

Comprehensive Plan Amendments: Associated Zoning Code changes July 2019

Chapter 20.79

~~MULTIFAMILY RESIDENTIAL (R-20)~~ High Density Residential (R-40)

20.79.010 INTENT.

The intent of the ~~multifamily residential (R-20)~~ high density residential (R-40) zoning district is to provide a high standard of development for residential multifamily type structures and to provide a variety of housing options for a wide diversity of people, within neighborhoods that are currently developed with multifamily development. In addition to supporting the adopted Downtown Subarea Plan.

20.79.020 OUTRIGHT PERMITTED USES.

The following uses are permitted outright:

- (a) Co-location of wireless communications per BMC 20.46.140;
- (b) Residential Use. Residential uses include:
 - (1) Day care facility (twelve (12) or fewer persons receiving care);
 - (2) Foster home;
 - (3) Class I group residential facility;
 - (4) Multi-unit dwelling units;
 - (5) Single-unit dwelling unit, attached (zero (0) lot lines);
 - (6) Single-unit dwelling unit, detached;
 - (7) Townhouses;
 - (8) Duplexes.

20.79.030 ACCESSORY USES.

The following accessory uses may be permitted when found in connection with a principal use:

- (a) Attached or detached accessory dwelling unit per BMC 20.46.010;
- (b) Detached garage, carport, and parking facilities for the residents of the property;
- (c) Home occupation per BMC 20.46.030;
- (d) Other necessary and customary uses determined by the Director to be appropriate, incidental and subordinate;
- (e) Playhouses, patios, cabanas, porches, gazebos, swimming pools and incidental household storage buildings.

20.79.040 CONDITIONAL USES.

The following conditional uses shall be permitted pursuant to BMC 20.58.020, provided the conditional use complies with the corresponding standard as listed in BMC 20.60.040 (low density residential (R-10) zone):

- (a) Bed and breakfast;
- (b) Senior housing complex;
- (c) Nursing/convalescent home;
- (d) Day care facilities (more than twelve (12) persons receiving care);
- (e) Worship, religious, and community facilities;
- (f) Schools, parks and associated facilities of the types set forth in BMC 20.60.040(j).

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20.79.060 DEVELOPMENT STANDARDS.

(a) For properties located within the downtown regional center, the Downtown Subarea Plan will regulate development standards. The following development standards listed are for all other locations where the ~~R-20~~ R-40 zone is located.

(b) Lot Standards. Lot development requirements shall be in accordance with this section and the following standards unless allowed for by law otherwise:

(1) Setbacks.

- (i) Minimum front yard setback is fifteen (15) feet;
- (ii) Minimum side yard setback is five (5) feet;
- (iii) Minimum rear yard setback is fifteen (15) feet.

(2) The maximum height of the structure shall meet the following:

- (i) Maximum structure height is forty-five (45) feet, except that conditionally allowed uses per BMC 20.79.040 may be sixty (60) feet unless otherwise noted; and
- (ii) For properties that are adjacent to Low Density Residential (R-10) zone, buildings taller than thirty-five (35) feet shall increase the setback by one foot from the R-10 zone property line for every one (1) foot building height increase over thirty-five (35) feet.

(3) Minimum lot width is ~~thirty (30)~~ forty (40) feet

(4) Maximum development coverage is ~~sixty (60)~~ seventy-five (75) percent.

~~(bc)~~ Zero (0) Lot Line (ZLL) Development. An attached single-family dwelling and/or garage structure may have a single shared side or rear lot line, and a setback reduced to zero (0), provided the structure complies with building code fire separation requirements.

~~(ed)~~ Garages, Storage Buildings and Shops.

(1) Garage, Carport, and Shop Vehicle Entrance Setbacks. When the vehicle entrance faces the street, the garage, carport, or shop shall have a front yard setback of at least twenty (20) feet, except as provided in BMC 20.44.020 (Traditional front yard).

~~(de)~~ Minimum Lot Area. The minimum lot area is 10,000 square feet and subdivisions shall meet the density of this section. This provision will restrict a subdivision of a lot with less than four units.

~~(ef)~~ Minimum density: ~~five (5)~~ eighteen (18) dwelling units per acre.

~~(fg)~~ Maximum density: ~~twenty (20)~~ forty (40) dwelling units per acre.

(h) Open Space. For projects of 25 units or more, a minimum of 15% of the gross site area shall be set aside and utilized as open space for use and enjoyment of future residents either as passive and/or active space. Designated critical areas pursuant to Chapter 20.14 BMC shall not be used for the open space. Such open spaces shall at a minimum meet the following standards:

(1) Passive and Active Open Spaces. All open spaces must include facilities for active and/or passive recreation. Passive spaces could include facilities such as trails, benches, shelters, public plaza, and year-round water-feature. Active spaces can include children play equipment, paved hard court (basketball or tennis court), flat, open lawn for ballfield and other such facilities.

(2) Open Space Plan. For all designated open space areas the proposal shall include an open space plan. This plan is to ensure the open space is maintained and preserved in perpetuity. All open space areas shall comply with the following:

- (i) Identify all proposed improvements such as public facilities, proposed vegetation, and existing vegetation to remain; and

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- (ii) The plan must comply with the requirements of the landscaping chapter, found in Chapter 20.50 BMC; and
- (iii) The plan shall outline maintenance responsibilities in a format acceptable to the Director; and
- (iv) The plan shall include a notice to title approved by the City and recorded with the County Auditor. This notice shall include provisions for the designation and retention of open space, and provisions for permanent maintenance of the open space and/or commonly owned facilities.

20.79.070 DESIGN STANDARDS.

The following design standards shall be applied to all new structures and redeveloped structures. Residential development of three (3) units or fewer are exempt from this section; however, stacked flats are permissible only when meeting the criteria provided in subsections (a) and (b) of this section. When development involves the remodel or expansion of existing structures, the Director may modify these requirements to reasonably fit the scope and scale of the remodel or expansion.

(a) Primary Design Features. The following criteria shall be applied to all primary building facades and facades facing public streets:

(1) Top and Base. Buildings shall convey a visually distinct base and top. A "base" can be emphasized by a different masonry pattern, more architectural detail, visible plinth above which the wall rises, storefront, canopies, or a combination. The top edge is highlighted by a prominent cornice, projecting parapet or other architectural element that creates a shadow line.

(2) Minimum Transparency. At least forty (40) percent of all facades facing the public sidewalk, or sidewalks providing circulation within a site, measured to eight (8) feet above the sidewalk or surface grade, shall be comprised of transparent windows or doors.

(3) Blank Facades. Building facades shall not present a blank facade to view from public rights-of-way or residential properties. Such facades may be broken by windows, trellises, columns, variations in plane, or other devices that add variation and interest to the facade.

(4) Mechanical Equipment Screening. Rooftop and ground-level mechanical equipment shall be screened from view from public streets. Screening materials shall be architecturally similar to the primary structure.

(b) Secondary Design Features. Three (3) secondary design features are required from the following list:

(1) Multiple Roof Lines. Structures shall have at least three (3) horizontal roof lines, as viewed from the front facade.

(2) Modulation. The horizontal plane of a structure shall not extend for more than thirty (30) feet, as measured from any one (1) point of the structure, without a significant architectural variation of at least two (2) feet in depth.

(3) Facade Materials. At least three (3) different facade materials shall be incorporated into the exterior appearance of the structure (wood, brick, stucco, tile, shingles, other).

(4) Additional Transparency. An additional fifteen (15) percent transparency to what is required per subsection (a)(2) of this section.

(5) Weather Protection. Recessed or protruding building features, of no less than four (4) feet in depth, which extend along at least fifty (50) percent of the front facade.

(6) Main Entry. Pedestrian entrances are preferred from buildings facing the street. Entries shall be easily identifiable from the street or sidewalk; this can be accomplished through architectural or ornamental features.

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(7) Public Amenity. Outdoor eating area, artwork, street furniture, plantings in window boxes, public trash receptacles, or other alternative public amenity approved by the Director. Any proposed amenity shall be architecturally compatible with the principal structure. Any approved amenity shall be maintained for the life of the project.

20.79.080 PARKING REQUIREMENTS.

In addition to the off-street parking requirements set forth in Chapter 20.48 BMC, the automobile off-street parking spaces located within the downtown regional center shall be provided in accordance to the Downtown Subarea Plan.

20.79.090 LANDSCAPING REQUIREMENTS.

Landscaping shall meet the standards of Chapter 20.50 BMC.

20.79.100 SIGN STANDARDS.

Signage shall meet the standards of Chapter 20.52 BMC.