

ARTICLE VI OVERLAY ZONES

Chapter 19.170 INNOVATION DISTRICT OVERLAY ZONE (ID)

19.170.010 Purpose.

The Innovation District (ID) Overlay Zone is established to:

- A. Implement the goals, policies, and principles of the General Plan.
- B. Enable and encourage new development in the ID Overlay Zone area.
- C. Support a mix of high-density residential, high-intensity employment/office, civic, entertainment, institutional and pedestrian-oriented retail uses.
- D. Encourage investment in public facilities through quality redevelopment and improvements.
- E. Ensure that new development and redevelopment are designed to minimize traffic, parking and impacts on surrounding residential neighborhoods, and create walkable environments.

If regulations or development standards are not included in this Chapter, refer to the standards in applicable Chapter of Title 19.

(Ord. 7573 § 1(Exh. A), 2021)

19.170.020 Application.

- A. *Application.* The Innovation District (ID) Overlay Zone may be applied to the area bounded to the west by the State Route 91, to the north by State Route 60/Interstate 215, and to the south by Third Street. The ID Overlay Zone may be applied in combination with any existing Base Zone.
- B. *Relationship to ID Master Plan.* The ID Overlay implements the intent and guidelines in the ID Master Plan document.
- C. *Permit requirements.*
 - 1. In addition to any other permits required by the Zoning Code, new building or structure construction, sign or exterior alterations, enlargement of an existing building, structure, or signs shall, pursuant to Chapters 19.710 require Design Review.
 - 2. Minor Conditional Use Permit may be required pursuant to and 19.730.
- D. *Design Standards.*
 - 1. All projects must comply with the standards listed in this Chapter and in effect at the time the development is submitted to the City.
 - 2. Design Review processing and approval does not preclude compliance with all regulations and permitting requirements applicable to the proposed development.
 - 3. When required by this chapter, street dedication and improvements for building permits, the public street or right-of-way must be dedicated and improved consistent with all applicable City standards.

- E. *Existing and Entitled Industrial and Manufacturing Uses.* The ID Overlay Zone authorizes existing and entitled industrial and manufacturing land uses to continue and expand as legal, conforming land uses until such time as they are converted to uses permitted in the applicable ID Overlay Zone Sub-District as set forth in Section 19.170.040 (Permitted Uses).

(Ord. 7573 § 1(Exh. A), 2021)

19.170.030 Sub-districts.

The ID Overlay Zone is divided into Sub-Districts as set forth in Table 19.240.030.

Table 19.170.030 - Innovation District Overlay Sub-District Descriptions	
Sub-District	Sub-District Description
IE - Industrial Emphasis	IE encourages a wide range of industrial, office, and commercial uses that may be integrated vertically and/or horizontally. While predominantly a mix of light industrial and office uses, other standalone uses, such as transportation services and energy-generation facilities, are encouraged. Clean & green industries, such as renewable energy, low-carbon, research and development, and public transportation infrastructure uses are encouraged in this Sub-District.
EE - Employment Emphasis	EE promotes high-intensity vertical mix of office, clean & green industrial, educational, and hospitality uses to be an employment center of regional importance with a limited mix of residential uses to compliment the employment focus. Clean & green industries, including renewable energy, low-carbon, education and training, and research and development are encouraged.
HE - Housing Emphasis	HE accommodates primarily residential housing development supported by ground-floor neighborhood-serving commercial uses and live work opportunities, with limited industrial functions.
ET - Eastside Transition	ET accommodates mid to low-rise buildings with a diverse array of uses, including residential, neighborhood-serving commercial, and limited office uses, that integrate more seamlessly with the neighboring Eastside Neighborhood.
CS - Civic Space	CS allows for greens, squares, and plazas with a variety of Civic Facilities.

(Ord. 7573 § 1(Exh. A), 2021)

19.170.040 Permitted uses.

The following table establishes the permitted land uses and uses permitted subject to the approval of a minor conditional use permit (Chapter 19.730 - Minor Conditional Use Permit) in the ID Overlay Zone Sub-Districts. Table 19.240.040 also identifies those uses that are specifically prohibited. Uses not listed in table are prohibited unless the Community & Economic Development Department Director, or his/her designee, pursuant to Chapter 19.060 (Interpretation of Code), determines that the use is similar and no more detrimental than a listed permitted or conditional use. Any use which is prohibited by state and/or federal law is also strictly prohibited.

Table 19.170.040 - Permitted Uses					
This table identifies permitted uses and uses requiring approval of other permits by zoning designation.					
District	IE	EE	HE	ET	CS
Civic Facilities					
Community Center and Services	X	P	P	P	P
Emergency Shelters	MC	MC	MC	X	P

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(Supp. No. 23, Update 1)

Outdoor Auditorium and Performances	X	MC	MC	X	P
Public Parking Areas and Structured Garages	P	P	MC	MC	P
Transit Mobility Services and Stations	P	P	P	P	P
Commercial Functions					
-Alcohol Sales - On-Premises	P	P	P	MC	P
Assemblies of People - Entertainment (<500 people)	X	MC	MC	MC	MC
Assemblies of People - Non-Entertainment (<500 people)	X	MC	MC	MC	MC
Clean Energy Use	P	P	P	X	X
Day Care (child and senior)	MC	P	P	P	P
Education and Training Facilities	X	P	P	MC	MC
Home Occupations	X	P	P	P	X
Personal Services	P	P	P	P	X
Retail Sales	P	P	P	P	P
Restaurant (Full Service, Limit-Service, Small Shop, excluding drive-thru)	P	P	P	P	P
Shopkeeper Units (predominately work within a living space)	X	P	MC	P	
-Vehicle Repair (indoor only)	P	MC	X	X	X
Veterinarian/Small Animal Clinic	P	P	P	MC	X
Hospitality Functions					
-Convention Services	X	P	P	X	P
Hotel	X	P	P	X	X
Industrial Functions					
-Clean Energy Use	P	P	P	X	X
Heavy-Industries	MC	MC	X	X	X
Light-Industries	P	P	MC	X	X
Outdoor Storage	P	MC	X	X	X
Research Laboratories (wet laboratories/OSHA regulated)	P	P	MC	MC	X
Transportation Facilities	P	MC	X	X	X
Warehousing and Distribution Facilities	P	X	X	X	X
Office Functions					
-Administrative and Professional Facilities	P	P	P	MC	X
Medical Facilities	P	P	MC	MC	X
Research Laboratories (non-OSHA regulated)	P	P	MC	X	X
Residential Types					
-Attached Multiple-Family Dwelling	X	P	P	P	X
Detached Single and Multiple Family Dwelling	X	X	X	P	X
Live/Work Units (predominately living within a workspace)	X	MC	P	MC	X
Single-Room Occupancy Unit (Co-Living)	X	P	P	MC	X
C = Subject to the granting of a conditional use permit (CUP), Chapter 19.760 SP = Site Plan Review Permit, Chapter 19.770 MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730 sq. ft. = Square Feet P = Permitted					

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(Ord. 7573 § 1(Exh. A), 2021)

19.170.050 Application Requirements and Processes.

All application requirements and processes identified in Article IX of this Title shall apply to this Chapter.

(Ord. 7573 § 1(Exh. A), 2021)

19.170.060 Building intensity and location standards.

Table 19.170.060 - Building Intensity and Location This table coordinates specific Building Functions, Intensities, and Location within each Zoning Sub-District.				
Sub-District Function	IE	EE	HE	ET
Civic	Civic space edges shall be completely or predominately bounded by buildings mid-block or at street corners.	Civic spaces may be hybrids and directly with public streetscape elements located mid-block and/or at corners.	Civic space edges shall be completely or partially bounded by buildings and/or located mid-block and street corners.	Civic space edges may be partially bounded by buildings and shall be directly accessible to 3rd Street walkways.
Commercial	1st floor of the primary building on corner lots may be commercial.	Up to 60% of the primary and accessory buildings may be commercial.	Up to 40% of the primary and/or accessory buildings may be commercial.	On corner lots up to 20% of the primary buildings 1st floor shall be commercial.
Hospitality	Not allowed.	Up to 60% of the primary and/or accessory buildings may be hospitality uses.	Up to 80% of the primary buildings may be hotel uses.	Not allowed.
Industrial	Up to 60% of the primary and accessory buildings shall be industrial. <u>Primary and accessory buildings may be industrial.</u>	Up to 60% of the primary buildings may be light industrial and/or clean and green industry. Only 1st floors of accessory buildings may be light industrial and/or clean and green industries.	Only 1st floors of accessory buildings may be light industrial and/or clean and green industries.	Not allowed.
Office	Up to 40% of the primary and accessory buildings may be office.	Up to 100% of the primary buildings may be office.	Up to 40% of the area of the primary and accessory buildings may be	Floors 1 - 2 of the primary buildings may be office. Up to 100% of

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(Supp. No. 23, Update 1)

			office. Only floors 1-2 in the accessory buildings may be office	accessory buildings may be office.
Residential	Not allowed.	Up to 40% of the primary and/or accessory buildings shall be residential. Units are allowed to average >400 square feet.	Up to 100% of the primary buildings may be residential. Units are allowed to average >600 square feet	Up to 100% of the primary and accessory buildings may be residential, except corner lots. Units are allowed to average >800 square feet

(Ord. 7573 § 1(Exh. A), 2021)

19.170.070 Sub-district development standards.

The following diagram illustrates key terms used to define development areas on a lot for this Chapter:

Figure 19.170.070

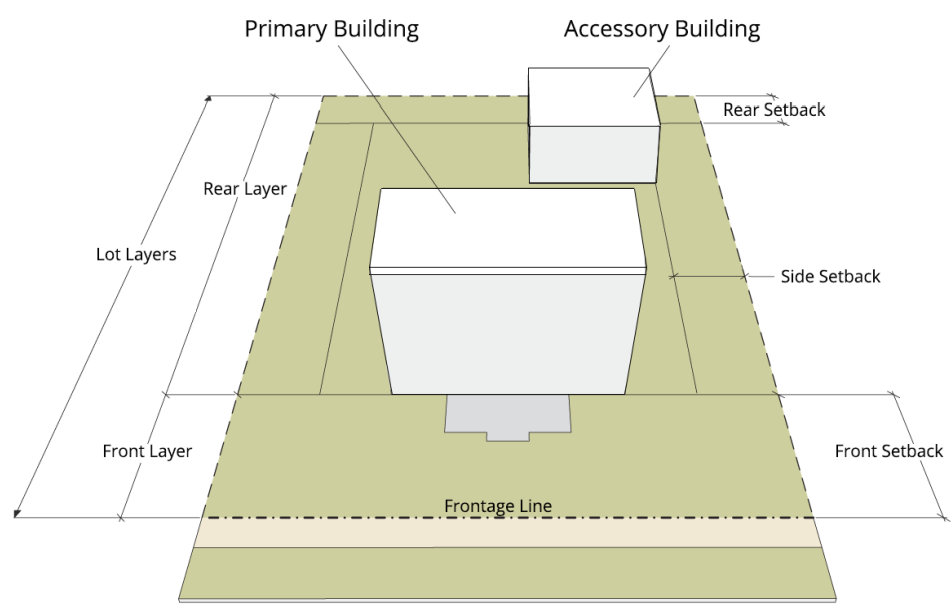
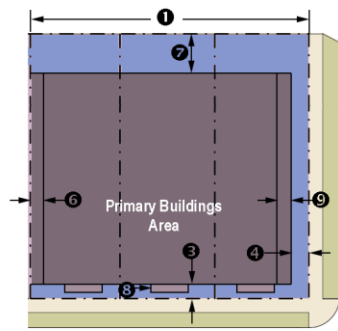
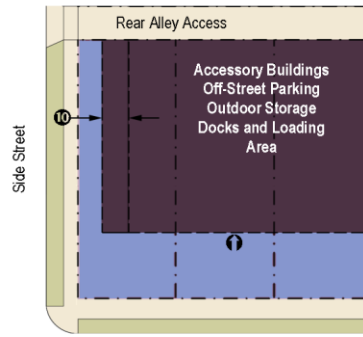


Table 19.170.070 IE - Industrial Emphasis (IE) Sub-District Development Standards

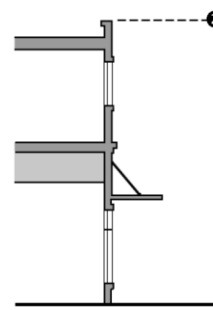
A. Primary Building Location



B. Parking Location and Rear Lot Layer



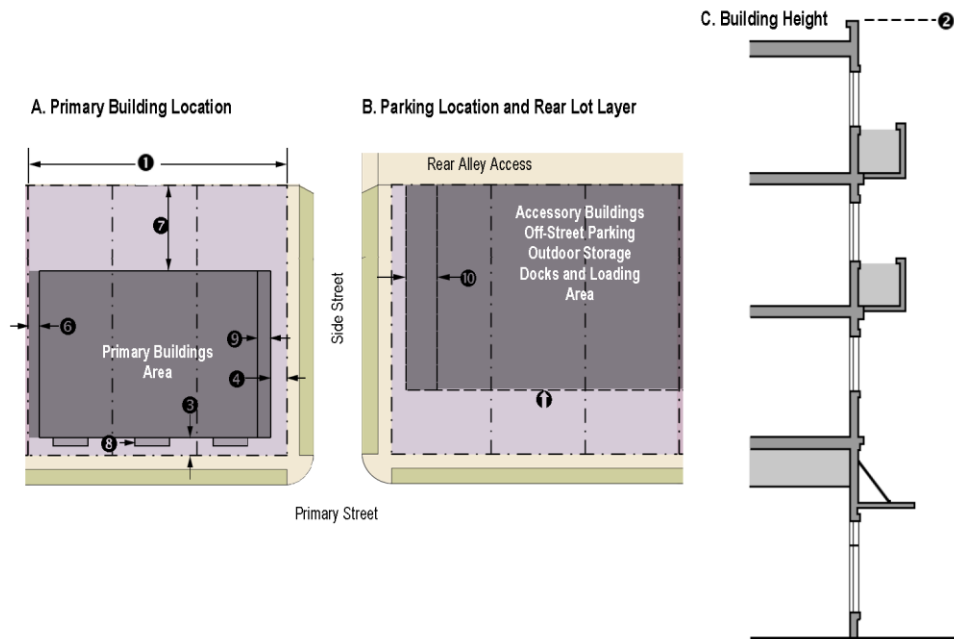
C. Building Height



IE Development Standards		Minimum	Maximum	#
Lot and Density				
Lot Width (ft.)		25	-	①
Floor Area Ratio (FAR)	<u>Sites under 5 acres</u>	1.0	2.0	
	<u>Sites over 5 acres</u>	<u>0.40</u>	<u>N/A</u>	
Residential Density (Lots - Dwelling Units per Acre)		N/A	N/A	
Building Form and Location				
Building Height - Primary Building (<u>Floors</u>)		<u>2 floors-N/A</u>	<u>5 floors/75-feet</u>	②
Building Height - Accessory Building (Floors)		-	3 floors	
Build-to Lines and Setbacks (ft.)				
		5	10	③
<u>Front (Principal Building)¹</u>	<u>Kansas, Massachusetts, and Chicago Avenues</u>	5	10 ²	③
	<u>All Other Frontages</u>	<u>Same as I – General Industrial Zone</u>	<u>N/A</u>	
<u>Front (Front Layer and Principal Building) Side Street</u>		5	10	④
<u>Side Street (Rear Layer and Accessory Building)</u>		5	10	⑤
Interior Side		5	-10	⑥
Rear		10	-10	⑦
<u>Architectural Feature Projection Front (Principal Building)-Encroachment (%)</u>		-	<u>40%-5 feet</u>	⑧
<u>Storage and Loading Area (Principal Building – Front Lot Layer)</u>		5	-	⑨
<u>Outdoor Storage and Loading Area (Accessory Building – Rear Lot Layer)</u>		10	-	⑩
Rear Lot Layer Setback from Primary Frontage Line		25	-	↑
Parking				
Off-Street Parking		<u>2-1 spaces per 51000 sq ft or per Zoning Code, whichever is less</u>	5 spaces per 1000 sq ft	
"#" in the table corresponds with the numbers on the graphic				
¹ <u>Common ground floor open space may encroach into the setback area</u>				

² Eighty percent or more of the building façade shall comply.

Table 19.170.070 EE - Employment Emphasis Sub-District Development Standards



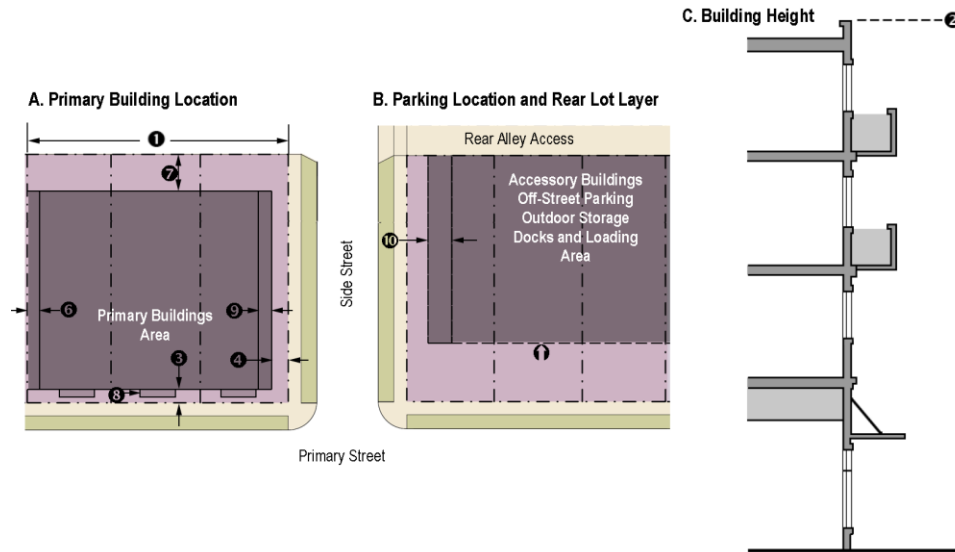
EE Development Standards	Minimum	Maximum	#
Lot and Density			
Lot Width (ft.)	25	300	①
Floor Area Ratio (FAR)	2.0	6.0	
Residential Density (Lots - Dwelling Units per Acre)	30	100	
Building Form and Location			
Building Height - Primary Building (Floors)	2 floors	12 floors/140-feet	②
Building Step-back	4th floor/+55 feet	6th floor/+75 feet	
Building Height - Accessory Building (Floors)	-	6 floors	
Build-to Lines and Setbacks (ft.)			
Front (Principal Building)	0	10	③
Front (Principal Building) Street Side (Primary Street)	0	10	④
Street Side (Secondary) Minimum	5	10	⑤
Interior Side	0	10	⑤
Rear Minimum	5	10	⑦
Front (Principal Building) Encroachment (%)	60%	80%	⑧
Storage and Loading Area (Principal Building - Front Lot Layer)	5	-	⑨
Outdoor Storage and Loading Area (Accessory Building - Rear Lot Layer)	10	-	⑩
Rear Lot Layer Setback from Primary Frontage Line	20	-	↑
Parking			

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(Supp. No. 23, Update 1)

Off-Street Parking	3 spaces per 1,000 sq. ft. for Nonresidential	1.5 space per Residential Housing Unit	
"#"in the table corresponds with the numbers on the graphic			

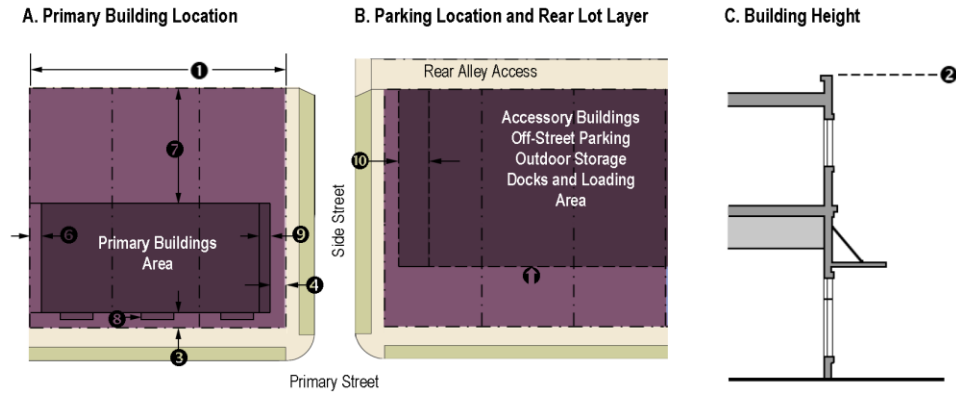
Table 19.170.070 HE - Housing Emphasis Sub-District Development Standards



HE Development Standards	Minimum	Maximum	#
Lot and Density			
Minimum Lot Width (ft.)	25	300	①
Maximum Floor Area Ratio (FAR)	2.0	5.0	
Residential Density (Lots - Dwelling Units per Acre)	30	150	
Building Form and Location			
Building Height - Primary Building (Floors)	2 floors	24 floors/240-feet	②
Building Step-back - Primary Building (Floors and approximate feet)	4 th floor/+55 feet	6 th floor/+75 feet	
Building Height - Accessory Building (Floors)	-	6 floors	
Build-to Lines and Setbacks (ft.)			
Front (Principal Building)	0	10	③
Front (Principal Building) Street Side (Primary Street)	0	10	④
Street Side (Secondary) Minimum	5	10	⑤
Interior Side	0	10	⑥
Rear Minimum	5	10	⑦
Front (Principal Building) Encroachment (%)	60%	80%	⑧
Storage and Loading Area (Principal Building - Front Lot Layer)	5	-	⑨
Outdoor Storage and Loading Area (Accessory Building - Rear Lot Layer)	10	-	⑩
Rear Lot Layer Setback from Primary Frontage Line	30	-	↑
Parking			

Off-Street Parking	2 spaces per 1,000 sq. ft. for Nonresidential	1.5 spaces per Residential Housing Unit	
"#"in the table corresponds with the numbers on the graphic			

Table 19.170.070 ET - Eastside Transition Sub-District Development Standards



D. ET Development Standards	Minimum	Maximum	#
Lot and Density			
Minimum Lot Width (ft.)	25	50	①
Maximum Floor Area Ratio (FAR)	0.5	1.5	
Residential Density (Lots - Dwelling Units per Acre)	15	60	
Building Form and Location			
Building Height - Primary Building (Floors)	1 floor	4 floors/55-feet	②
Building Height - Accessory Building (Floors)	1 floor	4 floors	
Build-to Lines and Setbacks (in Feet)			
Front (Principal Building)	5	10	③
Front (Principal Building) Street Side (Primary Street)	0	10	④
Street Side (Secondary) Minimum	5	10	⑤
Interior Side	10	10	⑥
Rear Minimum	5	15	⑥
Front (Principal Building) Encroachment (%)	0	60	⑦
Storage and Loading Area (Principal Building - Front Lot Layer)	5	-	⑨
Outdoor Storage and Loading Area (Accessory Building - Rear Lot Layer)	10	-	⑩
Rear Lot Layer Setback from Primary Frontage Line	20	-	↑
Parking			
Off-Street Parking	2 spaces per 1,000 sq. ft. for Nonresidential	2 spaces per Residential Housing Unit	
"#"in the table corresponds with the numbers on the graphic			

(Ord. 7573 § 1(Exh. A), 2021)

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19.170.080 Additional standards.

In addition to the requirements outlined in Section 19.240.060, the following shall apply to building placement. The following diagram illustrates key terms used to define development areas on a lot:

A. Additional setback requirements.

~~1. The façade of the primary building shall be built parallel to the primary Frontage Line.~~

~~21. Façade width.~~

~~a. In the EE and HE Sub-Districts, the minimum façade width shall be 80 percent of the lot width.~~

~~b. In the IE and ET Sub-Districts, the minimum façade width shall be 60 percent of the lot width.~~

~~3.~~ Permitted encroachments into the front setback include the following private building frontage elements: stoops (exterior stairs), forecourt terraces (at grade space), light court terraces (below grade space and stairs), recessed arcades and walkways, outdoor dining, green walls, artistic expressions, parking access screening, and planter boxes.

~~42. Maximum Building setbacks.~~

~~a. Buildings shall be located no farther from frontage line than the maximum setback.~~

~~a. (1)~~ For buildings fronting on two ~~primary~~ streets, the front setback shall apply on both frontages.

~~b. (2)~~ For buildings fronting on three or more streets, the front setback shall apply on at least two of the frontages.

~~53.~~ Accessory buildings.

a. Accessory buildings in the rear setback shall be a minimum of 15 feet measured from the centerline of the rear alley easement.

b. In the absence of a rear alley, the rear setback for accessory buildings, the setback shall be a minimum of ten feet.

~~6. Windows and entryways.~~

~~a. All new buildings shall have windows on all perimeter walls oriented towards streets and courtyards.~~

~~b. All new buildings shall have clearly identifiable entry doorways on Front façades.~~

~~74.~~ Exceptions.

a. Outdoor eating areas - Where an outdoor eating area is installed, a portion of the building may be set back up to 12 feet from the frontage line, if at least 80 percent of the building facade is at the frontage line.

~~b. Temporary mixed-use areas - A temporary use may be allowed on vacant lots in EE and/or HE Sub-Districts to activate the site if it meets the Sub-District's general intent as defined in this title.~~

B. Façade width.

a. In the EE and HE Sub-Districts, the minimum façade width shall be 80 percent of the lot width.

b. In the IE and ET Sub-Districts, the minimum façade width shall be 60 percent of the lot width.

C. Building heights.

1. Heights do not apply to attics, parapets, belfries, clock towers, chimney flutes, water tanks, elevator bulkheads or tower.
2. Residential building floor to finished ceiling height must be a minimum of ten feet in HE, EE, and ET Sub-Districts, except for ground or first floor live-work uses which do not have a minimum.
3. For development projects in all Sub-Districts that adjoin the ET Sub-District, the maximum building height shall be 65 feet within 20 feet of the ET Sub-district.

D. Façade glazing and openings.

1. The ground floor façade of primary buildings with commercial and/or office uses shall be a minimum of 70 percent glazed area.
2. Ground floor openings shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are three feet deep or more.
- ~~3. Openings above the first floor shall not exceed 70 percent of the total building front wall, with each façade being calculated independently.~~
- ~~43.~~ In the EE, HE and ET Sub-Districts, a continuous plane of any building façade shall not exceed 20 feet without an opening.

~~54.~~ Exceptions to glazing.

- a. In the ~~ID-IE~~ Sub-District, multi-level parking facilities, where permitted, are not required to meet the ground-floor transparency requirement (refer to development standard, C1 above).
- b. If buildings are in rear layer ~~behind primary buildings,~~ and not visible from the adjacent public street, the building ground-floor transparency requirement shall not ~~apply be~~ required (refer to development standard, C1 above).

E. Windows and entryways.

~~a1.~~ All new buildings shall have windows on all perimeter walls oriented towards streets and courtyards.

~~b2.~~ All new buildings shall have clearly identifiable entry doorways on Front façades.

F. Loading areas.

1. Truck docks, loading, storage yards, and service areas are permitted within the rear layer on rear alley and lanes.
2. Loading, storage yards, and service areas shall be located on the side or rear of buildings and shall not face a ~~primary~~ street.

G. Open space.

1. Common ground floor open space.
 - a. Common ground floor open space is to be used for enhanced landscaping and passive/active gathering areas. Common ground floor open space does not include land occupied by streets,

driveways, parking areas, service areas, required landscape areas or required front and street side yards.

~~a~~b. Common ground floor open space may be provided in lieu of providing individual open space for each unit within the first four floors above the ground floor.

~~b~~c. In the IE, EE and HE Sub-Districts, common ground floor open space, including, but not limited to terraces, courtyards, plazas, and patios, is required and must be directly accessible from within the primary building.

d. In the IE Sub-district, common ground floor open space adjacent to the public right-of-way shall be screened with decorative wall compliant with the development standards below (Section L.3).

e. Minimum Dimensions

i. Common ground floor open space shall be provided at a rate of 70 square feet per 1,000 square feet of building area or a minimum of 7,000 square feet, whichever is less.

ii. Each cCommon ground floor open space area shall have a minimum horizontal dimension of 20 feet in width in width and shall be a minimum of 7,000 square feet.

2. Common upper floor open space—Mixed-use buildings.

a. In the EE and HE Sub-Districts, common upper floor open space, including, but not limited to, balconies, decks, terraces, common open space, and rooftops, is required for every five floors above the first four floors and the on the rooftop.

b. Common upper floor open space is required for every for every five floors above the first four floors and the on the rooftop, in addition the private open space required in this section.

c. Common upper floor private open space shall have a minimum horizontal dimension of six feet in width and shall be a minimum of 2,000 square feet.

3. Private upper floor open space—Residential units.

a. Private upper floor open space shall include a balcony, deck, patio, porch that is directly accessible by a doorway from a habitable room within the residential unit.

b. For each residential unit located on the fifth floor or higher, a private upper floor open space shall be a minimum 24 square feet.

~~F~~H. Outdoor retail sales and merchandise display.

1. All outdoor retail sales and merchandise displays shall be directly accessible to the primary business.

2. Outdoor retail sales and merchandise displays shall not obstruct ingress and egress to a building, hinder accessibility, obstruct fire lanes, interfere with vehicular circulation, or sight distance, or be in landscaped areas.

3. Outdoor retail sales and merchandise displays shall not exceed five percent of the total gross floor area of the business, or 200 square feet, whichever is less.

4. Display merchandise shall not exceed a height of six feet above finished grade.

5. The temporary use of a parking or undeveloped area for outdoor retail sales, merchandise displays, and entertainment is permitted with a temporary use permit as defined in ~~this title~~the Zoning Code.

~~G~~. Outdoor storage.

- ~~1. 1.~~ For nonresidential uses, storage shall be located in the rear layer of the lot and not visible from streets.
- ~~2. Storage shall be located behind the rear most wall of the building, or 50 feet, whichever is less.~~
- ~~3. 2.~~ In the EE, HE and ET Sub-Districts, storage shall be a maximum ten percent of the gross floor area of the use or 600 square feet, whichever is less.
- ~~4. 3.~~ In the IE Sub-District, storage shall be a maximum ~~40-10~~ percent of the gross floor area of the use or 1,000 square feet, whichever is less ~~lot area.~~

~~H~~. Parking.

1. Screening.
 - a. For lots without a primary building, parking shall be fully screened using landscaping, ~~a decorative~~, opaque walls, or other rigid materials to screen any parking spaces located in the front layer.
 - b. Screening shall be a minimum ~~40~~36-inches in height.
 - c. Screening shall be setback a minimum of two-feet from the frontage property line.
2. Off-street parking shall be ~~set in the rear layer and~~ set-back a minimum of 25 feet from the frontage property line.
 - a. Parking may be setback a minimum of 10 feet from the street adjacent property lines, if a decorative wall compliant with the development standards below (Section L.3) is provided to screen the parking.
- ~~3. Exceptions to off-street parking requirement may be granted for short-term customer parking, drop-off, and public-private partnership car share spaces.~~

~~K~~. Pedestrian network connectivity.

1. An internal network of pedestrian walkways shall connect: 1) all buildings on a site; 2) on-site automobile and bicycle parking areas; 3) sidewalks; and 4) any on-site common open space or amenity.
2. Private, internal walkways shall be a minimum of six feet wide, hard surfaced/paved with concrete, stone, tile, brick, or comparable material.
3. When walkways cross driveways, parking areas, or loading areas, clearly identifiable markings shall be required and may include a raised crosswalk, a different paving material, or similar method.
4. Where a walkway is parallel and immediately adjacent to a ~~n auto access alley drive aisle~~, clearly identifiable markings shall be required to separate the walkway from the auto travel lane using a raised curb, bollards, or other physical barriers.

L. Edge conditions.

1. Building pads sited along Massachusetts Avenue, between Kansas and Chicago Avenues, shall be equal to the grade of the public right-of-way.
2. All developments shall provide parkway adjacent sidewalks along Massachusetts Avenue.
3. Fences and walls facing public rights-of-way require a minimum setback of 5-feet from the property line.

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- a. Fences and walls are not permitted to be located between the building and the public right-of-way.
 - b. Height of fences and walls facing public rights-of-way may be a maximum of 6-feet in height. Provided that the bottom 2/3s of the wall is solid, and the upper 1/3 of the wall is openwork.
 - c. Fences and walls facing public rights-of-way shall be constructed of a minimum of two decorative materials.
 - 4. Site Plan shall be designed to prevent the queuing of trucks on streets or elsewhere outside of facility.
- M. Temporary mixed-use areas.
- 1. A temporary use may be allowed on vacant lots in EE and/or HE Sub-Districts to activate the site if it meets the Sub-District's general intent.

(Ord. 7573 § 1(Exh. A), 2021)

19.170.090 Nonconformities.

- A. Land uses and structures legally established that do not conform to this chapter may continue to exist and operate as legal, conforming uses.
- B. Expansion of such uses and structures shall be limited as follows:
 - 1. The gross floor area may be expanded up to ten percent of the existing gross floor area of structures on the premises through a design review.
 - 2. The gross floor area of previously conforming uses and structures may be expanded up to 50 percent of the existing gross floor area of structures on the premises through a minor conditional use permit.
 - 3. Within the HE Sub-district, existing conforming nonresidential uses may be replaced with other conforming, nonresidential uses without complying with the 80 percent residential land use requirement for new development.

(Ord. 7573 § 1(Exh. A), 2021)