

ORDINANCE NO. 422

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING THE ZONING CODE TEXT TO PROVIDE FOR GREATER HEIGHT AND DENSITY IN A PORTION OF THE CITY'S MIXED USE ZONE PROVIDED THAT NEW DESIGN STANDARDS ARE MET AND INCREASED BY AMENDING THE DENSITY AND DIMENSION TABLE IN CHAPTER 19.45 AND ADDING NEW PROVISIONS TO CHAPTER 19.55 OF THE UNIVERSITY PLACE MUNICIPAL CODE

WHEREAS, the City of University Place Comprehensive Plan contains goals and policies that encourage improving the quality and character of commercial development and creating more pedestrian-oriented design; and,

WHEREAS, the City of University Place City Council, after considering the Planning Commission's recommendation and after conducting a duly noticed public hearing on May 17, 2004, which was preceded by a City Council study session on May 10, 2004, and an Open House on May 6, 2004; and

WHEREAS, after carefully weighing the testimony and record the City Council has prepared facts and findings; and,

WHEREAS, among these facts and findings is that the City Council considers these design standard amendments to be the minimum necessary to protect the public health, safety and welfare;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1. Adopting Legislative Findings in Support of Zoning Code Text Amendment.**

The City Council hereby adopts these legislative findings in support of an incentive-based zoning code text amendment for the area of the Mixed Use Zone along 27<sup>th</sup> Street between Grandview Drive and Crystal Springs Road.

1. In August 2003, the City Council amended the City's Comprehensive Plan to include new policies aimed at promoting economic development within the City. These amendments reflect the importance that the Council places on growing the City's economic base to offset budgetary challenges.
2. Comprehensive Plan Goal LU3 seeks to achieve a mix of commercial land uses that serve the needs of the City's residents, businesses and visitors. An adopted City policy in support of this Goal is to encourage infill and redevelopment of existing commercial areas. The policy can be achieved by consolidating and redeveloping existing underdeveloped properties. (Policy LU3I)
3. The City is almost fully developed. Because many areas within the City's Mixed Use Zone that could support economic development are divided into small lots, the City is working to develop incentives that encourage lot consolidation and more intensive redevelopment where appropriate. These incentives promote the formation of unique business districts throughout the City (Goal LU8) and helps grow the City's economic base.
4. Allowing greater building height and density within certain areas of the Mixed Use Zone in exchange for more stringent design standards is a tool that encourages higher quality, aesthetically pleasing and more carefully considered redevelopment that is also compatible with surrounding uses.

5. Allowing greater residential density within certain areas of the Mixed Use Zone helps the City meet its obligations under the Growth Management Act to plan for and provide for an increased number of households within the City.
6. Redevelopment within the City's Mixed Use Zone will create new jobs and provide additional services and amenities to nearby single-family neighborhoods.
7. In 2003, City Staff identified an area within the Mixed Use Zone located north of 27<sup>th</sup> Street West, between Grandview Drive and Sunset Drive, that appeared to have significant redevelopment potential.
8. Important to Staff's determination of significant redevelopment potential were the following factors:
  - a. The area currently consists of underutilized, commercially-zoned properties located in an existing business district.
  - b. The area is located along an arterial.
  - c. The area is located at the significant corner of 27<sup>th</sup> Street and Grandview Drive.
  - d. The properties can be consolidated into a tract of not less than five acres, with a minimum depth of 200 feet from the arterial right of way line.
  - e. The area is of such size and significance that it may trigger other redevelopment within the 27<sup>th</sup> Street business corridor.
  - f. The area is able to accommodate additional traffic without compromising the established level of service.
9. On September 9, 2003, the City held a "Discovery Workshop", inviting owners and stakeholders of properties in the Mixed Use Zone north of 27<sup>th</sup> Street between Grandview Drive and Sunset Drive to discuss redevelopment.
10. The properties under discussion at the Discovery Workshop are within a Mixed Use Zone that allows a density of 12 dwelling units per acre and a height of 40 feet. The area slopes downward to the northwest and is bounded on the north by residential use, on the west by multifamily use, on the south by multifamily and mixed use, and on the east by civic use. The area is currently a severely underutilized commercial area with significant redevelopment potential. The area is currently served by public facilities and services that would support the increased densities.
11. In late 2003, City staff recommended that the Planning Commission consider a zoning code text amendment for properties within the Mixed Use Zone located north of 27<sup>th</sup> Street West, between Grandview Drive and Crystal Springs Road.
12. On March 3, 2004, and March 17, 2004, the Planning Commission held public hearings. The hearings were noticed by sending notification to each of the property owners within at least 300 feet of the subject area and to other property owners whose views may be affected by the proposed zoning code text amendment, by publication in the Tacoma News Tribune, and posting at City Hall, the University Place Library and the Fire Station. The notice provided was above and beyond that required in the City's public participation program under UPMC 19.90 and was reasonably calculated to give notice to those most affected by the zoning code text amendment.
13. At the hearings, the Planning Commission took written and oral public testimony on a proposed zoning code text amendment that would allow developers to elect whether to develop properties within the subject area under the City's existing height and density regulations or to develop

under new regulations that provide for an increased height of 60 feet and an increased density of 30 dwelling units per acre, subject to new more stringent design standards.

14. On April 28, 2004, the Planning Commission passed resolution No. 04-2, recommending that the City Council enact zoning code text amendments to allow increased height and density in the subject area, provided the development complied with new design standards. The Planning Commission recommended a maximum density of 30 dwelling units per acre and a maximum building height of 50 feet.
15. On May 6, 2004, the City sponsored an open house to inform the public of the City's economic development and comprehensive plan goals, and to provide an opportunity for the public to review and discuss the proposed zoning code text amendments with City staff, property owners and developers.
16. On May 10, 2004, the City Council held a study session to discuss the Planning Commission's recommendation.
17. On May 17, 2004, the City Council held a public hearing. The hearing was noticed by sending notification to each of the property owners within at least 300 feet and to other property owners whose views may be affected by the proposed zoning code text amendment, and by publication in the Tacoma News Tribune and posting at City Hall, the University Place Library and Fire Station.
18. At the May 17<sup>th</sup> public hearing, the City Council took written and oral testimony on the proposed zoning code text amendments. After closing the public hearing, the Council discussed the matter and directed staff to provide additional information on a number of issues including traffic and height impacts.
19. On June 14, 2004, City staff provided the requested information and the Council discussed the proposed amendment further.
20. While City staff has worked with property owners to encourage redevelopment of the subject area, the property owners have not submitted a permit application or site-specific rezone application.
21. The zoning code text amendments implements the City's Economic Strategic Action Plan by encouraging redevelopment of vacant and underutilized commercial properties and are intended to act as a catalyst for future redevelopment along the 27<sup>th</sup> Street corridor.
22. The zoning code text amendments are consistent with the City's Comprehensive Plan and implement several of the goals and policies of the Comprehensive Plan including:
  - a. The amendments promote redevelopment of certain underdeveloped areas within the City that have significant potential. They allow development to a greater height and residential density in an area already zoned for such uses in exchange for implementing design standards designed to make the properties more attractive and to boost neighborhood property values. The amendments help provide more local neighborhood retail and office services for residents and high quality multifamily dwellings. By doing so, the amendments implement the following goals and policies:
    - i. Achieve a rational and prudent mix of land uses within the City. (Goal LU1)
    - ii. Achieve a mix of commercial uses and a mix of residential, office, and retail uses to serve the City's residents, businesses, and visitors. (Goal LU3, Policy LU3E)
    - iii. Concentrate commercial land in locations that best serve the community, complement stable residential areas, and are attractive to private investment. (Policy LU3A)

- b. The amendments facilitate growth in an area already zoned mixed-use and intended to accommodate such development and already served by public facilities and services, including sewers and public transit. By doing so the amendments implement several goals and policies:
    - i. Create a well-balanced, well-organized combination of land uses. (Policy LU1B)
    - ii. Manage growth so public facilities and services are available to support development. (Policy LU1C, LU2E, and HS2D)
  - c. The amendments allow for higher quality multifamily development, under the more stringent design standards. By doing so, the amendment implements several goals and policies:
    - i. Provide for a range of residential densities based on development patterns, community needs, and proximity to services. (Policy LU2E)
    - ii. Achieve a greater mix of housing types to meet the needs of diverse households at various income levels. (Goal HS2).
    - iii. Encourages increased density residential development in mixed-use zones. (Policy HS2E)
    - iv. Maintain moderate density residential development in existing multifamily and mixed-use areas along or close to major arterials and transit routes. (Policy LU2B)
  - d. The amendments provide more stringent design standards that must be met to achieve the higher density and height. These design standards are modeled after the Town Center design standards and will promote a high quality, pedestrian friendly, architecturally interesting development. By doing so, the amendment implement several goals and policies:
    - i. Encourage quality residential and commercial projects, an attractive streetscape and a pedestrian-friendly environment. (Policy CC4E)
    - ii. Encourage the infill, renovation or redevelopment of existing commercial areas and discourage expansion of linear commercial "strips." (Policy LU3I)
    - iii. Ensure that new and redeveloped buildings are designed to complement community goals for attractive streets, public spaces, and pedestrian amenities. (Policy LU3F)
    - iv. The design standards also encourage new development to include architectural features that create visual interest. (Policy CC1O)
  - e. The amendments are the result of collaborative efforts of the owners, developers, residents and city staff. These efforts help promote unique business areas in the City (Goal LU8); help develop partnerships with business interests to promote business districts (Policy LU8A); encourage development of new businesses and expansion of existing businesses (Policy LU3B); and encourage new businesses in the City to expand the diversity of the City's employment base (Policy LU3C).
23. Several goals and policies of the Comprehensive Plan address the City's policy to preserve the residential character of single-family residential neighborhoods and to ensure that abutting development is designed and scaled in a compatible manner (Policies LU1B, LU2A, LU2D, LU2E, HS1A, and CC4C). The Planning Commission and the City Council have considered how to implement the Comprehensive Plan policies and reach a balance between conflicting policies. The zoning code text amendments in this Ordinance have been drafted for consistency with these policies and to ensure the subject area is designed and scaled in a manner compatible with surrounding uses.
24. These zoning code text amendments are consistent with the policies identified in the findings above. The amendments provide for buffering from single-family residences and for upper story

setbacks to reduce the bulk and minimize view impairment. These measures preserve the residential character of nearby single-family neighborhoods.

25. Redevelopment pursuant to these zoning code text amendments is not appropriate in all areas of the Mixed Use Zone. The factors identified in Finding 8 above are important in the City Council's determination that the zoning code text amendments are appropriate in the subject area.

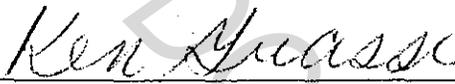
**Section 2. Amending Chapter 19.45 Density and Dimension Table.** Chapter 19.45 "Density and Dimension" of the University Place Municipal Code is hereby amended as shown in "Exhibit A", which is attached and incorporated herein, to be consistent with and to implement the Comprehensive Plan.

**Section 3. Amending Chapter 19.55 Overlay Zones.** Chapter 19.55 "Overlay Zones" of the University Place Municipal Code is hereby amended to add a new section 19.55.080 for the mixed-use zoned properties on the north side of 27th Street West between Grandview Drive West and Crystal Springs Road, as shown in "Exhibit B", which is attached and incorporated herein, to be consistent with and to implement the Comprehensive Plan.

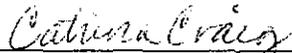
**Section 4. Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances by a court of competent jurisdiction shall not be affected.

**Section 5. Publication and Effective Date.** A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall be effective five (5) days after its publication.

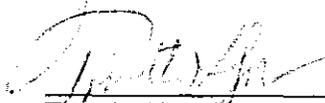
**PASSED BY THE CITY COUNCIL ON JUNE 14, 2004.**

  
\_\_\_\_\_  
Ken Grassi, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Catrina Craig, City Clerk

**APPROVED AS TO FORM:**

  
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Timothy X. Sullivan, City Attorney

**Published: June 16, 2004**  
**Effective Date: June 21, 2004**

EXHIBIT "A"

Chapter 19.45

DENSITY AND DIMENSION

DENSITY AND DIMENSIONS (SETBACKS)	One Family Residential	Two Family Residential	Multi-Family Residential	Mixed Use - Office	Neighborhood Commercial	Town Center	Mixed Use (9)	Commercial	Light Indus.- Business Park
Base Density (du/ac) (1)	4/4.6	6	10	10	4	10	10		
Maximum Density (du/ac) (3)	6	8	12	12	6	12	12		
Setback, Arterial Streets	25'/15' (4)	25'/15' (4)	25'	15'/20' min/max (5)	25'	15'/20' min/max (5)	15'/20' min/max (5)	15'/20' min/max (5)	35'
Setback, Other Roads	25'/15' (4)	25'/15' (4)	25'	15'/20' min/max (5)	20'	15'/20' min/max (5)	15'/20' min/max (5)	15'/20' min/max (5)	25'
Setback, Rear (6)	30'	30'	0'/30' (7)	0'/30' (7)	0'/30' (7)	0'/30'	0'/30' (7)	0'/30'	0'/50'
Setback Side (6)	8' (8)	8' (8)	0'/30' (7) (8)	0'/30' (7) (8)	0'/30' (7) (8)	0'/30'	0'/30' (7) (8)	0'/30'	0'/50'
Height	35'	35'	40'	40'	40'	40'	40'	40'	40'

NOTES: Density and Dimension Table identifies setbacks; however, in certain instances landscaping requirements may exceed minimum setback requirements.

1. Base Density: These densities may be achieved outright by following the applicable development standards. In the "R1" zone only, a base density of 4.0 du/acre is permitted for single-family dwellings; 4.6 du/acre is permitted for duplexes. There is no minimum density.

2. Mixed Use Development: Multi-Family Residential development in the Town Center (TC), Mixed Use (MU), and Mixed Use -Office (MU-O) zones is only permitted in conjunction with a permitted commercial use and subject to applicable design.

3. Maximum Density shall only be achieved through the application of a planned development district and allowed subject to the design standards UPMC 19.50

4. On corner lots, one setback must be a minimum of 25 feet, the other front yard setback may be a minimum of fifteen (15) feet, provided it is on a minor street. Garages facing the street shall be setback minimum of 25 feet.

5. Fifteen (15) feet is a minimum setback requirement. Maximum setback is twenty (20) feet. However, see also Design Standards (UPMC Chapter 19.40).

6. Side and Rear Yard Setbacks: A side or rear yard setback is not required in IB, C, TC, MU, NC, MU-O zones if the parcel does not abut an R1, R2 or PF zone. If abutting a R1, R2, or PF zone a 30-foot setback is required along the abutting lot line(s).

7. Single Family and duplex uses in these zones may, at their option, use minimum setbacks of the R1 zone.

8. Single family attached shall meet all R1 setback requirements except for the common lot line where the side yard setback may be zero (0) feet. The remaining side yard, if not attached, shall setback eight (8) feet

9. Mixed-Use (MU) zoned properties on the north side of 27<sup>th</sup> Street West between Grandview Drive and Crystal Springs Road may increase height and density in accordance with UMPC 19.55.080.

**EXHIBIT "B"**  
**PROPOSED ZONING CODE AMENDMENTS**

**Chapter 19.55**  
**OVERLAY ZONES**

Sections:

- 19.55.010 Purpose.
- 19.55.020 Transition Properties Overlay Zone Standards.
- 19.55.030 Day Island Overlay Zone.
- 19.55.40 Sunset Beach Overlay Zone.
- 19.55.050 Town Center Overlay
- 19.55.060 Chambers Creek Properties Overlay
- 19.55.70 Public Facilities Overlay
- 19.55.080 Mixed-Use District Incentive Zoning

**19.55.080 Mixed-Use District Incentive Zoning**

- A. Purpose. The purpose of the Mixed –Use District Incentive Zoning is to provide incentives for the quality redevelopment of those Mixed-Use zoned properties on the north side of 27<sup>th</sup> Street West between Grandview Drive West and Crystal Springs Road. The redevelopment of these properties serves to implement the Comprehensive Plan and Economic Development Strategy.
- B. Incentives. Those properties in the area described in subsection A above are permitted a maximum height of fifty-nine (59) feet and maximum density of thirty (30) dwelling units per acre subject to this Section
- C. Applicability.
  - 1. These standards apply to all new development, exterior alterations and major improvements.
  - 2. All University Place Municipal Code (UPMC) provisions apply unless in conflict with standards in this Chapter. The following specific UPMC provisions do not apply:
    - 19.30.040 Commercial Vehicles
    - 19.35.040 Temporary Housing—Medical
    - 19.45.040 Projection Exceptions
    - 19.45.050 Height Standards
    - 19.50.030-.050 Design Review
    - 19.50.070(B)(2) Setbacks
    - 19.50.110(B) Definition of Mixed Use
    - 19.70.060(F) Open Space Requirements
    - 18.70.080(B) Useable Open Space Required
- D. Process
  - 1. An Administrative Use Permit is required to take advantage of the incentives (UPMC Chapter 19.85). The City shall review the applications in accordance with the process below.
  - 2. Pre-Submittal Concept Review: A pre-design meeting may be scheduled with the City's Technical Review Committee prior to formal project development and application. The applicant may present schematic sketches and a general outline of the proposed project. This meeting will allow City staff to acquaint the applicant with the Design Standards, submittal requirements and the application procedures, and provide early input on the proposed project.
  - 3. Submittal Requirements: Applicants shall submit a Design Review application form(s) provided by the City, along with the correct number of documents, plans and support material required in the application checklist.

4. Review Fees: Design Review fees must be paid at the time of submittal.
  5. Time Frame and Procedure: Design Review shall be conducted in accordance with the timelines and procedures set forth in UPMC 22, Administration of Development Regulations. Design Review and shall be considered a Type I permit.
  6. Review Criteria: The City shall approve applications when any of the following findings are made:
    - a. The applicant meets all standards of this Chapter, or
    - b. The application sets forth a proposal that the Director determines is equivalent to or exceeds the standards of this Chapter. The Director shall seek a recommendation from the Planning Commission on exceptions in accordance with UPMC 19.50
  7. Written Decisions: The City shall issue a written decision approving, approving with conditions or denying the permit and include findings of fact and conclusions that support the decision.
  8. Exceptions: A standard may be replaced with an equivalent item(s) if the applicant can demonstrate to the satisfaction of the City that the standard is of equal or greater quality or quantity.
  9. Expiration of Approvals: If the applicant has not submitted a complete application for a building or site development permit within two (2) years from the date of permit issuance, or if appealed within two (2) years of the final decision, design review approval shall expire. The City may grant an extension for no longer than twelve (12) months, for good cause shown, if a written request is submitted at least thirty (30) days prior to the expiration of the permit.
  10. Appeals: Any decision of the City may be appealed to the City Hearing Examiner. Appeals shall be filed as set forth in UPMC Title 22.
- E. Mixed Use: Mixed use refers to the combining of retail, service or office uses with residential use in the same building or on the same site in one of the following ways:
1. Vertical Mixed Use. A single structure which provides retail, service or commercial and office uses on the ground floor, and residential and/or office uses on the above floors.
  2. Horizontal Mixed Use. Attached: A single structure that provides retail, service or commercial use in the portion fronting the street with attached residential or office uses in behind the same building.
  3. Horizontal Mixed Use. Detached: Two or more structures where retail, service or commercial use is provided in one or more building(s) and residential uses are provided in one or more separate building(s). Horizontal mixed use - detached is only permitted:
    - a. When all buildings are on the same parcel, or
    - b. On separate parcels subject to a Binding Site Plan that:
      1. Requires consistent site and building designs;
      2. Requires the minimum area of retail, office or commercial use is maintained; and
      3. Insures retail, office and commercial uses are built prior to or concurrently with residential development.
- F. Site Design
1. Setbacks:
    - a. Front Yard Setback. All buildings shall be oriented and built to the property line, except when a sidewalk, courtyard or plaza is required between the property line and the building, in which case the building shall be built to the edge of the sidewalk, courtyard or plaza except.
      1. When at least 60-percent of a lots street frontage is occupied by buildings, additional buildings may be constructed in the lots interior.
      2. At the intersection of two arterial streets a minimum setback of 20 feet from both streets is required between the building and sidewalk, to accommodate a plaza or courtyard.
    - b. No side setbacks are required; however, if a building is setback, then a minimum ten feet is required, to provide access between buildings
    - c. At least forty (40) percent of the street façade of a building shall be setback a maximum of ten (10) feet, to provide horizontal articulation of the building façade.

- d. A minimum 30-foot setback is required from R1 and R2 Zones.
2. Walkways
- a. Provide walkways that give pedestrians access to plazas and courtyards or to streets or parking areas located behind buildings.
  - b. Walkways shall be a minimum of ten (10) feet wide.
  - c. Provide decorative paving, lighting, landscaping and at least one discovery element such as artwork, potted plants, or murals within walkways.
  - d. The design of buildings and structures adjacent to walkways shall allow sunlight consistent with setback standards to light the walkway during daylight hours and Walkways shall be well lit at night to enhance safety.
3. Gateways
- a. Provide at least one gateway at the entrance to each plaza.
  - b. Gateways shall have qualities that make them distinct from the surroundings including but not limited to decorative paving, landscaping and signage.
  - c. A minimum of 25% of the gateway area shall be finished with decorative pavers or stamped concrete.
4. Courtyards
- a. Commercial or mixed-use developments shall have at least one courtyard for every 10,000 square feet of building footprint.
  - b. Courtyards shall be a minimum of 250 square feet. No more than two courtyards may be combined to meet this standard.
  - c. Install seating in courtyards to provide an inviting place to sit and relax.
  - d. A minimum of 25% of the courtyard area shall be landscaped with trees, shrubs and groundcover.
  - e. A minimum of 25% of the courtyard area shall be finished with decorative pavers or stamped concrete.
5. Plazas
- a. Commercial or mixed-use developments shall provide at least one plaza. One thousand (1,000) square feet of plaza area shall be provided for every 10,000 of building footprint.
  - b. Plazas shall be a minimum of 1,000 square feet.
  - c. Plazas shall provide areas suitable for events such as concerts, art shows or outdoor sales.
  - d. Areas suitable for events shall be flexible so that they can be changed to fit an event or season.
  - e. Provide in-ground electrical facilities and water bibs to facilitate temporary and seasonal uses.
  - f. Movable planters, bollards, outdoor seating, accessible art work and other streetscape amenities shall be used to "configure" plaza uses.
  - g. Plazas shall include a water feature or artwork.
  - h. Plazas shall use decorative paving or distinctive surface treatments to distinguish active from passive areas.
  - i. Include unreserved outdoor seating and amenities, benches, tables and trash receptacles.
  - j. A minimum of twenty-five percent (25%) of the plaza area shall be landscaped with trees, shrubs and groundcover.
  - k. A minimum of 25% of the plaza area shall be finished with decorative pavers or stamped concrete.
6. Landscaping
- a. Street Trees shall include only those species specified in UPMC 13.20.
  - b. Street trees shall have a minimum diameter of 5 inches measured at 24 inches above grade at time of planting.
  - c. Landscaping in Courtyards and Plazas shall include:
    1. Canopy-type deciduous trees or spreading evergreen trees planted in clumps or strips with a mix of living evergreen and deciduous ground covers and low shrubs. A minimum of 25% and a maximum of 40% of the trees shall be deciduous. There shall be at least one tree per 100 square feet of courtyard of

- plaza area.
2. The area, which is not planted with trees shall be planted with shrubs and living ground cover planted to attain a coverage of 90 percent within three years of planting. Shrubs shall be planted at a density of five shrubs per one hundred square feet of that portion of the landscape area, that is not planted in groundcover. Lawn may be used for up to seventy-five percent of the required ground cover.
    - d. Landscaping located within public rights-of-way shall be approved by the City, prior to planting, as part of the review of landscape plans required by UMPC 19.65. Landscaping in the public right-of-way shall be in accordance with UMPC 13.15.
    - e. Particular care shall be used in tree selection and placement to avoid visual obstruction of adjacent retail signage, windows and entries.
    - f. Street trees shall be placed in tree grates, large planters or pots or planter strip sections.
    - g. Planter strips shall be permanently irrigated per UMPC 13.20
    - h. Landscaped area shall include shrubs and groundcover sized and irrigated in accordance with UMPC 19.65.
    - i. A maximum of 50% of required landscaping in plazas and courtyards may be potted.
    - j. Potted plants shall not be placed anywhere that impedes pedestrian or vehicular traffic, but may function as a separation between pedestrians and vehicles. Pots shall be of a uniform type.
    - k. Tree grates shall allow for tree growth and ADA approved.
7. Artwork
- a. Art work in publicly owned places shall be consistent with the City Public Art policy.
  - b. Permanent art pieces shall not be located in areas designated for performing arts functions.
  - c. Artwork shall:
    1. Be made of durable, weatherproof materials; and
    2. Not interfere with pedestrian circulation or cause a traffic hazard; and
    3. Be designed to avoid physical hazards to the public who come in contact with it.
8. Water Features
- a. Where required water features shall allow people to interact with the display using at least one of the following:
    1. Allow for ample pedestrian circulation.
    2. Provide seating as part of the water feature design using a low wall.
    3. Promote physical contact with water.
  - b. Where required water features shall be a minimum of 25 square feet and maintain a minimum constant or intermittent re-circulating flow of 300 gallons per hour.
9. Utilities
- a. All on-site utility transmission facilities, including but not limited to wires, pipes, and conduit shall be placed underground or within structures
- G. Building Design
1. Primary Facades:
    - a. A building's primary façade is the elevation that faces pedestrian intensive streets and public open spaces.
    - b. Use only high quality materials on Primary Facades.
    - c. To articulate the horizontal primary building façade, vertical segments shall be different in color and include two or more of the following architectural elements:
      1. Columns
      2. Mullions
      3. Projections
      4. Setbacks
      5. Style
    - d. Provide vertical façade articulation by including a cornice, lintel or header separating the first floor and upper floors.
    - e. Blank walls, including walls distinguished only by changes in color are prohibited.
    - f. Vertical Mixed Use buildings shall provide a minimum 14 foot first floor height along all

- abutting public streets.
- g. Primary facades shall have a higher level of architectural detail at street level and on storefront designs.
  - h. Divide horizontal facades into vertical segments not greater than 50 feet in width to provide differentiation.
  - i. Integrate top to bottom building architecture.
  - j. Provide a cornice or eaves to create distinctive rooflines.
2. Secondary Facades:
- a. Secondary facades are oriented toward pedestrian only corridors.
  - b. Maintain high quality materials on secondary facades.
  - c. Blank walls, including walls distinguished only by changes in color are prohibited.
  - d. Secondary façade design shall be a simplified expression of the primary façade, with fewer vertical segment changes along the length of the façade.
3. Significant Corners:
- a. The intersection of two arterial streets is a Significant Corner
  - b. Significant corners shall include a distinctive architectural element.
  - c. Provide the highest level of architectural detail and high quality material at significant corners.
  - d. A plaza or courtyard shall be located between the building façade and the sidewalk. This plaza or courtyard area may be used to meet plaza or courtyard area requirements.
  - e. Significant Corners shall have a stand out architectural design. Standout architectural design shall be achieved by one of the following methods or approved equivalent:
    1. An element such as a tower that projects higher than the surrounding buildings.
    2. A concave facade
    3. A rounded façade
    4. An angled façade
4. Height
- a. Buildings shall be a maximum of fifty nine feet high, except as follows
    1. Unoccupied roofs, architectural embellishments and mechanical equipment may project above the top occupied story in accordance with these standards.
      - a. Architectural embellishments that are not intended for human occupancy and are integral to the architectural style of the building, including spires, belfries, towers, cupolas, parapets, domes and roof systems may exceed maximum building height by up to 6 feet provided the combination of such elements do not exceed 25% of the roof area.
      - b. Mechanical penthouses over elevator shafts, ventilator shafts, antennas, chimneys, fire sprinkler tanks or other mechanical equipment may extend six (6) feet above the maximum building height, provided, that they shall be enclosed within or screened from view by architectural features.
    2. All buildings that abut an R1 or R2 zone shall setback all portions of the building above 40 feet a minimum of 20 feet.
    3. All buildings in excess of 50 feet in height shall provide a minimum 10-foot top story setback on facades facing a public street. The top story setback may not be used for mechanical equipment, but may be used as balconies.
    4. No building shall exceed 40 feet in height measured from the highest existing ground elevation in the incentive zoning area (mechanical and architectural exceptions apply).
5. Projections
- a. Projections include awnings, canopies, signs and architectural features.
  - b. Only projections that can be removed within 30 days are permitted to project into the right-of-way including by way of example, canopies, window displays, signs, planters and stoops.

- c. Projections into a public right-of-way require a right-of-way permit.
  - d. Projections less than eight (8) feet above the ground elevation may project a maximum of forty-eight (48) inches beyond the face of the building.
  - e. Projections shall not interfere with trees, utilities, transit shelters or other street furnishings.
  - f. Individual AC units and fire escape ladders shall not be permitted on the exterior of buildings.
  - g. The minimum pedestrian zone width shall be maintained unobstructed.
6. Awnings and Canopies
- a. Design and placement of canopies or awnings shall be proportional to the size of the building facade.
  - b. On buildings with canopies, canopies shall be designed as an integral part of the building.
  - c. Ground mounted canopy or awning supports shall not be placed closer than two (2) feet from the back edge of the curb.
  - d. Canopies shall not extend along the full length of a facade, creating an arcade.
  - e. Individual awnings shall not exceed thirty (30) feet in length.
  - f. Canopies shall extend a minimum of five (5) feet over sidewalks to provide protection from inclement weather.
  - g. Awnings shall be made of a durable material such as woven fabric or canvas. Vinyl awnings are prohibited.
  - h. Canopies shall be made of permanent materials such as, wood, metal and/or glass.
7. Exterior Building Material
- a. Use high quality materials that enhance the building and convey a sense of permanence.
  - b. Split faced concrete masonry units and etched or scored concrete shall not be used on a Primary Facade.
  - c. Opaque, smoked and reflective glass shall be used for accents only.
8. Roof design and materials
- a. Roofing materials visible from streets, plazas or courtyards shall be finished with an attractive non-reflective material, including, but not limited to, wood shingles, copper (including terne coated), factory finished painted metal, slate, synthetic slate, terra cotta and cement tile and glass fiber shingles.
  - b. Adjacent buildings with roofs visible from streets and plazas or courtyards shall use a different slope, design, type or color of roof material to break up building mass and provide variety.
  - c. Articulate roof form and material to break up building mass.
  - d. Where roofs will be visible from existing buildings roofs mechanical equipment shall be hidden under an attractive screen and a roof garden or rooftop courtyard provided.
9. Prohibited Materials: The following use of materials is prohibited
- a. Multi-floor glass curtain walls.
  - b. Vinyl siding may only be used above 20 feet or for a second story, whichever is greater.
  - c. Synthetic stucco.
  - d. Steel, metal or aluminum siding.
  - e. Unfinished concrete block.
  - f. Chain link fencing and unfinished wood fencing.
  - g. Roll-up metal security doors in front of storefronts and exterior applied metal security bars. Roll-up metal doors are allowed at service entrances.

10. Storefront

- a. Storefront design shall include at least one of the following elements
  1. Large display window or windows of clear glass
  2. Large header
  3. Canopy or awnings
  4. Recessed entry
  5. Projected entry
- b. Storefronts shall be predominantly glass to provide views into the store, but glass shall not be the exclusive material.
- c. Vacant storefronts shall be screened using a painted screen rather than boarded up. The painted screen shall display a mural or advertise the coming use. Advertising shall be considered a sign under UPMC 19.80.
- d. Window displays shall display merchandise or services sold by the tenant or an adjacent tenant, or artwork.
- e. Storefront display windows shall not be blocked off to prevent views into or out of the store.
- f. A sidewalk merchandizing zone for the temporary display of merchandise extends two feet from the building façade. A right-of-way permit is required to utilize this merchandizing zone in the public right-of-way.
- g. Storefront facades, recessed doorways, outdoor spaces and passageways shall be lit.
- h. Lighting fixtures shall be located and angled to ensure that they spotlight the tenant's merchandise and do not point toward the window or cause distracting reflections.
- i. Include "after hour" lighting within the front of stores to contribute to pedestrian lighting and provide for a comfortable nighttime strolling experience.

11. Windows

- a. Upper story windows shall be designed to create shadow lines or to breakup flat surfaces by recessing, projecting or trimming windows.
- b. Fake and masked-off windows are prohibited.
- c. A minimum fifty percent (50%) of the ground floor facade shall be in non-reflective transparent glazing.

12. Doors and Entryways

- a. Primary building and store entrances shall be oriented towards the principal street.
- b. Recessed or projecting entrances shall be designed so that they do not exceed fifty percent (50%) of the width of the storefront, nor ten (10) feet in depth/projection.
- c. Placement and design of doors shall provide a direct "connection" to the sidewalks and streets.
- d. Provide a diversity of entrances, including recessed, projecting and traditional entrances.

H. Parking

1. Parking shall be provided pursuant to UPMC 19.60 except as provide below:
2. Entries and exits to and from parking areas shall be clearly marked for both vehicles and pedestrians by changes in material, lighting, and signage.
3. Provide raised or clearly marked walkways in surface and structured parking lots.
4. Parking lots including structured parking shall be located to the side or rear of building that front on 27<sup>th</sup> Street West or Grandview Drive.
5. Surface parking lots shall be landscaped in accordance UPMC 19.65. No landscaping other than that required in (G)(10) below shall be required inside parking structures.
6. Provide separate parking areas for residential uses from parking for other uses.
7. Use colored or decorative pavement, bollards and/or planters to delineate parking areas.
8. Entrances to structured parking shall be the minimum size to permit reasonable entry and shall be consistent with the building façade design.
9. Provide high ceilings and ample lighting at pedestrian entrances to elevate safety and comfort.
10. Any elevation of a parking structure visible from an adjacent street or a residential zone shall include the following treatments:
  - a. A solid decorative parapet wall of not less than forty-six (46) inches high

- b. Design, materials and colors consistent with the surrounding buildings.
  - c. Planter boxes supporting vines and other vegetative screening materials shall be attached to the exterior of the structure.
11. If not abutting a street, structured parking facilities shall be provided with adequate access from public streets via a private drive and/or access easements.
  12. Loading and service areas shall be located and designed to minimize visibility from streets, public spaces and semi-public spaces. Loading areas shall be underground or recessed to hide them from view. Install attractive loading dock doors so that when not in use loading docks do not present an eyesore.

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