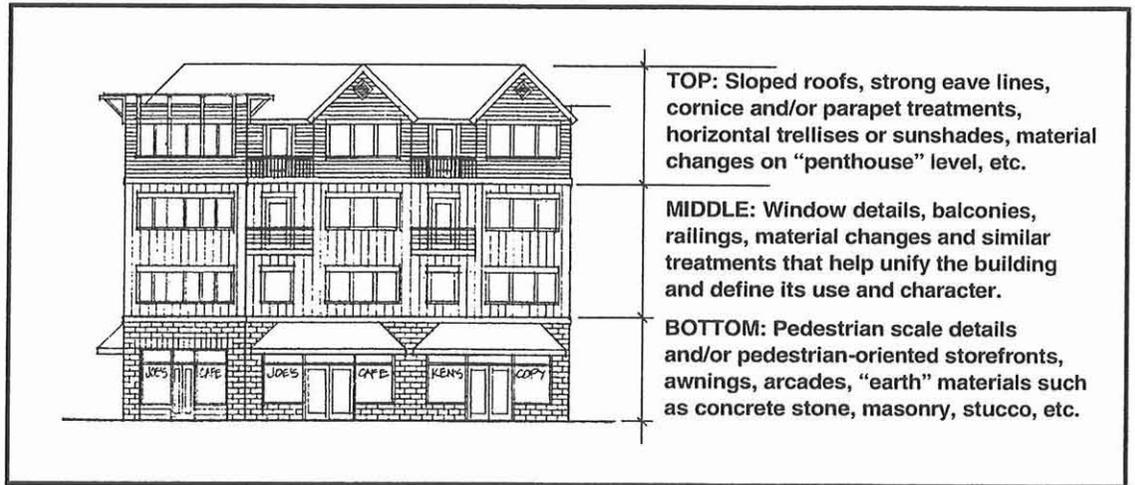


FIGURE 92.30.C

RHBD, TLN

2. Techniques To Moderate Bulk and Mass in the RHBD and TLN

- a. Along all streets, *through-block pathways*, and public open spaces, the maximum length of a facade is 120 feet. Any facade that exceeds 120 feet along the right-of-way shall comply with the following requirements (see Figure 92.30.A):
 - 1) Shall be divided by a 30-foot-wide modulation of the exterior wall so the maximum length of the facade is 120 feet without this modulation.
 - 2) The modulation shall be 20 feet in depth and shall start at finished grade and extend through all floors.
 - 3) Decks and roof overhangs may encroach up to three feet (per side) into the modulation.

ALL

3. Achieving Human Scale

a. General

CBD

- 1) CBD: Except as provided in subsection (3)(a)(3) of this section, the applicant shall use at least two of the elements or techniques listed in subsection (3)(b) of this section in the design and construction of each facade of a building facing a street or public park.

**JBD, NRHBD, TC
RHBD, TLN**

- 2) JBD, NRHBD, Totem Center, RHBD and TLN: Except as provided in subsection (3)(a)(3) of this section, the applicant shall use at least one of the elements or techniques listed in subsection (3)(b) of this section in the design and construction of each facade of a one-story building facing a street or *through-block pathway*, and at least two of the elements or techniques for a two-story building facing a street or *through-block pathway*.

ALL

- 3) The applicant shall use at least three of the elements or techniques listed in subsection (3)(b) of this section in the design and construction of any facade of a building facing a street, *through-block pathway* or public park, if:
 - a) The facade has a height of three or more stories; or
 - b) The facade is more than 100 feet long.

ALL

- b. Techniques To Achieve Human Scale – The techniques to be used in the design and construction of building facades under subsection (3)(a) of this section are listed below. As an alternative, the applicant may propose other techniques, elements or methods which provide human scale to the building and are consistent with the applicable design guidelines and the Comprehensive Plan.
- 1) On each story above the ground floor, provide balconies or decks, at least six feet wide and six feet deep.
 - 2) On each story above the ground floor, provide bay windows that extend out at least one foot, measured horizontally, from each facade of the building.
 - 3) Provide at least 150 square feet of *pedestrian-oriented space* in front of each facade. See KZC 92.10(8)(c)(2).
 - 4) Provide at least one-half of the window area above the ground floor of each facade consistent with all of the following criteria (see Figure 92.30.D):
 - a) The windows must have glazed areas with dimensions less than five feet by seven feet.
 - b) The windows must be surrounded by trim, molding and/or sill at least two inches wide.
 - c) Individual window units must be separated from adjacent window units by at least six inches of siding or other exterior finish material of the building.
 - 5) Provide at least one-half of the window area above the ground floor of each facade facing a street or public park in panes with dimensions less than two feet by three feet and with individual panes separated by window mullions (see Figure 92.30.E).

Individual Windows Option

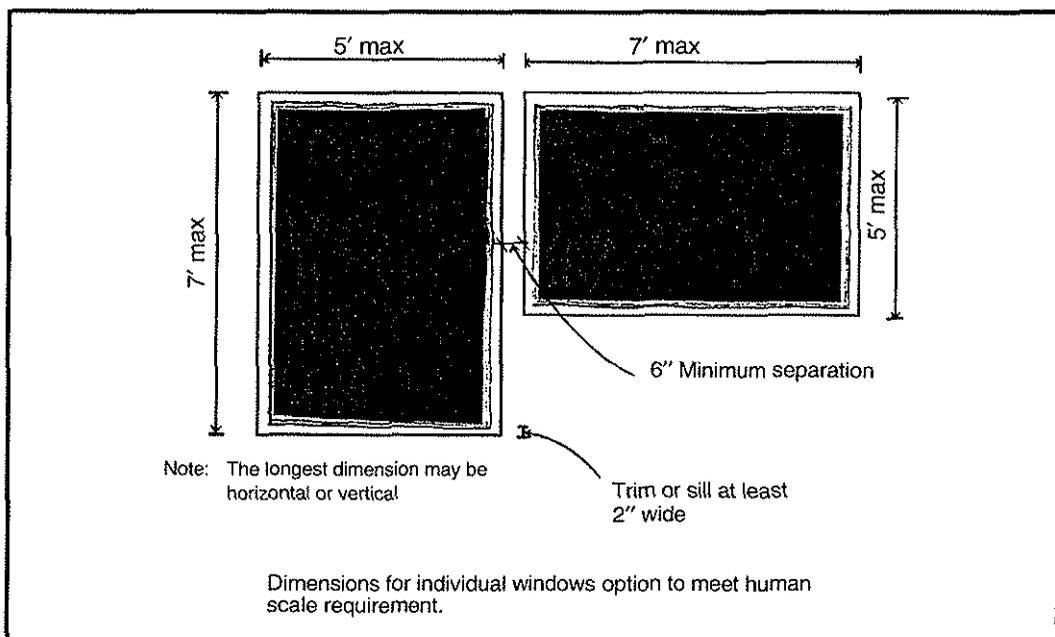


FIGURE 92.30.D

Multiple-Paned Fenestration Option

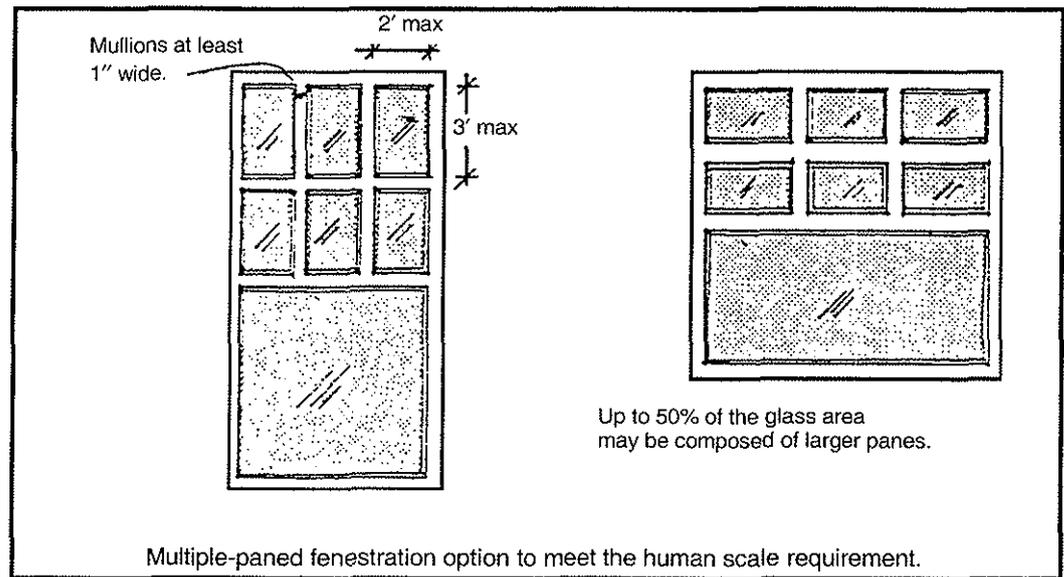


FIGURE 92.30.E

- 6) Provide a hipped or gable roof which covers at least one-half of the building footprint and has a slope equal to or greater than three feet vertical to 12 feet horizontal. To meet this requirement, the ridge width of a continuous roofline shall not extend more than 100 feet without modulation. This includes a gabled or other sloped roofline segment at least 20 feet in width.
- 7) If the main entrance of the building is on the facade of the building facing a street, *through-block pathway*, or public park, provide a covered porch or entry on the subject property at the building's main entrance. Pedestrian weather protection required under KZC 92.10(4) may not be used to meet this requirement unless the required pedestrian weather protection covers an area at least 15 feet long by 15 feet wide and is available for outdoor display or outdoor vendors or contains pedestrian-oriented improvements or amenities beyond what is otherwise required.
- 8) Provide one or more stories above the ground floor setback at least six feet from the ground floor facade facing the street, *through-block pathway*, or a public park.
- 9) Compose smaller building elements near the entry of a large building (see Figure 92.30.F).

- RHBD, TLN** c. Nonresidential uses in the RHBD and TLN with over 40,000 square feet of floor area shall incorporate the following human scale features on the facade featuring the primary building entry:
- 1) Provide *pedestrian-oriented space* near the building entry. The minimum size of the area shall be no less than one percent of the floor area of the use (see Figure 92.10.N). This must include a covered area at least 15 feet long by 15 feet wide and is available for outdoor display or outdoor vendors; and
 - 2) Compose smaller building elements near the entry (see Figure 92.30.F).
 - 3) As an alternative, the applicant may propose other mechanisms for providing human scale to such buildings, consistent with the design guidelines.

Composing Smaller Building Elements Near the Entry

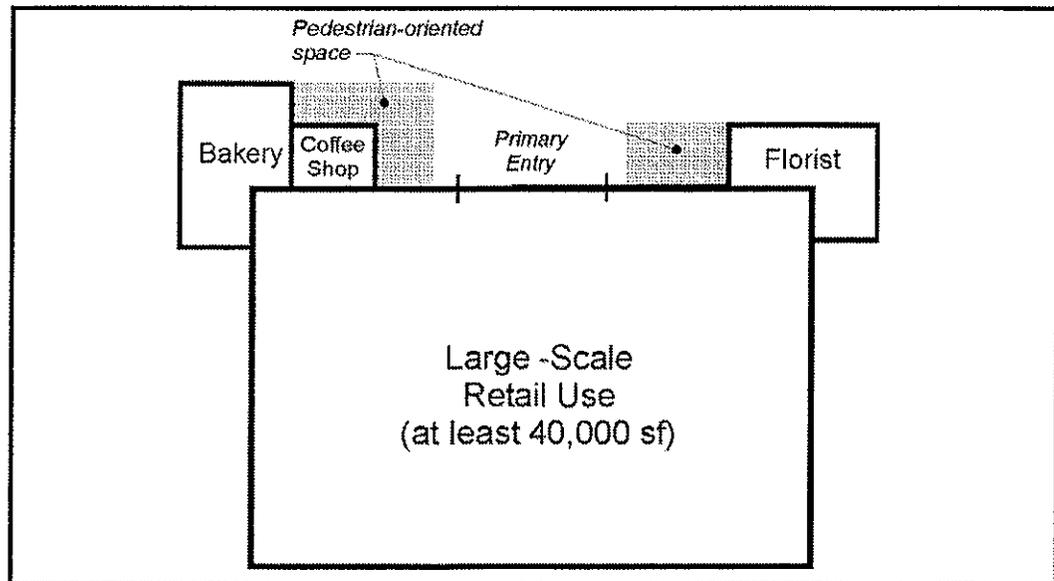


FIGURE 92.30.F

- ALL**
4. Techniques To Achieve Architectural Scale – The applicant shall use at least two of the following elements and features in the design and construction of all buildings that are three or more stories or have a building footprint of more than 10,000 square feet. As an alternative, the applicant may propose slight variations from the required dimensions noted in the following techniques, or other methods to comply with the requirements of this subsection. The City may approve the proposal if it is consistent with the design guidelines and the Comprehensive Plan.
- a. All stories above the second story must be set back at least 10 feet from the ground floor facade along at least two facades of the building.
 - b. On all building facades visible from a street or public park, provide horizontal modulation consistent with all of the following standards:
 - 1) The maximum allowable horizontal dimension of the facade between modulations is 70 feet;
 - 2) The minimum depth of each modulation, except balconies, is 10 feet; and
 - 3) The minimum width of each modulation, except balconies, is 15 feet.
 - c. On all building facades visible from a street or public park, provide balconies which are consistent with the following standards:
 - 1) Balconies must be placed on at least every other floor above the ground floor;
 - 2) The maximum distance between balconies, measured horizontally, is 100 feet; and
 - 3) The minimum amount of floor area for each balcony is 100 square feet.
 - d. Provide vertical modulation of the roof line of all facades of the building adjoining a street or public park. For buildings with flat, gabled, hipped or similar roofs, the maximum length of any continuous roof line, with a slope of less than three feet vertical to 12 feet horizontal,

is 50 feet without being modulated. If modulation is necessary, at least one of the following methods must be used (see Figure 92.30.G):

- 1) The height of the visible roof line must change at least eight feet if the adjacent roof segments are less than 50 feet in length.
- 2) The height of the visible roof line must change at least 12 feet if the adjacent roof segments are greater than 50 feet in length.

Flat Roof Modulation Options

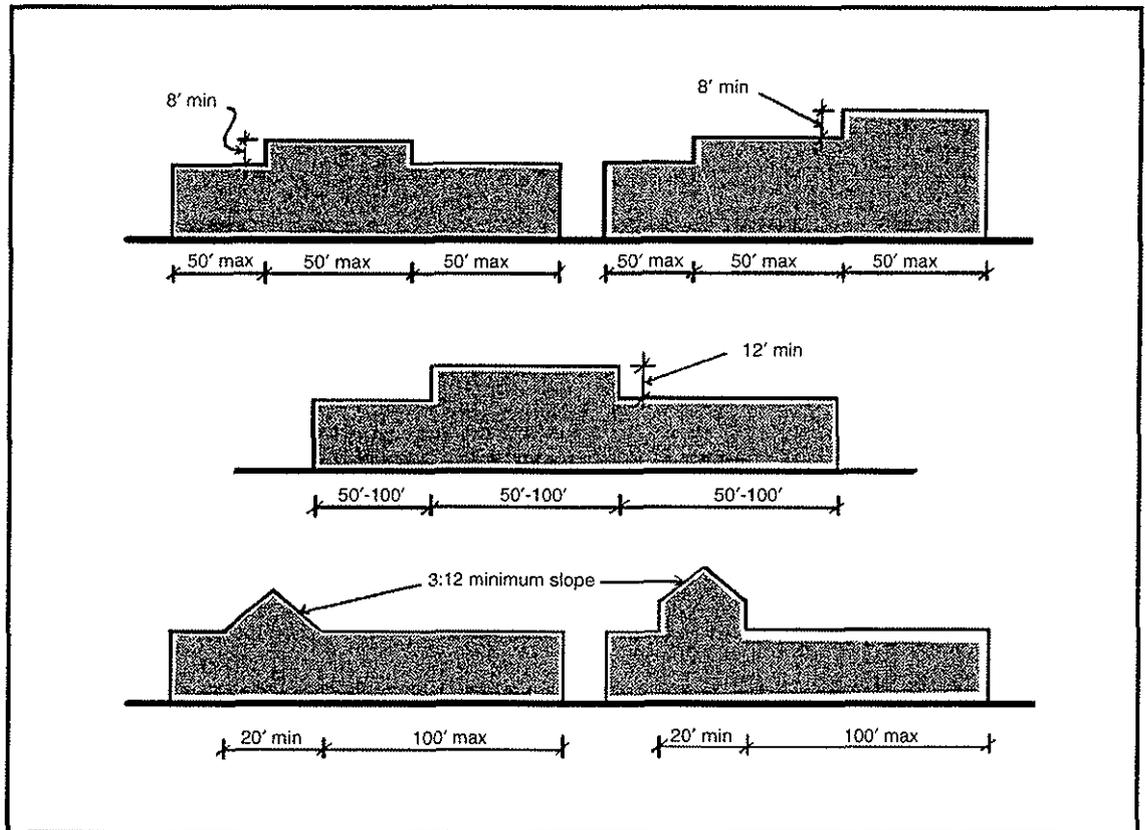


FIGURE 92.30.G

- 3) The length of a sloped or gabled roof line segment must be at least 20 feet. The minimum slope of the roof segment is three feet vertical to 12 feet horizontal.
- e. Buildings with other roof forms, such as arched, gabled, vaulted, dormered or sawtooth, must have a significant change in slope or significant change in roof line at least every 100 feet.

**RHBD,
TLN**

5. Techniques To Achieve Architectural Scale in the RHBD and the TLN

- a. All buildings shall include at least three of the following modulation techniques at the articulation intervals described in subsection (5)(b) of this section along all facades containing the primary building entries (alley facades are exempt):

- 1) Repeating distinctive window patterns at intervals less than the articulation interval;

92.35 BUILDING MATERIAL, COLOR AND DETAIL

- ALL** 1. Required Elements – The applicant shall incorporate at least three of the following elements on each facade of a building that faces a street, *through-block pathway*, *pedestrian-oriented space* or a public park. As an alternative, the applicant may propose other mechanisms for providing interesting visual detail to buildings, consistent with the design guidelines.
- a. Decorative roof lines, including ornamental molding, frieze or other roof line devices visible from the ground. Linear features must be at least eight inches wide, measured vertically.
 - b. Decorative molding or framing details around all ground floor doors and windows. The molding or trim may have a traditional, contemporary, geometric or sculptural design.
 - c. Decorative glazing on all ground floor doors and windows, including stained glass, crystal cut glass, etched glass or similar individualized and permanent treatment, but excluding single-colored glass, opaque glass or plastic. On all ground floor windows, this decorative glazing must have a surface area of at least 30 square feet.
 - d. Railings, grill work, landscape guards or other similar elements including materials, design, configuration, embellishment or workmanship that exceeds the normal functional requirements for the element.
 - e. Trellises or arbors having an area of at least 100 square feet and planted, consistent with the requirements of KZC 92.05(4), to achieve at least 30 percent coverage of the trellis or arbor with plant material within three years.
 - f. Decorative light fixture or fixtures, either one if one-of-a-kind or custom-built or one every 30 feet along the facade of the building if not one-of-a-kind or custom-built, that meet either of the following criteria:
 - 1) Includes a diffuse, visible light source, such as a globe.
 - 2) Contains a shade or mounting that includes some use of material, configuration, shape, embellishment or detail that exceeds the normal functional requirement for the shade or mounting.
 - g. Use of any of the following decorative materials:
 - 1) Any of the following decorative masonry elements:
 - a) Decorative masonry patterns, other than running bond pattern.
 - b) Bricks, tile, stone, cast stone or other masonry units of at least two colors installed in layers or tiers to form a geometric pattern.
 - c) Decorative bands of masonry, such as a soldier course of brick or multicolored ceramic tile band, in conjunction with another exterior surface material.
 - 2) Individualized wood patterns or continuous wood details, such as fancy butt shingles in a geometric pattern, decorative moldings, brackets, eave trim or lattice work.
 - 3) Ceramic tile, stone, glass blocks, camera glass or other similar materials incorporated into other compatible surface materials and used to form or create, or in conjunction with, a geometric pattern, distinctive shape, unusual surface treatment, special lighting or other decorative or textural element.

- 4) Other materials with decorative or textural qualities, as demonstrated by architectural drawings and material samples, approved by the City as part of Design Review.
 - h. Decorative unit paving, including at least 50 square feet of multicolored tile, paver blocks, brick or other paving material in a decorative pattern, installed in a pedestrian-circulation area adjacent to the facade.
 - i. Artwork in the form of a mosaic mural, bas-relief sculpture, light sculpture, water sculpture, fountain, freestanding sculpture, art in pavement, murals, graphics or other forms, either freestanding in front of the facade or attached to the facade.
- ALL** 2. Prohibited Materials – The following materials may not be used on any exterior surface which is visible from any area beyond the subject property:
- a. Mirrored glass and other highly reflective materials.
 - b. Corrugated fiberglass.
 - c. Chain link fencing, except for temporary purposes, such as during construction.
- ALL** 3. Metal Siding – Corner and edge trim must be used to cover exposed edges of metal siding. If metal siding covers more than 25 percent of a building’s facade, the following regulations apply:
- a. The siding must have a matted finish.
 - b. The siding must be in a neutral, earth tone or dulled color such as buff, grey, beige, tan, creme, white, barn-red, blue-grey, burgundy or ocher.
 - c. The facade must have visible window and door trim painted or finished in a color which is complementary to the siding color.
- ALL** 4. Concrete Block – Any concrete block, masonry unit or cinder block wall which is visible from a street or public park must contain one or more of the following features or elements:
- a. Use of textured blocks with surfaces such as split-faced or grooved.
 - b. Use of colored mortar complementary to the color of the blocks.
 - c. Use of other surface material such as bricks, glass blocks or tile as a significant feature of the wall.
- ALL** 5. Awnings
- a. The design of awnings should complement the architecture of the building. Steel and glass, fabric, and other materials of a more permanent nature are encouraged. Vinyl or plastic awnings and awnings used predominantly for advertising are discouraged.
 - b. Translucent awnings shall not be backlit. Lights directed downward mounted from internal awning frames are permitted. Lights mounted above awnings and directed downward are permitted.
- ALL** 6. Covering of Existing Facades – Existing brick or cast stone masonry facades may not be covered with metal siding, metal screening, plastic siding, fiberglass siding, plywood siding, or wood siding materials. Other existing facades may be covered if consistent with the provisions of this subsection (6). As part of Design Review for remodels, the City may require the removal of coverings.

- ALL** 7. Building Cornerstone or Plaque – All commercial buildings designed for use by more than one tenant must have a building cornerstone or plaque, placed in a prominent location, consistent with the following standards:
- a. Building cornerstones must be constructed in carved stone, cast stone, carved masonry, terra cotta or other vandal-resistant material.
 - b. Building plaques must be mounted no lower than two feet and no higher than 10 feet above ground and must be made of bronze, brass, anodized aluminum, porcelain enamel-covered steel or aluminum or other corrosion-resistant material.
 - c. Building cornerstones and plaques must indicate the name of the building and, if known, the date of construction and architect.
 - d. Building cornerstones and plaques may include the owner's name and other historical information.
- CBD** 8. Building Corners in the CBD – If the subject property is adjacent to the intersection of two streets, at least one of which is a *pedestrian-oriented street*, the applicant shall use one or more of the following elements or treatments in the design and construction of the corner of the building facing the intersection of the streets which includes the *pedestrian-oriented street*. As an alternative, the applicant may propose other techniques, elements or treatments in the design of the corner which are consistent with the design guidelines and the provisions of the Comprehensive Plan.
- a. Provide at least 100 square feet of sidewalk area or pedestrian-oriented open space in addition to the area required to produce a 10-foot-wide sidewalk as required under KZC 92.10(1) (see Figure 92.35.A).
 - b. Provide an entranceway to a store, building atrium or lobby, exterior courtyard or pedestrian-oriented open space (see Figure 92.35.B).
 - c. Provide a pedestrian pathway, at least eight feet in width, that connects to another street, public feature or building (see Figure 92.35.B).
 - d. Provide one or more of the elements listed below on both sides of an axis running diagonally through the corner of the building and bisecting the angle formed by the two building facades (see Figure 92.35.C):
 - 1) A bay window or turret.
 - 2) A roof deck.
 - 3) Balconies above the ground floor.
 - 4) A building corner setback notch or curved facade surface.
 - 5) Sculpture or artwork, either bas-relief or figurative.
 - 6) Distinctive use of facade materials.
 - e. Provide special or unique treatment, other than the use of fabric or vinyl awnings, for pedestrian weather protection at the corner of the building.