

## DRAFT REGULATIONS

### **New Zoning Districts**

The Neighborhood Commercial (NC) district is intended for a mix of commercial and residential units at a density up to 50 units per acre to create a mixed use, walkable, and semi-compact neighborhood. Higher density housing types such as condominiums, townhomes, and apartments are strongly encouraged. Commercial uses are encouraged at ground-floor levels and facing streets. Higher density residential is needed to retain and attract commercial uses, support transit, and a semi-compact village-like setting.

The Marine Center (MC) district is intended for a mix of marine-related commercial and residential units at a density up to 30 units per acre. Like the NC district, multifamily housing is encouraged. Development should maximize water views and be designed to the unique shoreline environment. Active marine uses such as boat harbors, boat maintenance, and non-motorized boat use make the MC district orient itself with the marine environment. Marine-related pedestrian amenities such as docks, seawalks, and viewing platforms are encouraged.

### **Neighborhood District**

- Maximum Building Height: 55 feet
- Maximum Density: 50 Dwelling Units/ Acre
- Minimum Lot Size: 6,000 sq ft
- Vegetative Cover: 10%
- Slightly lower parking requirement
  - | # of Bedrooms | From | To  |
|---------------|------|-----|
| 1             | 1.5  | 1   |
| 2             | 1.75 | 1.5 |
| 3 or 4        | 2.25 | 2   |
- Yard Setbacks:
  - Front: Build within 20' of ROWs
  - Sides: 10' cumulative minimum
  - Rear: 10'

### **Marine Center**

- Maximum Building Height: 35 feet
- Maximum Density: 30 Dwelling Units/ Acre
- Minimum Lot size: 10,000 sq ft
- Slightly lower parking requirement
  - | # of Bedrooms | From | To  |
|---------------|------|-----|
| 1             | 1.5  | 1   |
| 2             | 1.75 | 1.5 |
| 3 or 4        | 2.25 | 2   |

- Yard Setbacks:
  - Front: Build within 20' of ROWs
  - Sides: 10' cumulative minimum
  - Rear: 10'

Permissible Uses

List of allowed uses in the NC and MC districts are provided in the attached excel sheet stated 'Permissible Uses'. Staff notes that WCF was added to the list because the CBJ cannot outright deny these uses. The new WCF regulations do require site screening and other mitigating measures.

The remainder of this document consists of the draft regulations which establish Development Standards, Parking Lot Screening, and Screening Utilities & Uses.

Marine Center and Neighborhood Commercial Development Standards

**Purpose and Applicability**

- a) The purpose of development standards in the NC and MC districts is to establish a walkable, mixed-use neighborhood by providing the following:
  1. Pedestrian-oriented infrastructure;
  2. Buildings that are located near and facing streets;
  3. Parking areas that are screened from views;
  4. Interesting building façades;
  5. Screening utilities;
  6. Housing densities that support commercial and transit uses; and
  7. Mixture of housing styles and commercial activities.
  
- b) The development standards in this article apply in the Marine Center and Neighborhood Commercial districts.
  
- c) If any development standards in this article are inconsistent with another provision of this title, the more restrictive standard shall apply.

**Development Standards.**

*(a) Applicability.*

- (1) A minimum of one building per lot shall meet the development standards provided in Table 1.
  
- (2) Table 1 indicates the type of development required to meet specific Development Standards.
  
- (3) Table 1 applies to the following:
  - (A) New development on vacant land;
  - (B) New buildings on a non-vacant land, unless it:

- (i) Requires the removal of an existing paved parking area that meets the Parking Lot Screening standards; or
  - (ii) Requires the removal of an existing paved on-site access point.
- (C) Reconstructed buildings meeting 49.30.500 *Reconstruction*, unless it:
- (i) Affects a paved parking area that meets the Parking Lot Screening standards; or
  - (ii) Affects an existing paved on-site access point.
- (D) Residential development consisting of two units or more.

(4) Renovations which do not meet 49.30.500 *Reconstruction* but do increase leasable space or provide additional bedrooms, shall provide a new pedestrian way to the abutting right-of-way or sidewalk if present.

Table 1: Development Standards [ ✓ = Applies]

Development Standards	Commercial Only Building	Mixed use Building	Residential Only (≥2 dwelling units)	Single-family
Building within 20' from ROW	✓	✓	✓	
Entrance facing street	✓	✓	✓	
Façade Elements:				
1) Canopy	✓	✓		
2) Recessed Entryway	✓	✓		
3) Street-level elements	✓	✓		
Site Elements:				
1) Pedestrian way	✓	✓	✓	
2) Seating/ Planters	✓	✓		
Parking/ Drive-thru Locational standards	✓	✓	✓	
Parking Lot Screening	✓	✓	✓	
Utilities Screening	✓	✓	✓	

(b) *Building facing ROW.* Pursuant to Table 1, at least one primary use building on a property shall:

- (1) Have at least 50% of its front façade width be located within 20 feet of an adjacent right-of-way; and
- (2) Have at least the first three stories be located within 20 feet of the adjacent right-of-way.
- (3) Be located within 20 feet of both adjacent rights-of-way when the property is located at a street corner.

(c) *Building Elements.* Pursuant to Table 1, a building's primary entrance shall face abutting right-of-way, and its façade shall consist of the following: (Figure 1)

(1) Canopy or awning;

- A. Covers entrances and any pedestrian areas abutting the facade;
- B. At least six feet deep, as measured from the façade toward the street; and
- C. Eight to ten feet above grade of walking surface.

(2) Recessed entryway that is at least three feet deep; and

(3) Street-level facade elements. At least 50% of the street-level of the front façade of the building shall consist of:

- A. Windows;
- B. Building entrance(s); or
- C. Murals, artwork or pictures that are not commercial signs or advertisement.

(4) Façade Dimensional Requirements

A. Street-level front facade measurement. The street level façade area of a building facing a ROW shall be calculated by multiplying the overall width by the height of the building's facade to determine the size in square feet.

(i) The width shall be measured from the outer-most edges of the building's sides.

(ii) The height shall be measured from the lowest point of the façade of the building, where the building touches the ground, or average if sloping, up to the bottom of the canopy or other element indicating top of the first story as determined by the director.

B. Façade element measurement. The façade element shall be calculated by multiplying the width by the height of the outermost edges or trim of the façade element. The total square foot area of the façade elements shall be added together and result in at least 50% of the overall street-level façade square footage.

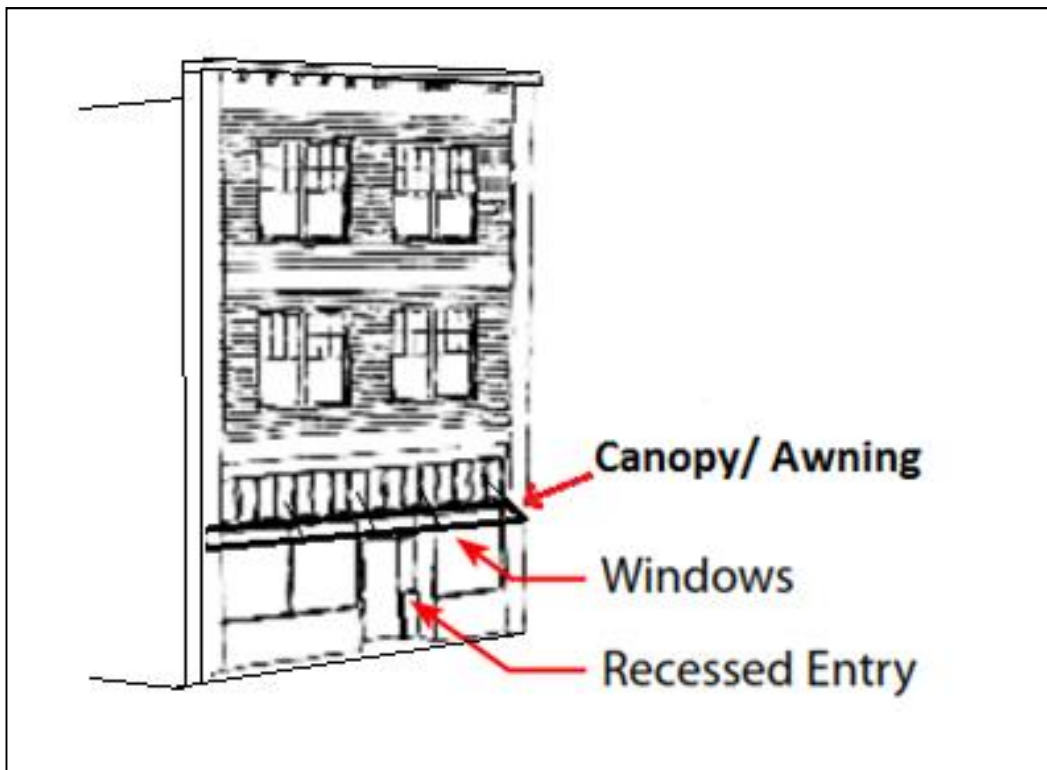


Figure 1. Depicting the required Building and Façade elements.

(d) *Site Features*. All primary use buildings shall provide a pedestrian way and a site amenity. The standards of these two elements are provided below. (See example in Diagram 1.)

- (1) Pedestrian way. Shall link the primary entrance of all primary use buildings to an abutting public sidewalk or right-of-way, if no sidewalk exists. The pedestrian way shall meet the following:
  - A. A minimum of five feet wide;
  - B. Provides a direct route from the building's front entrance to the sidewalk or ROW;

- C. May cross a driveway, if it is most direct route to building's entrance;
- D. Shall be a separated walking surface from the parking lot or driveway;
- E. Consist of a walking surface material other than dirt and gravel; and
- F. May be shared when multiple buildings exist on the lot, as permitted by the director.

(2) Site Amenity. At least one of the following shall be provided within 20 feet of the primary use building on the property: (Diagram 1)

(A) Outdoor Seating.

- i. Shall consist of one or more tables and chairs, or similar structures, seating at least four persons.
- ii. Shall be secured to the ground, building, or otherwise protected when not in use.
- iii. Shall be provided during the summer season, at minimum.
- iv. Shall not be regulated by make or material.

(B) Planters.

- i. Shall consist of one or more planter box, barrel, or similar structure;
- ii. Shall be placed on the ground;
- iii. Shall contain live, non-invasive plant(s);
- iv. Shall have a total planting surface area of at least ten square feet;
- v. Shall be no taller than six feet; and
- vi. Shall be designed and located in a manner that does not interfere with abutting traffic or general public safety, as determined by the director.

*(e) Location of parking areas, drive-thrus, and loading bays.*

(A) Parking areas. Shall comply with Parking Lot Screening standards.

(1) MC district.

- a) Provided on-site and meets 49.40 Parking and Traffic.
- b) May be located off-site pursuant of 49.40.200(4) Location.

(2) NC district.

- a) Shall not be located anywhere between a building's front façade line and adjacent right-of-way. See example in Figure 2.

- b) Shall be located behind or below a building which is located within 20 feet of a right-of-way. See example in Diagram 1.
- c) May be located to the side of a building and meets Figure 2, only if parking already exists or will be provided behind or below the building. See example in Figure 2.
- d) Where a lot abuts two, opposite facing ROWs, the parking area may face the rear ROW but must meet Parking Lot Screening standards.
- e) May be located off-site pursuant 49.40.200(4)(A).

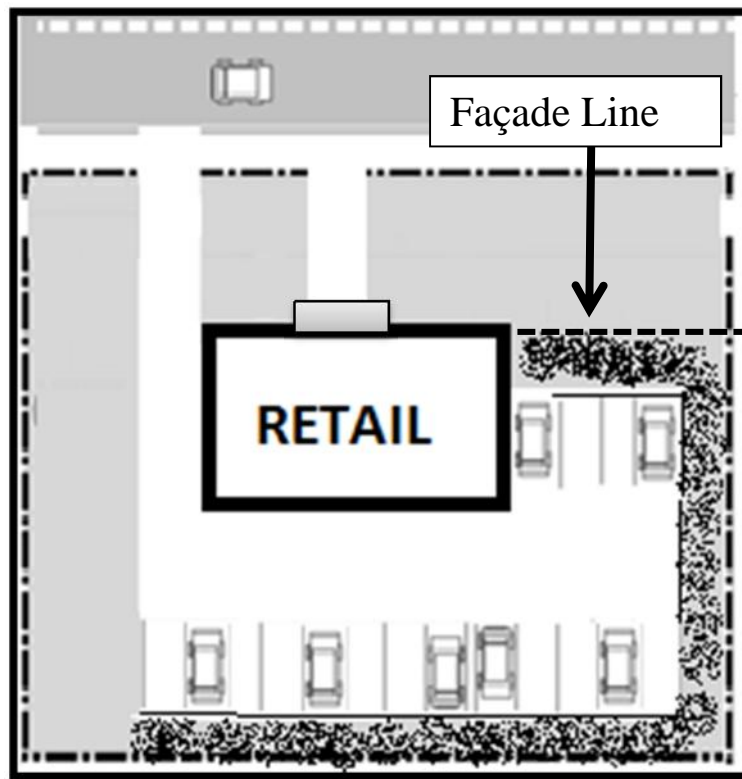


Figure 2. Illustration depicting parking in the NC district located behind and to the side of the building with screening at the front façade line.

(B) Drive-thrus and loading bays.

(1) MC and NC districts.

- a) Shall be located toward the rear of the lot; or
- b) Shall be located behind buildings;
- c) Shall provide adequate queuing; and
- d) Shall comply with the Screening Utilities standards.

### **Parking Lot Screening**

(a) *Purpose.* The purpose of screening parking areas from streets, adjacent property, and pedestrian pathways is to enhance the overall appearance of a neighborhood, separate cars from pedestrians, block headlight glare, provide orientation to entrances, and mitigate wind and dust.

(b) *Applicability.*

1. Screening shall be provided for:
  - A) New, expanded, or paved parking lot; and
  - B) An existing parking lot with the addition of dwelling units, bedrooms, or leasable space.
2. The area of a parking lot shall be screened where:
  - A) Located within 20 feet of any property line or pedestrian way; or (See example in Figure 3)
  - B) Located in a way that results in vehicular headlight glare towards an abutting right-of-way, property, or public path as determined by the director. (See example in Figure 4)

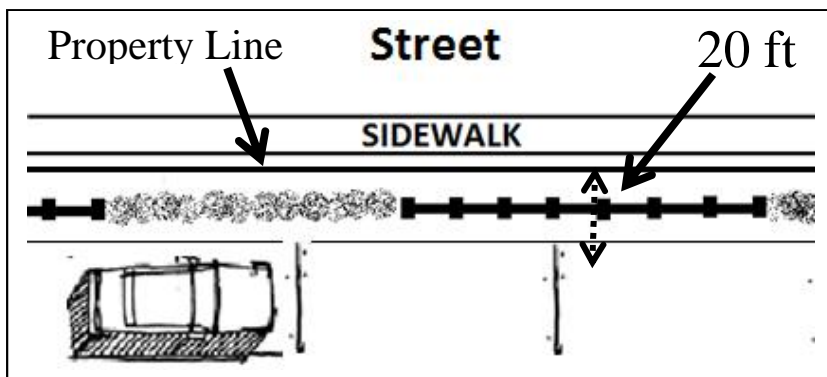


Figure 3: Screening is required for these spaces. Use of an intermittent fence with bushes may be used for screening.



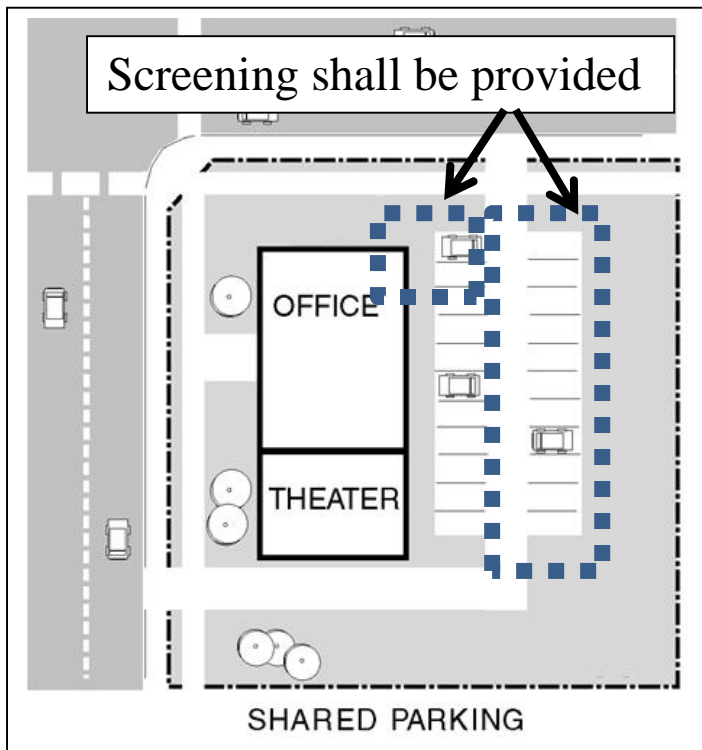


Figure 4: Screening is required for these spaces.

(c) *Screening Requirements.* Screening element shall be provided within six feet of the edge of the parking lot (See example in Figure 5), be sight-obscuring, and consist of at least one of the following:

1. Bushes or shrubs.
  - A. Must form a continuous hedge along the full distance required to be screened.

- B. Has a minimum growth height of three feet. notwithstanding 49.25.430(4)(L).
- C. Achieves the minimum growth height within three years after planting.
- D. Provides a year-round, sight-obscuring screen.
- E. Is at least one foot tall when planted.

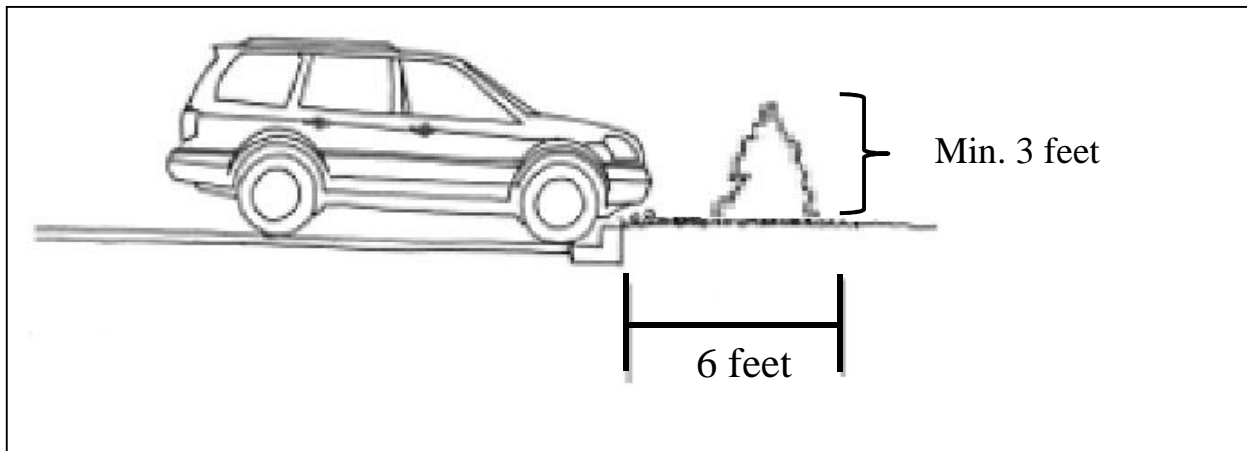


Figure 5. Illustration depicts a bush as the screening element.

- 2. Fences, walls, or planter boxes.
  - A. Shall consist of brick, stone, metal, wood, or wood-texture plastic.
  - B. Chain-link fence with plastic slats is prohibited.
  - C. Shall be between three and four feet in height, notwithstanding 49.25.430(4)(L).
  - D. May have a continuous length up to 25 feet.
  - E. May be used intermittently with bushes per subsection (1) when applied beyond 25 feet. (Examples provided in Figures 3 & 6)
- 3. Existing vegetation meeting the purpose of this subsection, as determined by the director.

4. Other screening elements meeting the purpose of this subsection, as determined by the director.

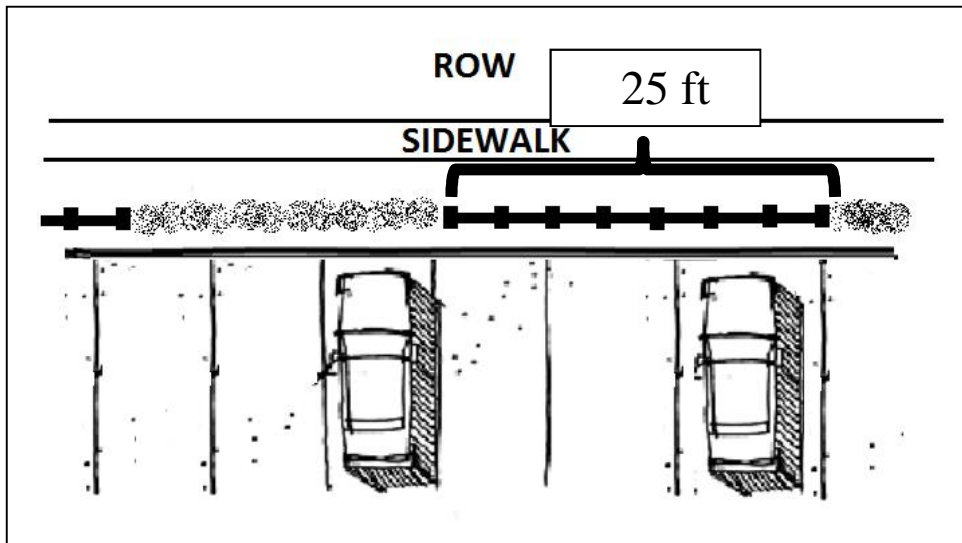


Figure 6. Illustration depicting use of intermittent wall with bushes in between meeting the screening requirement.

(d) *Exemptions.* The following parking lots are not required to be screened:

- A. Those associated with single-family dwellings; and
- B. Those fronting a CBJ property designated as open space, preservation/ conservation, or similar as determined by the director.

(e) *Maintenance.* All screening elements shall be maintained so as to not create harm to the public, block pedestrian or vehicular routes on-site or off-site, and to ensure overall tidiness of the property. Any screening element that dies, is

removed, or substantially damaged shall be replaced with an approved screening element.

*(g) Wheel Stops/ Curbs.* Screening elements shall be set back at least two feet away from curbs and wheel stops.

*(h) Plant types.* Non-invasive plants which are appropriate to the USDA plant hardiness zone of Zone 7a shall be used when meeting this subsection.

*(i) Required Screening Plan.* The following items shall be submitted when providing parking lot screening:

1. *Site Plan.* A site plan showing all existing or proposed plants or structures, their dimensions, size, and distance to property lines and parking lot edges.
2. *Profile View.* A profile drawing, picture, or similar, showing the dimensions of existing or proposed plants or structures.
3. *Narrative.* A narrative indicating the types of plants or structures used to meet this subsection, installation methods, and maintenance and replacement plan for items installed or preserved.

### **Screening Utilities & Other Uses**

*(a) Purpose.* The purpose of this section is to preserve and enhance the aesthetic values of a neighborhood by blocking views of specific activities or specific parts of a property or structure from streets, pedestrian ways and mapped viewsheds.

*(b) Applicability.* The requirements of this section shall apply to the MC and NC zoning districts.

*(c) Requirements.* The following shall be screened or otherwise hidden from view from abutting streets, public pedestrian ways, properties, and mapped viewsheds of adopted CBJ plans:

- 1) Unenclosed recycle and trash receptacles;
- 2) Above-ground oil, gas, water, or wood-pellet storage containers;
- 3) Loading bays;
- 4) Drive-thrus; and
- 5) Freestanding utility, mechanical, and electrical boxes.

*(d) Standards.*

1. Screening shall consist of at least one of the following:
  - A. vegetation;
  - B. planter boxes, or similar containers with plants;
  - C. fences;
  - D. walls; or
  - E. otherwise hidden from view.
  
2. Screening design and height.
  - A. Screening material shall be sight-obscuring;
  - B. Screening material shall be as tall as the element or six feet, whichever is less, notwithstanding 49.25.430(4)(L).

*(d) Replacement.* Replacement or reconstruction of an item listed in subsection (c) is subject to this section.

*(e) Exemptions.* The following are exempt from the screening standard:

- 1) Items associated with single-family dwellings; and
- 2) Freestanding utility and electrical boxes fully wrapped in a pressed-on picture, painted, or similar element as determined by the director. This element shall consist of weather resistant material.

*(f) Prohibited screening material.* Chain-link fences with plastic slats.

