

11/6/2023 (Date of First Reading)
11/13/2023 (Date of Public Hearing)

ORDINANCE NO. M-4424

AN ORDINANCE of the City of Vancouver relating to changes to the Chapter 20.670 of the Vancouver Municipal Code (VMC), The Heights (HX) Plan District, amending VMC Section 20.670.030(B), VMC Figure 20.670-2; VMC 20.670.040(A)(2), VMC Table 20.670.040-2; VMC Sections 20.670.040(A)(7), 20.670.040(B)(4), and 20.670.040(D)(1) and adding VMC Section 20.670.040(L); allowing for severability; and providing an effective date.

WHEREAS, the Heights (HX) Plan District was adopted on August 2, 2021 through Ordinance M-4341 and codified as Chapter 20.670 VMC, following City Council's approval of the Heights District Subarea Plan in 2020 (the "HX code"), and

WHEREAS, during the implementation of the Heights District Plan several updates to the HX Code have been identified to improve the Plan and ensure future development meets the Plan goals and intent, most recently through Ordinance M-4402 adopted by City Council on January 9, 2022, and

WHEREAS, potential code changes to the HX Code were considered through open public meetings at duly advertised Planning Commission workshops on March 14 and July 25, 2023, and duly advertised City Council workshops on April 10 and August 21, 2023, and

WHEREAS, the Vancouver Planning Commission considered the proposed code changes to be adopted through this ordinance at a duly advertised public hearing on September 26, 2023 and, in accordance with the Commission findings and conclusions set forth in the staff report for that public hearing, a copy of which is attached hereto as Exhibit A and incorporated herein, voted unanimously to recommend City Council approval, and

WHEREAS, City Council held a duly advertised first reading of this ordinance on November 6, 2023, followed by a duly advertised second reading and public hearing of this ordinance on November 13, 2023, to consider the Planning Commission findings and recommendation for approval, and

WHEREAS, the cumulative environmental impacts of the proposed 2023 Comprehensive Plan and zoning changes contemplated by this ordinance have been reviewed and determined to be nonsignificant pursuant to Chapter 43.21C Revised Code of Washington (RCW), the State Environmental Policy Act (SEPA) and a Determination of NonSignificance (DNS) was issued on October 5, 2023 for the proposed zoning code text changes, with no SEPA comments or appeals received; and

WHEREAS, City Council finds and concludes that the proposed code changes are consistent with the policies and provisions of the Comprehensive Plan that encourage orderly development within the community and the Growth Management Act (GMA) pursuant to the requirements of Chapter 36.70A RCW; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings and Conclusions. The findings and conclusions of the Vancouver Planning Commission as set forth in the staff report for the September 26, 2023 public hearing and attached hereto as Exhibit A are hereby adopted as City Council's findings of fact; and

Section 2. Code Amendment. Vancouver Municipal Code Chapter 20.670, The Heights (HX) Plan District, as codified by Ordinance M-4341 adopted in 2021, and last amended by Ordinance M-4402 adopted in 2023, is hereby amended as follows and in accordance with the code edits attached as Exhibit B:

Section 2.1. VMC Section 20.670.030(B) Regulation of Uses amended and restated as follows:

B. Ground Floor Use Regulation by Frontage Type. Ground floor uses shall be regulated by Frontage Type as shown in Figure 20.670-2.

1. *Commercial frontage:*

- a. All commercial uses permitted in the HX District, except office, allowed.
- b. Residential uses prohibited except residential lobbies and entrances associated with upper story residential uses are allowed but limited to 25% of the total length of the street frontage.
- c. Institutional uses prohibited.

2. *Active Commercial frontage:*

- a. Only the following commercial uses are allowed: sales-oriented retail; eating, drinking and entertainment establishments; fitness center; community center and child care centers.
- b. Residential and office uses prohibited except lobbies and entrances associated with upper story uses are allowed but limited to 25% of the total length of the street frontage.
- c. Institutional uses prohibited.

3. *Residential frontage:*

- a. Residential uses allowed.
- b. Commercial and institutional uses are prohibited.

4. *Mixed Residential/Commercial frontage:*

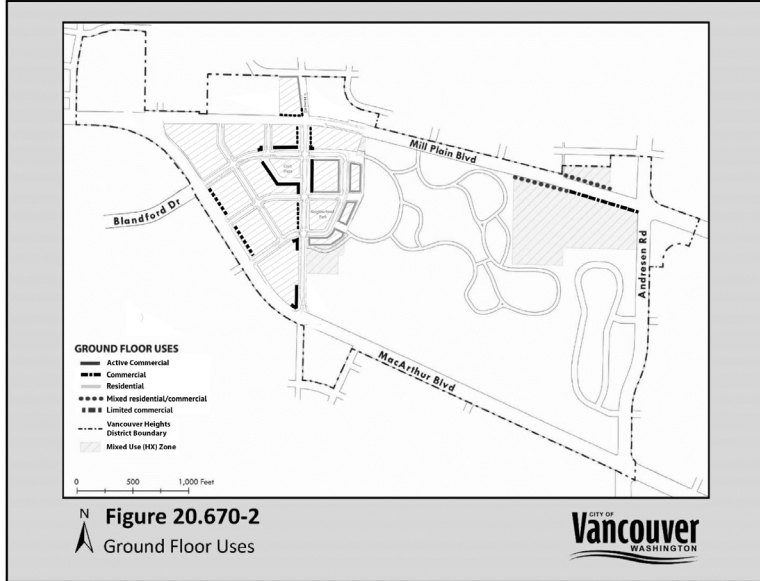
- a. Commercial uses allowed.
- b. Residential uses allowed but limited to no more than 50% of the total length of street frontage.
- c. Institutional uses prohibited.

5. *Limited Commercial frontage:*

- a. Residential uses allowed.
- b. Commercial uses allowed but limited to no more than 25% of the total length of street frontage.

c. Institutional uses prohibited.

Section 2.2. Section VMC 20.670.030(B) Regulation of Uses,
Figure 20.670-2 Ground Floor Use Map amended by replacement with the map below:



Section 2.3. Section VMC 20.670.040 Design and Development Standards amended and restated with respect to specified subsections, as follows:

A. MASSING AND SCALE

2. *Building Heights.* The building height standards in Table 20.670.040-2 shall apply in the HX District.

Table 20.670.040-2 Maximum Building Heights:

Sub-District	Maximum Height
Activity Center	Maximum of 85 feet
Residential Neighborhood	Maximum of 85 feet
Innovation Hub	Maximum of 50 feet
District Gateway	Maximum of 55 feet not abutting residentially zoned properties
Sub-District	Maximum Height
	Maximum of 40 feet abutting residentially zoned properties
	Maximum of 35 feet fronting Idaho Street

Note: For the Heights District, “abutting” is defined as sharing a property line with residentially zoned property

7. *Ground floor plane.* For buildings five stories and above, the maximum ground floor plane area shall not exceed 16,000 square feet. An option to this standard is to demonstrate significant massing breaks in the building façade to include breaks and ground plane openings as pedestrian connections.

B. MODULATION AND FAÇADE ARTICULATION

4. *Building entry.* Main entrances shall be easily identifiable through the use of building articulation and modulation.

D. ROOF FORMS

1. *Rooflines.* The length of any continuous flat roofline shall not exceed more than 165 feet without modulation.

Section 2.4. Section VMC 20.670.040 amended to add an additional standard by creating a new subsection (L), as follows:

VMC 20.670.040(L) Limited Access Frontages

Vehicular access to development sites is prohibited along key frontages, where indicated, to reduce conflicts between automobiles and pedestrians and promote a safe and pleasant experience for walking. Vehicular access is restricted to one-curb-cut per block frontage where indicated in Figure 20.670-3:

Figure 20.670-3 Vehicular Access Restrictions

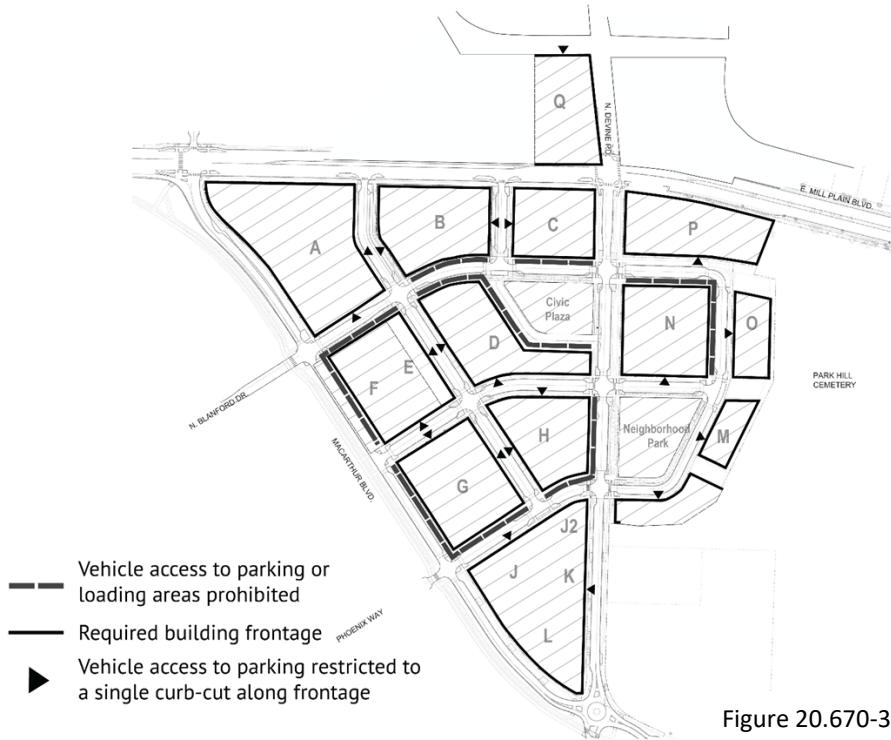


Figure 20.670-3

Section 3. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any parts thereof to any other person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

Section 4. Effective Date. This ordinance shall be effective immediately upon final passage.

Section 5. Instruction to City Clerk. The City Clerk shall cause the Vancouver Municipal Code to be revised in accordance with this ordinance and shall transmit a copy of the revised Vancouver Municipal Code to the Washington Department of Commerce.

DATE OF FINAL PASSAGE by the Vancouver City Council: November 13, 2024.

SIGNED this 24th day of November, 2023.

DocuSigned by:
Anne McEnemy-Ogle
6C89D9089EC5424...
Anne McEnemy-Ogle, Mayor

Attest:

DocuSigned by:
Natasha Ramras
BCF6734E40E94AE...
Natasha Ramras, City Clerk

Approved as to form:

DocuSigned by:
Jonathan Young
9A7DC2E31F694A2...
Jonathan Young, City Attorney

SUMMARY

ORDINANCE NO. M-4424

AN ORDINANCE of the City of Vancouver relating to changes to the Chapter 20.670 of the Vancouver Municipal Code (VMC), The Heights (HX) Plan District, amending VMC Section 20.670.030(B), VMC Figure 20.670-2; VMC 20.670.040(A)(2), VMC Table 20.670.040-2; VMC Sections 20.670.040(A)(7), 20.670.040(B)(4), and 20.670.040(D)(1) and adding VMC Section 20.670.040(L); allowing for severability; and providing an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).

Exhibit A

Planning Commission Public Hearing Staff Report

TO: Planning Commission **HEARING DATE:** 9/26/2023
FROM: Amy Zoltie, Real Estate Project Manager, Economic Prosperity & Housing
SUBJECT: Heights Mixed-Use HX Zone Amendments



Report Date: 9/11/2023
Hearing Date: 9/26/2023
Proposal: Amend VMC 20.670.030 B, Figure 20.670-2; Table 20.670.040-2; 20.670.040 A.7; 20.670.040 B.4; 20.670.040 D.1 and ADD a Limited Access Standard
Proponent: City of Vancouver
City Staff: Amy Zoltie, Real Estate Project Manager, Economic Prosperity & Housing

Recommendation: Forward to City Council recommendation to **approve** the Heights HX Plan District amendments as presented in this staff report and associated presentation

I. PRIOR COMMISSION REVIEW (IF APPLICABLE):
Workshops on March 14, 2023 and July 25, 2023

II. BACKGROUND AND REVIEW PROCESS:

The Heights Mixed Use (HX) Plan District was adopted in 2021 following City Council's approval of the Heights District Subarea Plan in 2020 and after a lengthy community planning process that started with the acquisition of the Tower Mall property in 2017. The Heights District is envisioned as a vibrant 15-minute walkable neighborhood that is safe, accessible, equitable and sustainable, and includes a variety of amenities such as a civic plaza, neighborhood park, linear park looping around the Tower Mall site (Grand Loop), mixed-income housing, a variety of commercial space to offer entertainment and services to the community and multimodal travel opportunities throughout the district.

Since the adoption of the HX code, staff has been working to advance the next phases of plan implementation. The City entered into a contract with urban design firm First Forty Feet (FFF) to refine the layout of the district and design the infrastructure. FFF reviewed the Plan recommendations for the Tower Mall Redevelopment Area (TMRA) as well as the Heights (HX) Plan District overall and recommended a suite of refinements to ensure future development meets the Plan goals and intent, which require several updates to the HX code.

Proposed changes to the Vancouver zoning code text not involving Comprehensive Plan changes may be considered at any time, subject to public hearing review before the Planning Commission and City Council. Code amendments were previously brought to Planning Commission workshops on March 14th and July 25th and to Council on April 10th and August 21st, with both indicating overall support for the code refinements. Staff now return to the Planning Commission with the package of code refinements for a public hearing and request the Planning Commission to make a recommendation to City Council to approve the Heights (HX) Plan District amendments.

III. SUMMARY OF PROPOSAL:

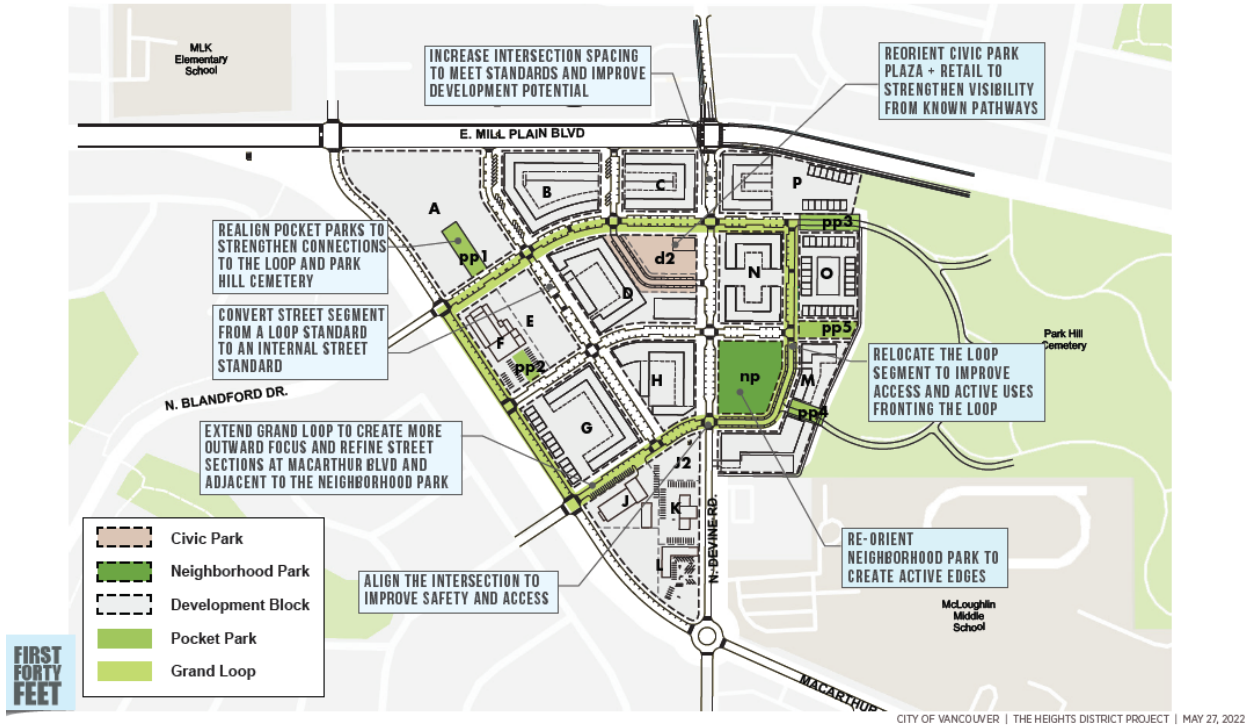
Summary of Proposed Plan Refinements and Code Changes

Proposed refinements to the Tower Mall Redevelopment Area (TMRA) Plan include the following:

- Relocation of the Civic Plaza east to front Devine Road and be visible from the Mill Plain Boulevard, thus improving both access and visibility to this major public gathering area. As a major attractor, the Civic Plaza is an opportunity to promote ground-floor uses to create a retail, dining, and entertainment destination and a focus for activity in the district.

- Realignment and extension of the Grand Loop to promote its identity and increased use by connecting to the Greenbelt Park and planned walk and bike facilities along MacArthur Boulevard.
- Relocation of the Neighborhood Park to promote increased visibility, use and function and a clear and identifiable “entry gateway” to the Grand Loop. Future development provides active edge uses surrounding the park that increase the value and function of redevelopment properties.

The revised plan and notations of the changes is shown below.



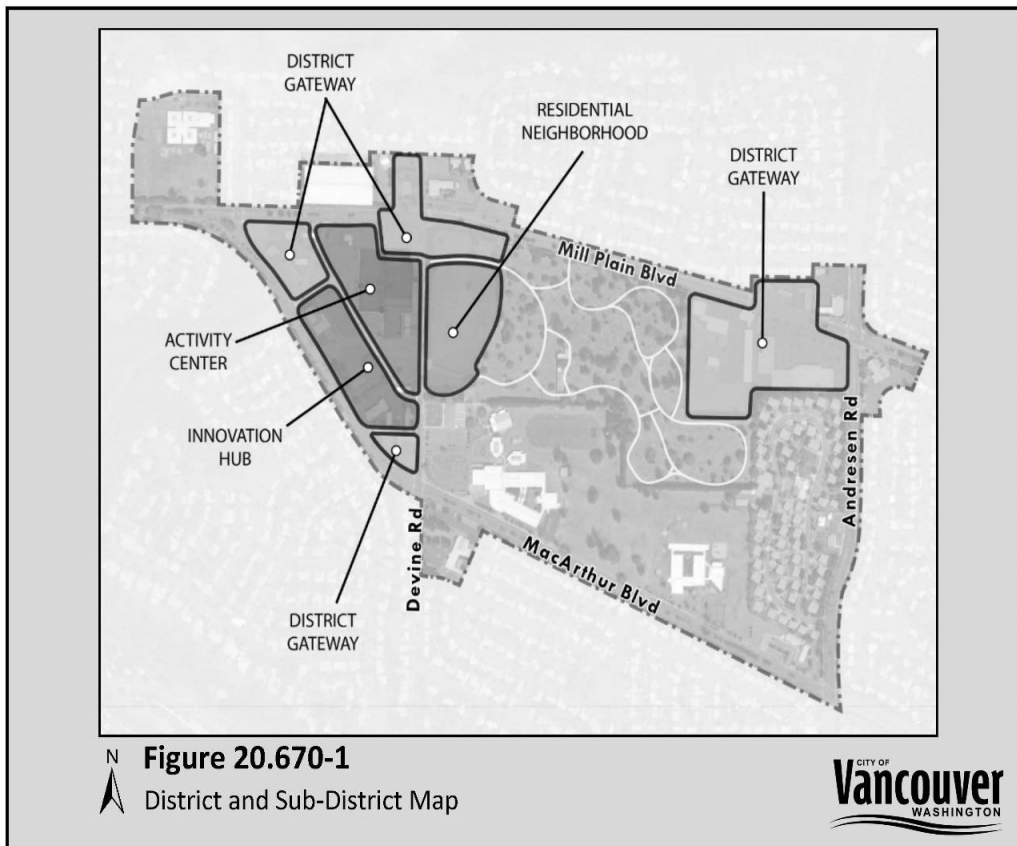
Proposed code changes will amend The Heights (HX) Plan District, VMC 20.670 to align with refinements to the Tower Mall Redevelopment Area (TMRA) Plan as detailed above.

These modifications include:

1. Update the *Ground Floor Use Map*, Figure 20.670-2 consistent with the Master Plan refinements for street layout and block formation.
2. Modify the Ground-Floor Use Regulations by Frontage Type to promote active retail, entertainment, and dining oriented to the Civic Plaza.
3. Adjust portions of text to maintain consistency and delete some unclear or non-essential narrative.
4. Add a new standard to regulate off-street parking access by limiting vehicle, pedestrian, and bicycle conflicts and promoting better non-motorized access and use of the Grand Loop.

As part of discussions about the project with interested developers, staff were informed that buildings in the District Gateway subdistrict that do not abut residentially zoned properties cannot develop to their intended building height of four stories and include ground floor commercial. This is because of the requirement in VMC 20.670.040 B 2 that the ground floor of buildings must have a minimum of 16 feet floor to floor height. Increasing the overall building height to address this allows for mixed use buildings that include ground floor retail and three stories of housing above as envisioned in the Heights District Plan and maintain a consistent pedestrian retail experience throughout the district. This raised additional code changes as detailed below.

5. Increase maximum building height in the District Gateway subdistrict from 50 feet to 55 feet for properties not abutting residentially zoned properties. For ease of reference, below is the District and Sub-District Map, Figure 20.670-1.



6. Differentiate the definition of commercial frontage between active uses surrounding the Civic Plaza and Devine Road and all other commercial uses, except office. Thus, creating two definitions of commercial frontage in VMC 20.670.030 B. Ground Floor Use Regulation by Frontage Type.
7. Modify the Ground-Floor Uses diagram to account for the two definitions of commercial frontage, explained in bullet number 6 above.

IV. REVIEW CRITERIA AND FINDINGS:

Applicable Zoning Code Standards:

Section 20.285.070 Comprehensive Plan or Zoning Code Text Amendments

A. Text amendments to the Comprehensive Plan or VMC Title 20 zoning standards shall demonstrate the following:

1. The proposal is consistent with the applicable provisions of the Vancouver Strategic Plan and Comprehensive Plan; and
2. The proposed change is necessary to further the public interest based on present needs and conditions.

Applicable Strategic Plan Provisions:

Economic Opportunity Vancouver is a place where a of businesses of all sizes, from new startups to established enterprises, grow, and thrive.

Vibrant and Distinct Neighborhoods Vancouver offers a variety of accessible places and spaces to interact and enjoy nature, art, culture, food, shopping, and community.

Applicable Comprehensive Plan Provisions:

CD-4 Urban centers and corridors

Achieve the full potential of existing and emerging urban activity centers and the corridors that connect them, by:

- (a) Promoting or reinforcing a unique identity or function for individual centers and corridors
- (b) Planning for a compact urban form with an appropriate mix of uses
- (c) Working with stakeholders to develop flexible standards to implement the vision for that center or corridor
- (d) Encouraging innovative, attractive private development that efficiently uses available land and resources
- (e) Establishing connectivity within each center and to other areas to provide accessibility
- (f) Providing a range of transportation options
- (g) Investing in public facilities and amenities to enhance livability

CD-5 Mixed use development

Facilitate development that combines multiple uses in single buildings or integrated uses.

CD-6 Neighborhood livability

Maintain and facilitate development of stable, multi-use neighborhoods that contain a compatible mix of housing, jobs, stores, and open and public spaces in a well-planned, safe pedestrian environment.

CD-8 Design

Facilitate development and create standards to achieve the following:

- (a) Increased streetfront use, visual interest, and integration with adjacent buildings
- (b) Improved pedestrian connections and proximity of uses within developments
- (c) Enhanced sense of identity in neighborhoods and subareas
- (d) Publicly and/or privately owned gathering places facilitating interaction

CD-9 Compatible uses

Facilitate development that minimizes adverse impacts to adjacent areas, particularly neighborhoods.

CD-10 Complementary uses

Locate complementary land uses near one another to maximize opportunities for people to work or shop near where they live.

CD-12 Integrated area planning

Promote cohesive, integrated planning of areas and sites through use of subarea planning, master planning, planned developments, and other methods.

CD-14 Sustainability

Facilitate sustainable land use development through measures including but not limited to the following:

- (a) Develop integrated land use patterns and transportation networks that foster reduced vehicle miles traveled and associated greenhouse gas emissions*
- (b) Develop individual buildings that minimize energy and resource consumption. Encourage home-based efficiencies such as installation retrofits, efficient water and air, heating systems, and use of solar panels or other forms of energy capture.*
- (c) Implement recommendations of the Vancouver-Clark County Sustainable Affordable Residential Development Report*

PFS-5 System balance

Allocate resources to balance transportation choices. Promote development of a broader range of transportation options including pedestrian, bike, and transit systems, rather than focusing all resources on satisfying peak commuting demand with roadway capacity alone.

Existing Vancouver [zoning code](#), [Comprehensive Plan](#), and [Strategic Plan](#)

Staff Findings: The proposed zoning code text changes are consistent with applicable portions of the Vancouver Strategic and Comprehensive Plans, and are necessary to further the public interest. The updates to the Ground Floor Use Map and Regulations improve the function of area, consistent with Comprehensive Plan policies CD-4 and CD-5. Adding a new off-street parking standard is consistent with PFS-5. Slightly increasing the height allowance in the District Gateway allowing for better implementation of the Heights District Plan, consistent with Comprehensive Plan policies CD-4, CD-8 and CD-12.

V. RECOMMENDED ACTION:

Staff recommends the Planning Commission forward to City Council a recommendation to approve the proposed amendments to the Heights HX Plan District.

Staff Contact Name, Amy Zoltie, amy.stewart@cityofvancouver.us, (360) 305-1909

Attachments: VMC 20.670 Code Amendment Language
Exhibit B

Revisions to Vancouver Municipal Code

CHAPTER 20.670 THE HEIGHTS (HX) PLAN DISTRICT

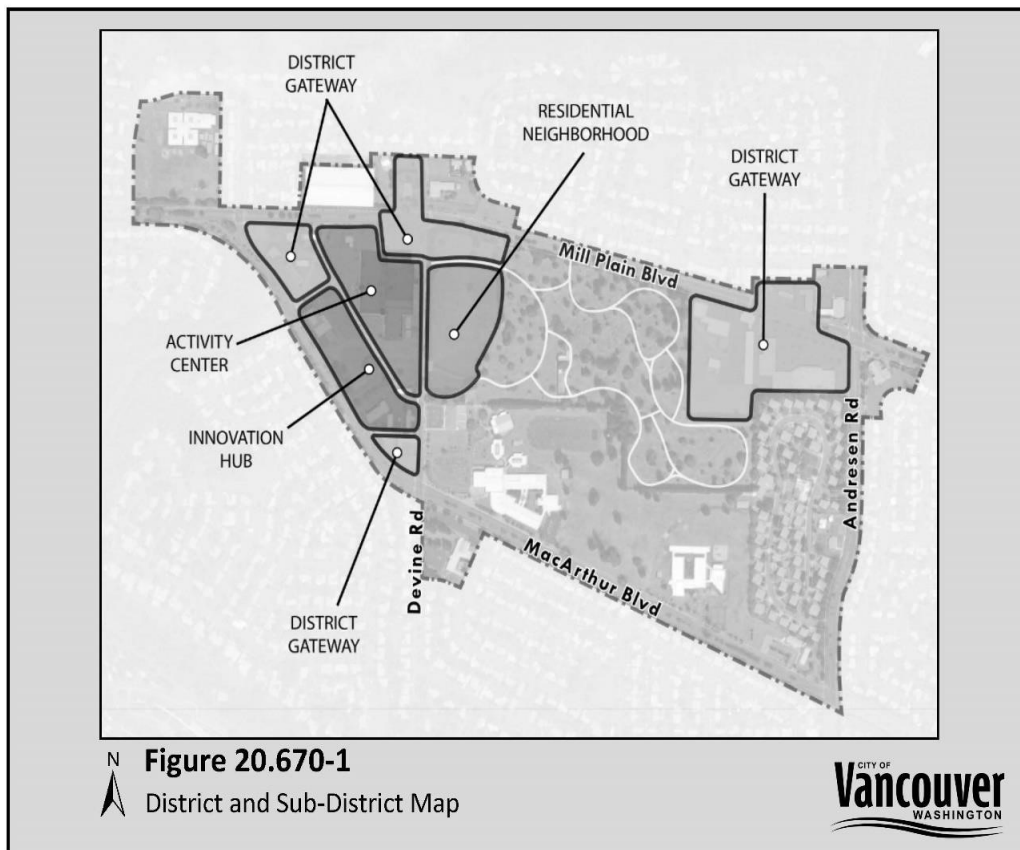
20.670.010 Purpose

The Heights District is envisioned as a vibrant neighborhood center that is sustainable, healthy, equitable, accessible and safe, and includes a mix of complementary uses, engaging public open space, diverse housing affordable to a wide range of community members and safe multimodal travel opportunities within the district and to transit and nearby neighborhoods. The purpose of the Heights Mixed Use (HX) Plan District is to implement the vision, goals, and policies of the Heights District Plan, and ensure future development is integrated, cohesive, context sensitive and contributes to the overall District Vision.

20.670.020 Applicability

These standards apply to the properties within the subdistrict areas shown on Figure 20.670-1. These standards shall be in addition to other applicable standards of Vancouver Municipal Code or state law, and shall supersede those standards where they conflict

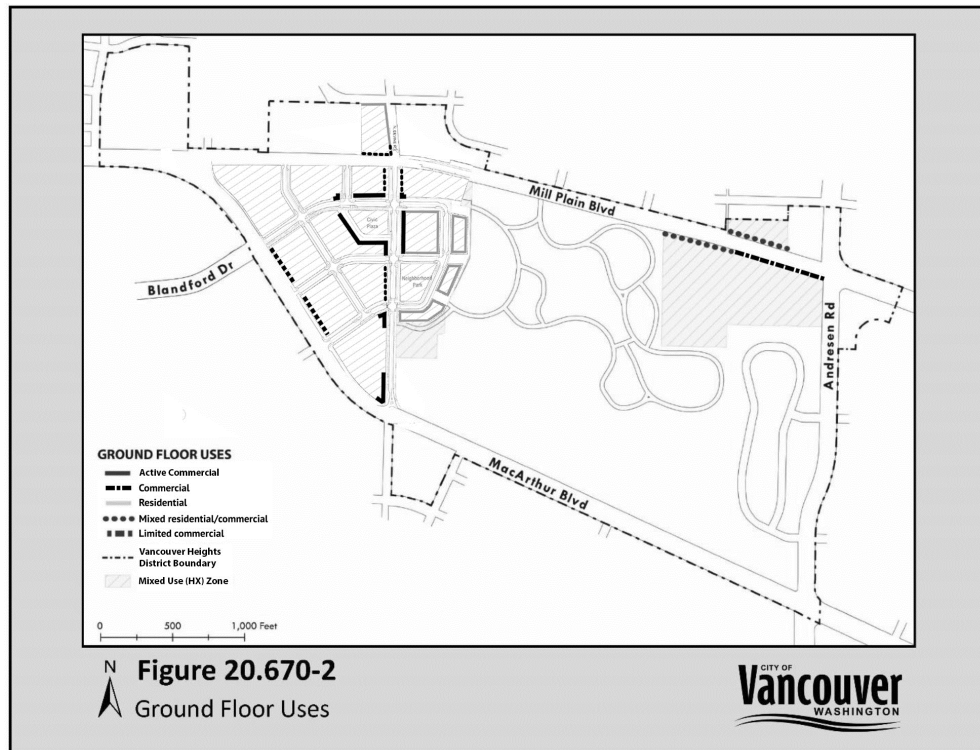
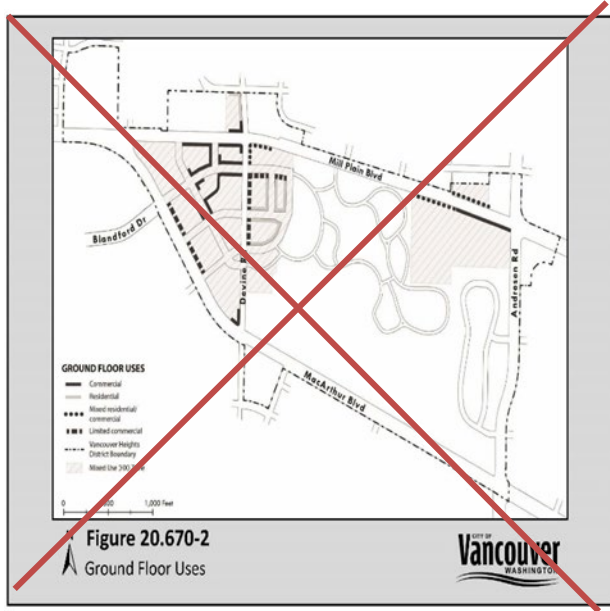
Figure 20.670-1. District and Sub-District Map



20.670.030 Regulation of Uses

- A. Uses are allowed as specified in Table 20.430.030-1 and as shown in Figure 20.670-2, subject to standards and guidelines for The Heights District established in this Chapter.
- B. *Ground Floor Use Regulation by Frontage Type.* Ground floor uses shall be regulated by Frontage Type as shown in Figure 20.670-2.
 1. Commercial frontage:
 - a. All commercial uses permitted in the HX District, except office uses allowed
 - b. Residential uses prohibited except residential lobbies and entrances associated with upper story residential uses are allowed but limited to 25 percent of the total length of the street frontage.
 - c. Institutional uses prohibited
 2. Active Commercial frontage:
 - a. Only the following commercial uses are allowed: sales-oriented retail; eating, drink and entertainment establishments; fitness center; community center and child care centers.
 - b. Residential and office uses prohibited except lobbies and entrances associated with upper story-uses are allowed but limited to 25 percent of the total length of the street frontage.
 - c. Institutional uses prohibited
 3. Residential frontage:
 - a. Residential uses allowed
 - b. Commercial and institutional uses are prohibited
 4. Mixed Residential/Commercial frontage:
 - a. Commercial uses allowed
 - b. Residential uses allowed but limited to no more than 50% of the total length of street frontage
 - c. Institutional uses prohibited
 5. Limited Commercial frontage:
 - a. Residential uses allowed
 - b. Commercial uses allowed but limited to no more than 25% of the total length of street frontage
 - c. Institutional uses prohibited

Figure 20.670-2. Ground Floor Use Map



C. Live/work uses and standards.

Live/Work. A commercial space where residential and commercial uses are combined and where the dwelling unit is the principal residence of the business operator/proprietor.

1. Uses.

- a. Live/work uses are permitted where commercial uses are permitted in the District Gateway and Innovation Hub sub-districts of the HX District.
- b. The following commercial uses are prohibited in live/work units.
 - a. Any use not permitted in the HX District, as specified in Table 20.430.030-1;
 - b. The retail sale of food and/or beverages with customers arriving on-site. This does not include online (Internet) sales, mail order, or off-site catering preparation;
 - c. Entertainment, drinking, and public eating establishments;
 - d. Veterinary services, including grooming and boarding, and the breeding or care of animals for hire or for sale;
 - e. Businesses that involves the use of prescription drugs.
- c. A live/work unit is allowed instead of, or in addition to, a home occupation.
- d. The residential and the commercial space must be occupied by the same tenant, and no portion of the live/work unit may be rented or sold separately.

2. Standards.

- a. The commercial use may occupy a maximum of 50 percent of the unit floor area.
- b. Residential uses are permitted above, to the side, or in back of the commercial use, provided that there is internal access between the residential and commercial uses;
- c. Signage intended to promote on-site commercial uses shall be restricted to two square foot signs permanently affixed to door or wall of the commercial use;
- d. No more than one employee (excluding residents of the dwelling unit) shall work or report to work on the premises, and the employment of any persons who do not reside in the live/work unit shall comply with all applicable building code requirements;
- e. Off-site impacts of the commercial use, such noise, glare, and vibration, shall be subject to City performance standards in VMC 20.935.030; and

- f. Explosive, toxic, combustible, or flammable materials in excess of what is allowed incidental to permitted residential uses shall not be stored or used on the premises.

20.670.040 Design and Development Standards

A. MASSING AND SCALE

1. *Minimum Density.* The minimum residential densities in Table 20.670.040-1 shall apply in the HX District.

Table 20.670.040-1. Minimum Residential Density

Sub-District	Minimum Density
Activity Center	75 dwelling units/acre
Residential Neighborhood	45 dwelling units/acre
Innovation Hub	30 dwelling units/acre
District Gateway	30 dwelling units/acre

2. *Building Heights.* The building height standards in Table 20.670.040-2 shall apply in the HX District.

Table 20.670.040-2 Maximum Building Heights

Sub-District	Maximum Height
Activity Center	Maximum of 85 feet
Residential Neighborhood	Maximum of 85 feet
Innovation Hub	Maximum of 50 feet
District Gateway	Maximum of 550 feet not abutting residentially zoned properties
Sub-District	Maximum Height
	Maximum of 40 feet abutting residentially zoned properties
	Maximum of 35 feet fronting Idaho Street

Note: For the Heights District, abutting is defined as sharing a property line with residentially zoned property

3. *Height exceptions.* In addition to the height exceptions allowed by VMC 20.910.030, maximum height limitations set forth in this Chapter and elsewhere in this Title shall apply to the following in the HX District:
 - a. Parapets and railings. Parapets and rooftop railings may extend 4 feet above the maximum height limit;
 - b. Walls or fences located between individual rooftop decks may extend 6 feet above the maximum height limit if the wall or fence is set back at least 4 feet from the edges of the roof;
 - c. Rooftop mechanical equipment, any required screening for the mechanical equipment, and stairwell enclosures that provide rooftop access may extend above the maximum height limit as follows, with the requirement that the equipment and enclosures must be set back at least 15 feet from roof edges on street-facing facades:
 1. Elevator mechanical equipment may extend up to 16 feet above the maximum height limit; and
 2. Other mechanical equipment, required screening, and stairwell enclosures may extend up to 10 feet above the maximum height limit.
 - d. Roof-mounted solar energy production equipment may extend up to 3 feet above the maximum height limit; and
 - e. Wind energy production equipment may extend up to 30 feet above the maximum height limit.
4. *Building step downs and transitions.* In the District Gateway sub-district, building heights shall be reduced to a maximum of 40 feet within 60 feet of a shared property line with residential uses, and a maximum of 35 feet within 140 feet of Idaho Street.
5. *Building facades.* Building facades shall not exceed 165 feet in length without an intervening break.
6. *Build to Line.*
 - a. Building shall comply with the provisions of VMC 20.630.020 that describe building lines provisions for street frontages except no portion of the structure shall extend into the right of way except as specified in VMC 20.670.040.E.2. Residential uses may include setbacks per VMC 20.670.040.C.2.
 - b. Setbacks for pedestrian amenities. Setbacks up to 20 feet for up to 50% of the building frontage is allowed if the setback is used for a walkway, plaza, courtyard, or other pedestrian-oriented amenity or public space.
7. *Ground floor plane.* For buildings five stories and above, the maximum ground floor plate area shall not exceed 16,000 square feet. An option to this standard is to demonstrate significant massing breaks in the building façade to include **recessed**

breaks (~~minimum of 20 feet in length and depth~~) and ground plane openings as pedestrian connections.

B. MODULATION AND FAÇADE ARTICULATION

1. *Ground floor transparency.* Buildings with ground floor commercial uses visible from the public way or public areas such parks and other publicly accessible space shall have a minimum 75% ground level façade transparency between 2 feet and 8 feet above sidewalk grade.
2. *Ground floor to floor height.* The ground floor of buildings shall have a minimum of 16 feet building floor to floor height.
3. *Modulation.* A minimum building modulation along the façade shall be one foot in depth and the minimum width shall be five feet.
4. *Building entry.* Main entrances shall be easily identifiable through the use of building articulation and modulation. ~~Avoid recessed doorways to provide high visibility from the public right of way.~~

C. ENTRANCES

1. *Ground floor level.* Ground floor residential uses shall be elevated above the sidewalk grade a minimum of 2 feet 6 inches to create privacy adjacent to the public realm. For these units, ensure an alternate access point that is accessible (as required by the Building Code)
2. *Entryways.* Ground floor residential entrances shall be setback from the property line a minimum of 6 feet and a maximum of 10 feet to ensure privacy from the public realm. Porches, patios, private spaces allowed within the setback.
3. *Recessed ground floor level.* Recessed ground floors shall be restricted to one level height, except at main entrances.
4. *Vehicle entries.* For mixed use residential and commercial buildings requiring vehicular garage entrances, the garage opening shall be setback from the building frontage a minimum of six feet. Adhere to all required visual sight setbacks.
5. *Townhome Garage Parking.* A minimum of 3-foot setback shall be applied for alleyway garage or tuck under parking.

D. ROOF FORMS

2. *Roof lines.* The length of any continuous flat roofline shall not exceed more than ~~100~~ 165 feet without modulation. ~~The minimum modulation for roof lines is 3 feet.~~
3. *Roof Materials.* Roof materials shall meet the minimum SRI (solar reflectance index) standards to reduce urban heat gain. Inappropriate materials such as wood singles, cement tiles and plastic slate and shingles shall be discouraged.
4. *Roof Top Projections.* Elevator cores, stair projections, solar panels and mechanical equipment shall be incorporated into the architecture of the building with

consistent building materials. See VMC 20.670.040(A)(3) for provisions regarding height, setbacks, and screening of roof top features.

5. *Roof Decks.* Accessible roof decks shall provide safety setback standards from the roof edge and mechanical equipment as required.

E. SECONDARY ARCHITECTURAL FEATURES

1. *Visual Interest.* Add visual depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design.

2. *Encroachment.* A building's enclosed occupiable space shall not encroach into the right-of way, with the exception of bay windows or balconies. Bay windows and balconies shall not extend more than 4 feet into the right-of-way and 30% of width of residential units or 50% of the width of hospitality units.

3. *Weather Protection.* Overhead weather protection shall be provided along all streets with a minimum clear height of 10 feet and maximum clear height of 15 feet consistent with the provisions of VMC 20.630.030 except in instances where the pedestrian amenities articulated in section A.6.b of this chapter are utilized.

4. *Pedestrian oriented features.* At least 75% of the width of any new or reconstructed ground-level building wall facing a street shall be devoted to pedestrian-oriented features or material variation, pedestrian entrances and/or windows affording views into retail, storefront, office or lobby space.

5. *Blank walls.* Continuous blank walls shall not exceed 15 feet in length. Where blank walls are present, incorporate a range of design approaches such as green walls, façade articulation, art or other approved applications to create interest at the adjacent pedestrian area.

F. MATERIALS AND COLORS

1. *Prohibited materials.* The following are prohibited exterior building materials: plastic laminate, glossy or large expanses of acrylic or plexiglass, pegboard, mirror, highly polished or plated metals (except as a trim), mirrored glass, fabric or paper wall coverings, plywood or particle board, sheet or modular vinyl, shingles, shakes and horizontal lap siding.

2. *Mechanical equipment.* Mechanical equipment and above grade utilities shall be located or screened with quality materials to minimize visual impact on the public right-of—way.

VMC 20.670.040(L) Limited Access Frontages

Vehicle access to development sites is prohibited along key frontages, where indicated, to reduce conflicts between automobiles and pedestrians and promote a safe and pleasant experience for walking. Vehicle access is restricted to one-curb-cut per block frontage where indicated in Figure 20.670-3:

Figure 20.670-3 Vehicle Access Restrictions

