

16.16.040 Transit Development Oriented Overlay.

A. Transit Oriented Development Overlay District. The purpose of the Transit Oriented Development (TOD) Overlay District is to allow a mixture of residential and non-residential development in close proximity to transit to encourage mixed land uses for enhanced transit and pedestrian activity. This designation is applied to parcels as shown in the official zoning map.

1. The TOD Overlay District is intended to:

a. Stimulate economic development and reinvestment through regulations based upon recognized urban design principles that allow property owners to respond with flexibility to market forces;

b. Create a pedestrian-oriented mix of uses with convenient access to transit between area neighborhoods, housing, employment centers, and retail services;

c. Accommodate intensities and patterns of development that can support multiple modes of transportation including public transit, bicycles, and walking;

d. Facilitate well-designed new mixed-use development projects that combine residential and nonresidential uses (e.g., office, retail, business services, personal services, public spaces and uses, other community amenities, etc.) to promote a better balance of jobs and housing;

e. Ensure compatibility with adjacent existing single-family neighborhoods and harmonious integration with existing commercial areas;

f. Encourage the development of a unique zone character through a streetscape that provides attractive features (e.g., landscaping, street furniture, niche or linear parks, public places, courtyards, public transportation shelters; etc.) designed to integrate the public realm (e.g., streets, sidewalks, etc.) with development on adjacent private property; and

g. Provide additional development opportunities. This intent is achieved by providing additional development rights in compliance with this chapter, which property owners may exercise under certain conditions, while retaining all development rights conferred by the underlying zone to property owners in the TOD Overlay Zone. Incentives and advantages include allowing a greater range and mix of uses and specifying more permissive dimensional specifications (e.g., greater building heights; reduced setbacks; etc.).

B. Authority and Applicability. The provisions of the TOD Overlay District supplement those of the applicable underlying zoning district. Where the TOD Overlay District and base zone provisions conflict, the standards and regulations of the TOD Overlay District shall apply. A TOD shall be processed in accordance with chapter 16.56 Development Plan Permits.

C. Allowable Uses and Permit Requirements. All uses in the applicable underlying zoning district are allowed. In addition, the following land uses shall also be permitted in the TOD Overlay District:

1. Multi-Family Residential;

2. Mixed-Use Development, where residential and nonresidential uses are integrated vertically or horizontally, including live/work opportunities; and

3. Other similar uses compatible with the objectives of the TOD as determined by the director.

D. General Development Standards. New land uses and structures, and alterations to existing land uses and structures within the TOD Overlay District, shall be designated, constructed, and/or established in compliance with the requirements of the base zones, with the following exceptions:

Development Feature	All Zones Within TOD Overlay District
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Front Setbacks	10 foot minimum to 20 foot maximum
Maximum Height Limit	150 feet
Publicly Accessible Open Space (for nonresidential uses as part of mixed-use development only)	10% of net lot area
Residential Density Range	Minimum 30 du/acre
Private Residential Open Space (for all multi-family residential uses)	50 sq. ft. per unit
Common Residential Open Space (for stand-alone multi-family residential developments only)	150 sq. ft. per unit
Recreational Amenities/Facilities (for stand-alone multi-family residential developments and mixed-use developments)	For projects containing 25 or more dwelling units, provide one recreational amenity for each 30 dwelling unit or fraction thereof

1. Open Space: The following standards shall apply to the requirements for open space:

a. Usable Open Space Defined. Usable open space areas are an open area or an indoor or outdoor recreational facility which is designed and intended to be used for outdoor living and/or recreation. Usable open space shall not include any portion of parking areas, streets, driveways, sidewalks, or turnaround areas.

b. Usable Open Space Requirements.

i. Publicly Accessible Open Space.

a. All new non-residential development as part of a mixed-use project shall provide 10% of the total net lot area of publicly accessible open space as a percentage of the total development site, as indicated in the above table.

b. Publicly accessible open space can consist of plazas, courtyards, landscaping, community gardens, hardscapes, outdoor dining, pedestrian walkways, or any other feature that is accessible by the public and deemed appropriate by the director.

c. Publicly accessible open space areas shall not include parking areas, driveways, sidewalks or rear setback areas, but may include front or side setback areas provided that they are integrated into the overall design of the project.

d. Publicly accessible open space areas shall be installed at ground level and be incorporated into the design of the development.

ii. Private Residential Open Space.

a. For stand-alone multi-family residential projects or as part of a mixed-use development, each residential unit shall be provided with at least one area of private open space accessible directly

from the living area of the unit, in the form of a fenced yard or patio, a deck or balcony at a minimum area of fifty (50) square feet.

- b. The minimum dimension, width or depth, of a balcony shall be five (5) feet.

iii. Common Residential Open Space.

- a. For stand-alone multi-family residential developments, each residential unit shall be provided with at least one hundred fifty (150) square feet of common residential open space.
- b. All common open space shall be conveniently located and accessible to all dwelling units on the site.
- c. Common open space areas may include landscaping, pedestrian paths, and recreational facilities.
- d. In projects containing fewer than ten (10) units, the common open space shall have a minimum width and depth of ten (10) feet. In projects containing ten (10) or more units, the minimum width and depth shall be twenty (20) feet.

iv. Recreational Amenities/Facilities.

a. For projects containing twenty-five (25) or more residential units in stand-alone multi-family residential developments and as part of a mixed-use development, one common recreational amenity shall be provided for each thirty (30) units or fraction thereof. The following listed amenities satisfy the above recreational facilities requirements. Recognizing that certain facilities serve more people than others, have a wider interest or appeal, and/or occupy more area, specified items may be counted as two (2) amenities, as noted. In all cases, each square foot of land area devoted to a recreational amenity shall be credited as common open space on a 1:1 basis.

- i. Clubhouse (two);
- ii. Swimming pool (two);
- iii. Tennis court (one per court);
- iv. Basketball court (one per court);
- v. Racquetball court (one per court);
- vi. Weightlifting facility;
- vii. Children's playground equipment;
- viii. Sauna;
- ix. Jacuzzi;
- x. Day care facility (two);
- xi. Other recreational amenities deemed adequate by the planning director.

E. Design Standards. The following design standards are provided to ensure a level of quality that must be complied with or satisfied in all residential and non-residential developments within the TOD Overlay District. Standards are mandatory requirements for all development within the TOD Overlay District, and supplement the standard provisions required for the base zones. Where the TOD Overlay District and base zone provisions conflict, the standards and regulations of the TOD Overlay District shall apply. Deviations from specific standards may be allowed in compliance with Chapter 16.72: Variances. Development within the TOD Overlay District shall be responsive to its context and compatible with adjacent development, and shall enhance transit and pedestrian activity.

1. Site Plan Design.

a. Land Use Buffering. Loading areas, access and circulation driveways, trash, storage areas, and mechanical equipment related to commercial uses shall be located as far as possible from adjacent residences and residential portions of mixed use developments.

b. Building Orientation. Placement of buildings shall be done in consideration of existing and planned uses, and generally consistent with the following standards:

i. Buildings shall be oriented to face public streets.

ii. Building frontages shall be generally parallel to streets, and the primary building entrances shall be located on a public street.

iii. Building entrances shall be emphasized with special architectural and landscape treatments.

iv. Entrances located at corners shall generally be located at a forty-five (45) degree angle to the corner and shall have a distinct architectural treatment to animate the intersection and facilitate pedestrian flow around the corner. Different treatments may include angled or rounded corners, arches, and other architectural elements. All building and dwelling units located in the interior of a site shall have entrances from the sidewalk that are designed as an extension of the public sidewalk and connect to a public sidewalk.

v. Entrances to residential units shall be physically separated from the entrance to the permitted commercial uses and clearly marked with a physical feature incorporated into the building or an appropriately scaled element applied to the facade.

vi. Optimize building orientation for heat gain, shading, daylight, and natural ventilation.

c. Parking Areas. The following design standards apply and design guidelines shall be considered:

i. Automobile parking, driving, and maneuvering areas shall not be located between the main building and a street. For sites that abut a street, parking may be located at the rear of the building or on one or both sides of a building.

ii. Shared parking is encouraged. On lots serving more than one use, the total number of spaces required may be reduced, provided that the applicant submits credible evidence to the satisfaction of the director that the peak parking demand of the uses do not coincide, and that the accumulated parking demand at any one time shall not exceed the total capacity of the lot.

iii. Where feasible, ingress and egress from parking shall be from side streets or alleys.

iv. Surface parking lots shall be located in the rear of the building.

v. Surface lots shall be screened along all public sidewalks by a landscaped buffer, or a combination of landscape and walls compatible with adjacent architecture.

vi. Surface parking lots shall have well-designed and marked pedestrian walkways and connections to the sidewalk system.

vii. Subterranean parking and parking garages are allowed.

d. Landscape and Open Space. The area between a building or exterior improvement and the property line for non-residential developments shall:

i. Include substantial landscaping to create a pedestrian-friendly environment: or

ii. Be paved with a hard surface so that it functions as a wider public sidewalk for use by pedestrians (the use of porous paving materials for hard surfacing is encouraged): or

iii. Contain public spaces that include entry courtyards, plazas, entries, or outdoor eating and display areas that include pedestrian amenities such as seating areas, drinking fountains, and or other design elements such as public art and planters.

e. Transition of Density.

i. Where new projects are built adjacent to existing lower-scale residential development, the building types, massing, and orientation shall be compatible with the existing development.

ii. Windows and floor balconies of the new development shall be positioned so they minimize views onto neighboring properties.

f. Building Facades. The following design standards apply to nonresidential or mixed-use developments:

i. All buildings shall provide a main entrance on the facade of the building facing a transit station or streets leading to a transit station.

ii. Facades over fifty (50) feet in length should be divided into shorter segments by means of facade modulation, repeating window patterns, changes in materials, canopies or awnings, varying roof lines and/or architectural treatments.

iii. The ground floor of a front commercial facade should contain a minimum of fifty (50) percent glass.

iv. Architectural style and materials shall be compatible with the surrounding area. And facades must provide a visually interesting environment.

v. All buildings shall articulate the line between ground and upper levels with a cornice, canopy, balcony, arcade, or other visual device.

g. Street Frontage Improvements. New development shall provide street frontage improvements between the property line and curb in accordance with the following:

i. Pedestrian amenities. Trash receptacles, benches, bicycle racks, public art, planters, and other street furniture shall be provided,

ii. Street lights. Pedestrian scaled street lights shall be provided.

iii. Street Trees. Shade trees shall be planted at least thirty (30) feet on center, or as approved by the director, and require minimal maintenance and are native in origin.

h. Signage.

i. A sign program shall be required in accordance with Chapter 16.38.

(Ord. 482-13 § 2, 2013)