

Exhibit A

Development Code Update

Prepared by: Planning Division

August 24, 2020

Note:

Text in underlined typeface is proposed to be added Text
in ~~strikethrough~~-typeface is proposed to be deleted.

***Indicates where text from the existing code has been omitted because it will remain unchanged.

Staff comments are ***bold and italicized***

DRAFT

Chapter 1.2

DEFINITIONS

Urban dwelling site means standalone residential uses in the CL, CG and ME Districts as allowed by House Bill 3450. See BDC 3.8.800.

Chapter 2.3

MIXED-USE ZONING DISTRICTS (ME, MR, PO, MU, and MN)

2.3.200 Permitted and Conditional Uses.

C. Limitations. The following limitations apply to those uses identified as "L" in Table 2.3.200:

1. New Residential Uses. In order to ensure that the ME and PO Zones retain a focus on employment uses, new residential uses in the ME and PO Zones are limited as follows:
 - a. Residential uses that are part of a mixed-use development in which nonresidential uses occupy at least the floor area equivalent to the entire ground-floor area of the development are permitted.
 - b. Residential uses that are part of a mixed-use development in which nonresidential uses occupy less than the floor area equivalent to the entire ground-floor area of the development are conditional.
 - c. Residential uses that are not part of a mixed-use development are prohibited.
 - d. Exception: Urban Dwelling Sites. See BDC 3.8.800.

Chapter 3.8 **DEVELOPMENT ALTERNATIVES**

(Chapter 3.8 is being created with PZ 20-0526)

3.8.800 Urban Dwelling Sites.

A. Applicability. Urban Dwelling Sites are permitted in the CL, CG and ME Zoning Districts. There must be no more than a total of 40 cumulative acres developed as Urban Dwelling Sites within the city limits. Where the regulations of this section are not specific, the standards of the relevant zoning district prevail.

B. Review Process

Step 1. The approval of a development application in conformance with BDC Chapter 4.2, Minimum Development Standards Review, Site Plan Review and Design Review. (Type II process)

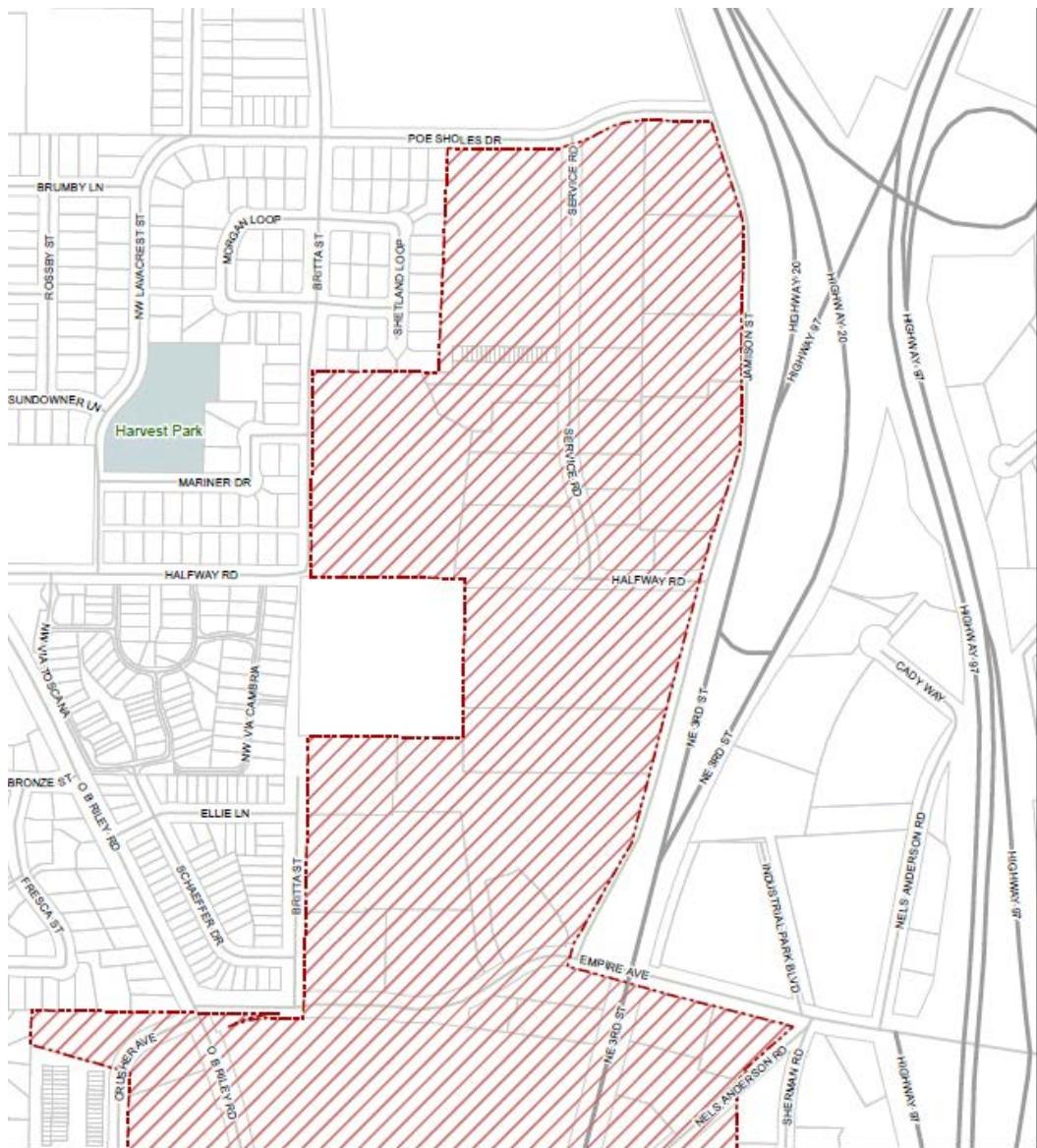
Step 2. The development site will be shown on the Zoning Map as an Urban Dwelling Site. The denotation on the Zoning Map may be added or removed administratively by staff upon approval, withdrawal or expiration of the development application.

C. Duration of Approval. The development approval is void one year after the date the decision becomes final if building permits have not been issued. A one-year extension may be approved in accordance with BDC 4.1.1310, except a two-year extension may be approved for affordable housing developments in accordance with BDC 4.1.1310 and BDC 3.6.200(C)(1-3).

D. Urban Dwelling Site Standards. The development site must comply with the following:

1. Have been located in City limits prior to December 6, 2016;
2. Be located south of Empire Avenue except as shown on Figure 3.8.800(D);
3. Be located within a quarter of a mile (1,320 feet) of a transit route;
4. Be equal to or less than five acres; and
5. Not be located in an Opportunity Area as shown on Comprehensive Plan Figure 11-1: Core Area, Transit Corridors, and Opportunity Areas, and not be located in any Special Planned District, Refinement Plan, Area Plan or Master Plan in BDC Chapter 2.7.

FIGURE 3.8.800.D



Legend

- Major Roads
- Railroad
- Parks
- City Limits
-  HB3450 Eligible Area*



In order to be eligible for development of an Urban Dwelling Site, a site must meet the Urban Dwelling Site Standards in BDC 3.8.800(D).

E. Permitted Uses. Accessory dwelling units, single-family attached townhomes, duplexes, triplexes and multifamily.

F. Density. The minimum residential density standards of the RH Zone applies. There is no maximum density.

G. Development Standards. The following table provides numerical development standards for Urban Dwelling Sites. The setback standards outlined in Table 3.8.800 apply to all new buildings and any building expansion.

Table 3.8.800

<u>Standards</u>	<u>CL</u>	<u>CG</u>	<u>ME</u>
<u>Minimum lot area</u>	<u>No minimum</u>	<u>No minimum</u>	<u>No minimum</u>
<u>Maximum lot area</u>	<u>5 acres</u>	<u>5 acres</u>	<u>5 acres</u>
<u>Minimum lot width</u>	<u>15 feet</u>	<u>15 feet</u>	<u>15 feet</u>
<u>Minimum front setback (see subsection (R)(6)(a) of this section)</u>	<u>10 feet</u>	<u>10 feet</u>	<u>None</u>
<u>Maximum front setback (see subsection (R)(6)(a) of this section)</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>
<u>Rear and side setback</u>	<u>None</u>	<u>None</u>	<u>None</u>

1. Front Setbacks.

- a. For buildings on sites with more than one frontage or through lots, the maximum front setbacks in Table 3.8.800 apply as follows:
 - i. For corner lots with two frontages, the maximum setback applies to both street frontages.

- ii. For through lots with two frontages, the maximum setback applies to only one of the frontages; provided, that where the abutting streets are of different street classification, the maximum setback applies to the street with the higher classification.
- iii. For properties with three or more frontages, the maximum setback applies to two contiguous frontages. Where the streets are of different street classifications, one of the maximum setbacks must apply to the street with the highest classification.

b. The maximum setback standard may be increased as necessary to accommodate an approved usable space with pedestrian amenities (e.g., extra-wide sidewalk, plaza, outdoor dining area or landscaped area with seating) between the building and front property line.

c. Fences (except if less than 3.5 feet in height for outdoor patios and dwelling units), storage and parking are not allowed in the front setback.

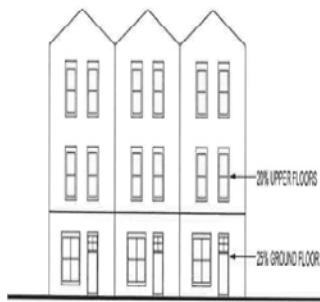
d. Awnings, marquees, balconies, overhangs, fabric tensile structures, building appendages, or other projections may extend into the front setback.

2. Transition Standards. When multifamily residential abuts a detached single-family dwelling unit in the RL or RS District, the setback abutting the RL or RS District must increase one-half foot for each foot by which the building height exceeds 20 feet.

H. Design Standards. Development is subject to the following design standards. These standards are in addition to the regulations of BDC Chapter 4.2, Minimum Development Standards Review, Site Plan Review and Design Review, but replace the design standards of the underlying zoning district and all the standards in BDC 3.6.200(D), Single-Family Attached Townhomes, BDC 3.6.200(H), Duplex and Triplex Development and BDC 3.6.200(I), Residential Uses within Commercial Districts.

1. Building and Entry Orientation. Each building must provide a primary building entrance oriented to each abutting street.
2. Transparency. Facades must include transparency/glazing (i.e. glass windows and/or glass doors) totaling a minimum of 25% of the ground level wall area and 20% on the upper level(s) wall area, as shown in Figure 3.8.800(H). Ground level wall area includes the exterior wall area up to 10 feet above the finished grade.

Figure 3.8.800.H



3. Building Articulation. One or more of the following façade treatments must be incorporated on each level of all street-facing facades:

- a. Building offsets (projections or recesses) at least two feet deep and six feet wide;
- b. Upper level balconies (projecting or recessed) at least six feet wide;
- c. Building canopies, awnings, pergolas, architectural sun shade structures, or similar weather protection (minimum projection of four feet for overhead weather protection when located on the ground level and over a sidewalk or other pedestrian space);
- d. Transparency greater than the minimum required by subsection 3.8.800(H)(2);
- e. Recessed building entries at least six feet wide;
- f. Use of masonry material (i.e. brick, brick veneer, stone, concrete, or stucco) for a minimum of 75% of the total wall area of the street facing façade level as measured from floor-to-floor height, not including windows; and/or
- g. On upper levels, use of two or more façade materials and/or façade colors.

I. Parking. The minimum number of required off-street vehicle parking spaces is established below. The number of parking spaces provided by any particular use in ground surface parking lots must not exceed the required minimum number of spaces provided by Table 3.3.300, Required Off-Street Vehicle Parking

Spaces by more than 50 percent. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, do not apply toward the maximum number of allowable spaces. Parking spaces provided through "shared parking" also do not apply toward the maximum number.

1. Single-family attached townhome, duplex, triplex and multifamily residential. 1 space per dwelling unit.
2. Affordable housing projects in accordance with BDC 3.6.200(C)(1-3). 0.5 spaces per affordable dwelling unit.

J. Urban Dwelling Sites are subject to the provisions in BDC 2.1.1000 with the following exception:

1. The common open space requirement in BDC 2.1.1000(B)(1) does not apply to any property with a residential building located within one-quarter mile of a public park; and there is a direct, accessible, and maintained trail or sidewalk between the development and the park that does not cross an arterial or collector street.

K. Lots and parcels may have one access point, except as authorized in BDC 3.1.400(F)(4)(c).