

## EXHIBIT A

### NEW VMC 20.670, THE HEIGHTS PLAN DISTRICT

#### CHAPTER 20.670 THE HEIGHTS (HX) PLAN DISTRICT

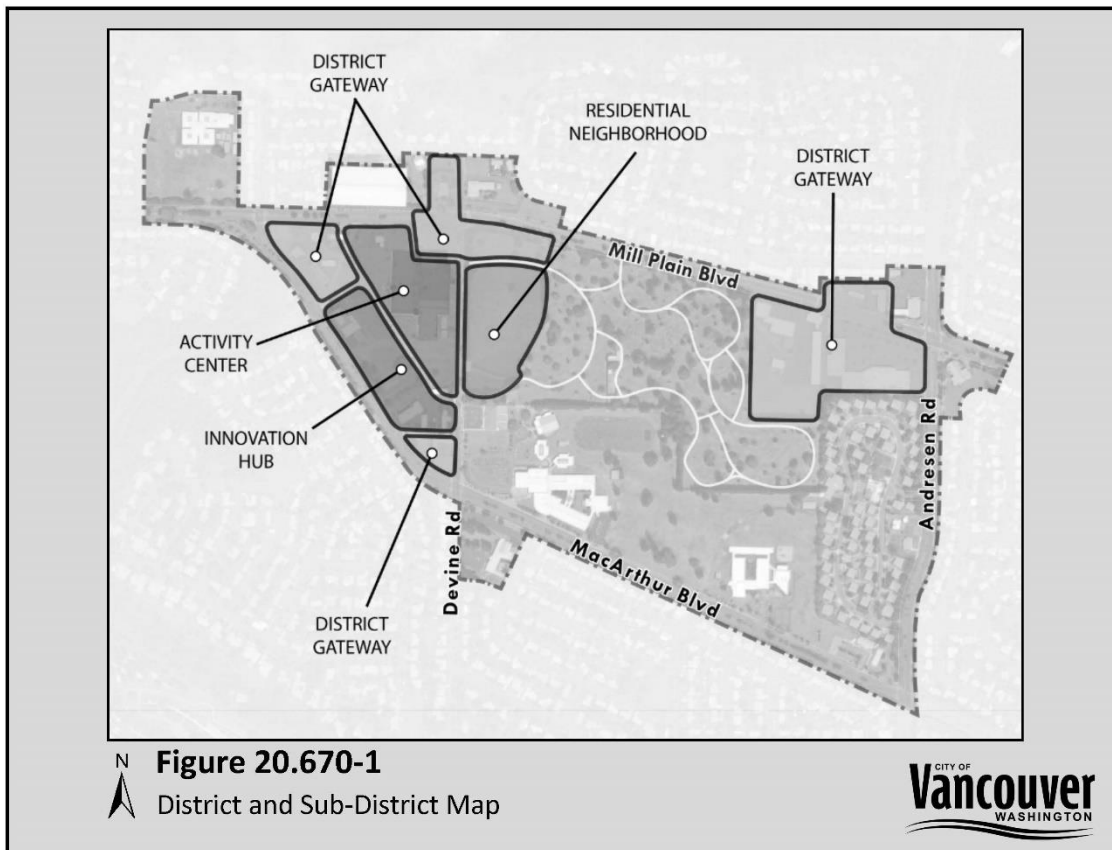
##### 20.670.010 Purpose

The Heights District is envisioned as a vibrant neighborhood center that is sustainable, healthy, equitable, accessible and safe, and includes a mix of complementary uses, engaging public open space, diverse housing affordable to a wide range of community members and safe multimodal travel opportunities within the district and to transit and nearby neighborhoods. The purpose of the Heights Mixed Use (HX) Plan District is to implement the vision, goals, and policies of the Heights District Plan, and ensure future development is integrated, cohesive, context sensitive and contributes to the overall District Vision.

##### 20.670.020 Applicability

These standards apply to the properties within the subdistrict areas shown on Figure 20.670-1. These standards shall be in addition to other applicable standards of Vancouver Municipal Code or state law, and shall supersede those standards where they conflict

**Figure 20.670-1.** District and Sub-District Map

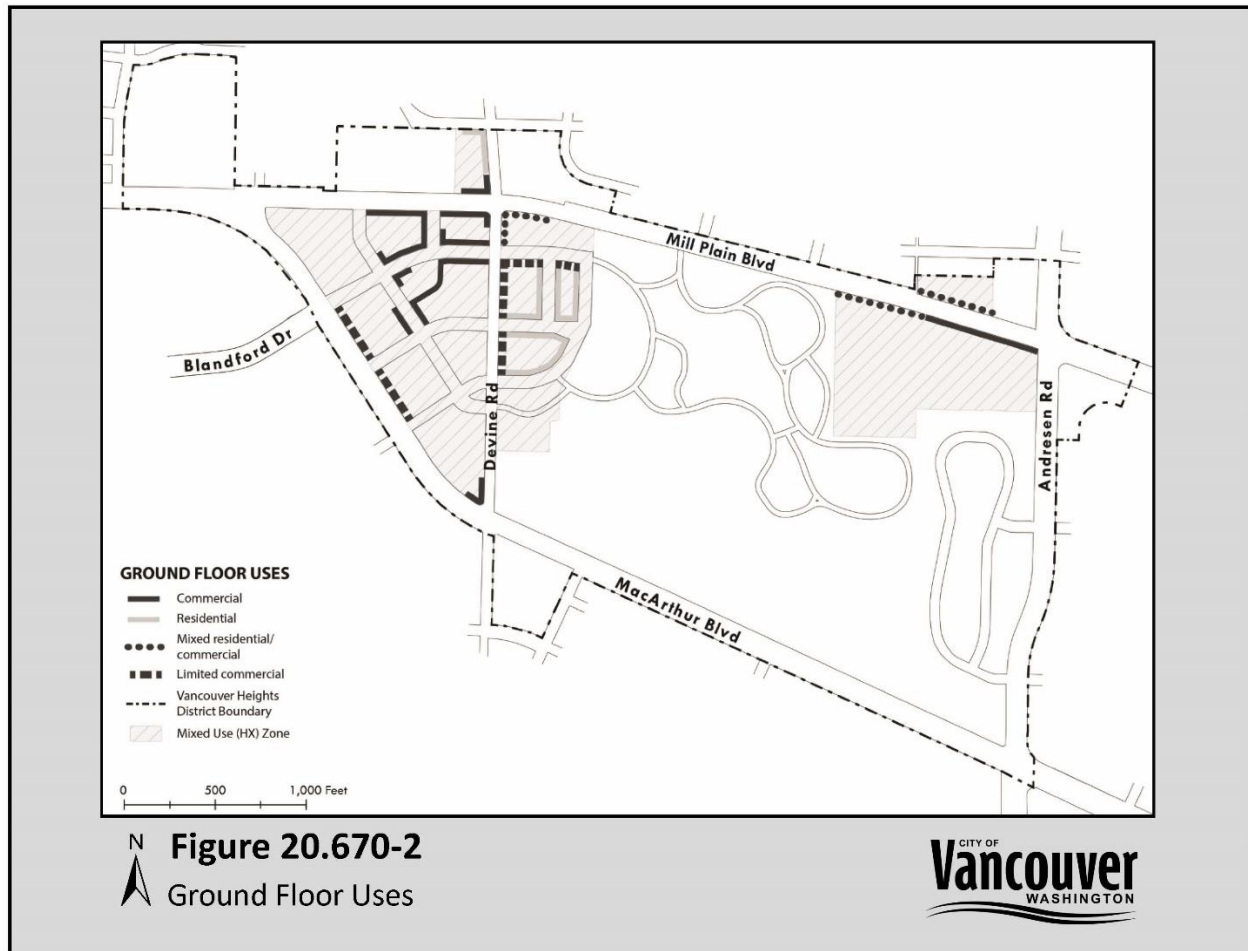


### **20.670.030 Regulation of Uses**

A. Uses are allowed as specified in Table 20.430.030-1 and as shown in Figure 20.670-2, subject to standards and guidelines for The Heights District established in this Chapter.

B. *Ground Floor Use Regulation by Frontage Type.* Ground floor uses shall be regulated by Frontage Type as shown in Figure 20.670-2.

1. Commercial frontage:
  - a. All commercial uses, except office uses allowed
  - b. Residential uses prohibited except residential lobbies and entrances associated with upper story residential uses are allowed but limited to 25% of the total length of the street frontage
  - c. Institutional uses prohibited
2. Residential frontage:
  - a. Residential uses allowed
  - b. Commercial and institutional uses are prohibited
3. Mixed Residential/Commercial frontage:
  - a. Commercial uses allowed
  - b. Residential uses allowed but limited to no more than 50% of the total length of street frontage
  - c. Institutional uses prohibited
4. Limited Commercial frontage:
  - a. Residential uses allowed
  - b. Commercial uses allowed but limited to no more than 25% of the total length of street frontage
  - c. Institutional uses prohibited



**Figure 20.670-2.** Ground Floor Use Map

*C. Live/work uses and standards.*

**Live/Work.** A commercial space where residential and commercial uses are combined and where the dwelling unit is the principal residence of the business operator/proprietor.

**1. Uses.**

- a. Live/work uses are permitted where commercial uses are permitted in the District Gateway and Innovation Hub sub-districts of the HX District.
- b. The following commercial uses are prohibited in live/work units.
  1. Any use not permitted in the HX District, as specified in Table 20.430.030-1;
  2. The retail sale of food and/or beverages with customers arriving on-site. This does not include online (Internet) sales, mail order, or off-site catering preparation;
  3. Entertainment, drinking, and public eating establishments;
  4. Veterinary services, including grooming and boarding, and the breeding or care of animals for hire or for sale;
  5. Businesses that involves the use of prescription drugs.

- c. A live/work unit is allowed instead of, or in addition to, a home occupation.
- d. The residential and the commercial space must be occupied by the same tenant, and no portion of the live/work unit may be rented or sold separately.

2. Standards.

- a. The commercial use may occupy a maximum of 50 percent of the unit floor area.
- b. Residential uses are permitted above, to the side, or in back of the commercial use, provided that there is internal access between the residential and commercial uses;
- c. Signage intended to promote on-site commercial uses shall be restricted to two square foot signs permanently affixed to door or wall of the commercial use;
- d. No more than one employee (excluding residents of the dwelling unit) shall work or report to work on the premises, and the employment of any persons who do not reside in the live/work unit shall comply with all applicable building code requirements;
- e. Off-site impacts of the commercial use, such noise, glare, and vibration, shall be subject to City performance standards in VMC 20.935.030; and
- f. Explosive, toxic, combustible, or flammable materials in excess of what is allowed incidental to permitted residential uses shall not be stored or used on the premises.

## 20.670.040 Design and Development Standards

### A. MASSING AND SCALE

- 1. *Minimum Density.* The minimum residential densities in Table 20.670.040-1 shall apply in the HX District.

**Table 20.670.040-1.** Minimum Residential Density

Sub-District	Minimum Density
Activity Center	75 dwelling units/acre
Residential Neighborhood	45 dwelling units/acre
Innovation Hub	30 dwelling units/acre
District Gateway	30 dwelling units/acre

- 2. *Building Heights.* The building height standards in Table 20.670.040-2 shall apply in the HX District.

**Table 20.670.040-2** Maximum Building Heights

Sub-District	Maximum Height
Activity Center	Maximum of 85 feet
Residential Neighborhood	Maximum of 85 feet
Innovation Hub	Maximum of 50 feet
District Gateway	Maximum of 50 feet not abutting residentially-zoned properties

Sub-District	Maximum Height
	Maximum of 40 feet abutting residentially zoned properties
	Maximum of 35 feet fronting Idaho Street

Note: For the Heights District, abutting is defined as sharing a property line with residentially zoned property

3. *Height exceptions.* In addition to the height exceptions allowed by VMC 20.910.030, maximum height limitations set forth in this Chapter and elsewhere in this Title shall apply to the following in the HX District:

- a. Parapets and railings. Parapets and rooftop railings may extend 4 feet above the maximum height limit;
- b. Walls or fences located between individual rooftop decks may extend 6 feet above the maximum height limit if the wall or fence is set back at least 4 feet from the edges of the roof;
- c. Rooftop mechanical equipment, any required screening for the mechanical equipment, and stairwell enclosures that provide rooftop access may extend above the maximum height limit as follows, with the requirement that the equipment and enclosures must be set back at least 15 feet from roof edges on street-facing facades:
  - 1. Elevator mechanical equipment may extend up to 16 feet above the maximum height limit; and
  - 2. Other mechanical equipment, required screening, and stairwell enclosures may extend up to 10 feet above the maximum height limit.
- d. Roof-mounted solar energy production equipment may extend up to 3 feet above the maximum height limit; and
- e. Wind energy production equipment may extend up to 30 feet above the maximum height limit.

4. *Building step downs and transitions.* In the District Gateway sub-district, building heights shall be reduced to a maximum of 40 feet within 60 feet of a shared property line with residential uses, and a maximum of 35 feet within 140 feet of Idaho Street.

5. *Building facades.* Building facades shall not exceed 165 feet in length without an intervening break.

6. *Build to Line.*

- a. Building shall comply with the provisions of VMC 20.630.020 that describe building lines provisions for street frontages except no portion of the structure shall extend into the right of way except as specified in VMC 20.670.040.E.2. Residential uses may include setbacks per VMC 20.670.040.C.2.
- b. Setbacks for pedestrian amenities. Setbacks up to 20 feet for up to 50% of the building frontage is allowed if the setback is used for a walkway, plaza, courtyard, or other pedestrian-oriented amenity or public space.

7. *Ground floor plane.* For buildings five stories and above, the maximum ground floor plate area shall not exceed 16,000 square feet. An option to this standard is to demonstrate

significant massing breaks in the building façade to include recessed breaks (minimum of 20 feet in length and depth) and ground plane openings as pedestrian connections.

#### **B. MODULATION AND FAÇADE ARTICULATION**

1. *Ground floor transparency.* Buildings with ground floor commercial uses visible from the public way or public areas such parks and other publicly accessible space shall have a minimum 75% ground level façade transparency between 2 feet and 8 feet above sidewalk grade.
2. *Ground floor to floor height.* The ground floor of buildings shall have a minimum of 16 feet building floor to floor height.
3. *Modulation.* A minimum building modulation along the façade shall be one foot in depth and the minimum width shall be five feet.
4. *Building entry.* Main entrances shall be easily identifiable through the use of building articulation and modulation. Avoid recessed doorways to provide high visibility from the public way.

#### **C. ENTRANCES**

1. *Ground floor level.* Ground floor residential uses shall be elevated above the sidewalk grade a minimum of 2 feet 6 inches to create privacy adjacent to the public realm. For these units, ensure an alternate access point that is accessible (as required by the Building Code)
2. *Entryways.* Ground floor residential entrances shall be setback from the property line a minimum of 6 feet and a maximum of 10 feet to ensure privacy from the public realm. Porches, patios, private spaces allowed within the setback.
3. *Recessed ground floor level.* Recessed ground floors shall be restricted to one level height, except at main entrances.
4. *Vehicle entries.* For mixed use residential and commercial buildings requiring vehicular garage entrances, the garage opening shall be setback from the building frontage a minimum of six feet. Adhere to all required visual sight setbacks.
5. *Townhome Garage Parking.* A minimum of 3-foot setback shall be applied for alleyway garage or tuck under parking.

#### **D. ROOF FORMS**

1. *Roof lines.* The length of any continuous flat roofline shall not exceed more than 100 feet without modulation. The minimum modulation for roof lines is 3 feet.
2. *Roof Materials.* Roof materials shall meet the minimum SRI (solar reflectance index) standards to reduce urban heat gain. Inappropriate materials such as wood singles, cement tiles and plastic slate and shingles shall be discouraged.
3. *Roof Top Projections.* Elevator cores, stair projections, solar panels and mechanical equipment shall be incorporated into the architecture of the building with consistent building materials. See VMC 20.670.040(A)(3) for provisions regarding height, setbacks, and screening of roof top features.
4. *Roof Decks.* Accessible roof decks shall provide safety setback standards from the roof edge and mechanical equipment as required.

#### **E. SECONDARY ARCHITECTURAL FEATURES**

1. *Visual Interest.* Add visual depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design.
2. *Encroachment.* A building's enclosed occupiable space shall not encroach into the right-of-way, with the exception of bay windows or balconies. Bay windows and balconies shall not extend more than 4 feet into the right-of-way and 30% of width of residential units or 50% of the width of hospitality units.
3. *Weather Protection.* Overhead weather protection shall be provided along all streets with a minimum clear height of 10 feet and maximum clear height of 15 feet consistent with the provisions of VMC 20.630.030 except in instances where the pedestrian amenities articulated in section A.6.b of this chapter are utilized.
4. *Pedestrian oriented features.* At least 75% of the width of any new or reconstructed ground-level building wall facing a street shall be devoted to pedestrian-oriented features or material variation, pedestrian entrances and/or windows affording views into retail, storefront, office or lobby space.
5. *Blank walls.* Continuous blank walls shall not exceed 15 feet in length. Where blank walls are present, incorporate a range of design approaches such as green walls, façade articulation, art or other approved applications to create interest at the adjacent pedestrian area.

#### F. MATERIALS AND COLORS

1. *Prohibited materials.* The following are prohibited exterior building materials: plastic laminate, glossy or large expanses of acrylic or plexiglass, pegboard, mirror, highly polished or plated metals (except as a trim), mirrored glass, fabric or paper wall coverings, plywood or particle board, sheet or modular vinyl, shingles, shakes and horizontal lap siding.
2. *Mechanical equipment.* Mechanical equipment and above grade utilities shall be located or screened with quality materials to minimize visual impact on the public right-of-way.

#### G. LANDSCAPE DESIGN

1. *Adaptive Plant Types.* Use the Heights-specific Preferred Native and Adaptive Plant Species List as a primary resource for all at-grade planting areas both on site and within the public right-of-way. If the plant species are not available, applicants shall submit no less than five (5) statements from wholesale plant nurseries stating that plant materials are not available. If the Planning Official approves, applicants must provide plant substitutions that meet the same characteristics of the preferred plants such as but not limited to size, shape, fall color, flower, genetic potential. The characteristics must come from objective sources, such as books, manuals, or green industry cut sheets. The full Heights-specific Native and Adaptive Plan Species List can be found in the Heights District Urban Design Standards and Guidelines, Appendix 1.0
2. *Landscape requirements.* All development will meet or exceed landscaping standards in VMC 20.925.030-1 for the HX zone.
3. *Tree Cap Program.* Establish minimum standards for The District consistent with the City of Vancouver Tree Canopy Achievement Program (Tree CAP) neighborhood Gold Leaf standard for neighborhoods. More information about the City of Vancouver Tree CAP program can be found at: <https://www.cityofvancouver.us/publicworks/page/tree-canopy->

[achievement-program-treecap](#)

4. *Landscaped Buffers, Planter Strips, and Vegetated Swales.* All landscape buffers, planter strips and vegetated swales approved as part of the development on-site and/or within the public right-of-way shall be maintained. Plants shall be maintained in a vigorous and healthy condition, free from diseases, pests, and weeds. Competing vegetation shall be controlled to the extent necessary to allow establishment, survival, and growth of the plantings per the approved Landscape Plan. Plants which become diseased, severely damaged, or which die, shall be removed and replaced by the owner as soon as possible but no later than 60 days if notified by the city. All plants removed shall be replaced with a healthy plant of the same size and species as required by the approved Landscape Plan for the property.

H. *STORMWATER*

In addition to the standards of VMC 14.24, VMC 14.25 and VMC 14.26, the following standards apply in the Heights.

1. *Integrated Stormwater Management Systems.* The District shall incorporate stormwater management systems as a principle design element in order to manage and direct stormwater runoff while creating an opportunity to integrate public space amenities as part of the sustainable site management approach.

2. *System Design.* Stormwater infrastructure shall be designed as a complete system connecting buildings, sites, parcels and blocks as an interconnected system. The Loop feature is a key stormwater management infrastructure that shall be connected to the MacArthur Greenbelt. These corridors shall serve as a passive public space and amenity while integrating functional roadway and stormwater features using the existing street rights-of-way.

3. *Sustainable Plant Materials.* Select plant materials conducive to periods of high-water levels, as well as prolonged periods of drought shall be utilized to mitigate varying seasonal conditions.

4. *Stormwater Manage Infrastructure.* Stormwater infrastructure located in the public right-of-way shall be provided consistent with the City of Vancouver Transportation Standard Details for the Heights District and the Heights District Stormwater and Urban Forestry Guidance Document

I. *SIGNAGE*

1. All signage shall comply with the provisions of VMC 20.960 for number, location and size restrictions unless as modified herein.

2. *Sign Location.* Building signage shall be located no higher than the first floor of the building.

3. *Monument Signage.* Standalone monument signage is permitted if located on private property and shall not impede right-of-way vision triangles. Monument signs shall be no taller



than 8.5 feet above grade, no wider than 4 feet and be constructed of materials contained on the exterior of adjacent buildings.

4. *Electronic Message Center signage.* Electronic Message Center signage shall not be permitted.

5. *Master Sign Program- Individual Buildings.* Individual buildings that accommodate multiple businesses and require signage for each business shall produce a master signage program that defines the size, number, and locations of signs. The design of signs shall be reviewed and approved by the City as a part of the Master Sign Program and building design review process to ensure the signage is integrated into the architecture and overall development.

6. *Master Sign Program- District.* All signs shall adhere to the Master Development Signage program for The Heights District.

7. *Materials.* Signage shall be constructed of high quality, durable materials

8. *Illumination.* Direct illumination such as goose neck, exterior illumination as well as halo style lettering or back lit lettering are the preferred method of signage illumination. Channel letter signage is allowed as an option only if exterior lighting applications are demonstrated to not be possible based on constraints for the mounting location, ambient light levels or to eliminate the use of a backer board.

9. *Prohibited signage.* In addition to prohibited signage contained in VMC 20.960.030, the following signage or signage materials are prohibited:

- a. Cabinet signage/box signage/can signage
- b. No exposed raceways

10. *Application.* Signage shall be appropriate for its intended use such as residential, office, and retail.

11. *Public Realm Signage.* Kiosk, wayfinding and interpretive signage intended to promote a comprehensive District placemaking strategy shall be allowed upon review from the City.

## J. **PARKING**

1. *Parking Strategy.* Provide a dispersed, shared parking strategy through a combination of surface, at-grade, podium and above-grade mixed-use parking structures that meet the demand of residents, visitors, and employees.

2. *Parking Ratios.* Parking will be provided to meet the acceptable City of Vancouver standards for the HX zone as listed in Table 20.670.040-3 and 20.670.040-4 below.

**Table 20.670.040-3. Parking Minimums for Residential Uses**

<b>Sub-District</b>	<b>Required off-street parking</b>	<b>Parking reductions with transportation demand management (TDM) measures</b>
Activity Center	1 space per dwelling unit	.75 spaces per dwelling unit
Residential Neighborhood	1 space per dwelling unit	.75 spaces per dwelling unit
Innovation Hub	1.25 spaces per dwelling unit	1 space per dwelling unit
District Gateway	1.25 spaces per dwelling unit	1 space per dwelling unit if development not abutting residentially zoned properties  No reductions for development abutting residentially zoned properties

Note: For the Heights District, abutting is defined as sharing a property line with residentially zoned property

**Table 20.670.040-4. Parking Minimums for Nonresidential Uses**

<b>Nonresidential Uses</b>	
<b>Uses</b>	<b>Required off-street parking</b>
Office	1 space per 1,000 square feet
Hotel	.5 spaces per lodging unit
Senior Living	1 space per living unit
Commercial/All other uses	No minimum requirement for ground floor uses

a. The minimum number of parking spaces required for residential uses may be reduced per Table 20.670.040-3 below, if the City approves a Transportation Demand Management (TDM) plan for the proposed development.

b. The TDM Plan described in subsection (a) shall include the following elements.

1. Narrative describing the characteristics of the proposed development and how it is served by the larger transportation system, including roads, transit facilities and services, and other multi-modal transportation facilities.
2. Specific TDM measures to be employed to reduce transportation via single-occupancy vehicles and resulting on-site parking needs. Eligible TDM measures are listed in subsection (c) below.
3. A description of how TDM measures will be communicated to users of the development.

4. A description of how users will be required or encouraged to use TDM measures.
  5. A proposed process for monitoring individual and overall use of TDM measures and reporting their use to the City on an annual basis.
- c. TDM Plans must include specific provisions to be eligible for residential parking reductions, TDM plans must include either measure (c)(1) or Measure (c)(2) below, and at least three other measures selected from (c)(3), (4), (5), (6) or (7) below, for a total of at least four measures:
1. Provision of annual transit pass or equivalent for residents at no charge or a rate reduced by 75% or more.
  2. Pricing for parking spaces that is charged separately from residential units.
  3. Designation of at least 5 percent of available parking spaces for high occupancy vehicle use.
  4. On-site presence of car-share vehicles and parking spaces (which account for at least 5 percent of the total number of parking spaces).
  5. Use of a guaranteed ride home program or an agreement to pay into and utilize the City of Vancouver's existing guaranteed ride home program.
  6. On-site presence of shared cargo bikes available to all residential tenants.
  7. On-site provision of repair facilities and/or services for bicycles and other non-vehicular mobility devices available for all residential tenants.
- d. Operators of an approved TDM program shall submit a report summarizing operation, and results of the program on an annual basis beginning one year after occupancy of the building. The report shall describe the following:
1. Specific TDM measures used.
  2. Certification that all TDM measures selected for the TDM program are operating as described in the TDM Plan.
  3. Documented participation of program users, including average number and frequency of use of measures and services.
- e. Additional information about TDM program requirements shall be provided to participants by City staff.

3. *Parking Standards.* All parking shall meet the requirements contained in VMC 20.945 as applicable unless as contained herein.

4. *Parking Structures*

- a. All structured parking shall be accessory to and integrated into a block and building envelope and will support multiple permitted uses in The District. Stand-alone parking structures are not permitted.
- b. Any above grade structured parking shall be screened from public view by integrating into the overall building design, and/or through a combination of screen walls and landscape buffer areas. Screening provides an opportunity to enhance building design through the use of art, green walls, and innovative materials.

c. Semi subterranean parking shall be screened along all sides with the exception of entrances and exits. Separate openings for ventilation shall be screened with evergreen landscape planting and/or metal mesh screens.

5. *Surface Parking.* New surface parking lots shall be located behind buildings and screened from the public right-of-way. In the event screening by the building is not feasible, staff may consider surface parking lots located along the right-of-way with required screening.

6. *Parking Lot Screening.* A wall, fence, or evergreen planting is required between an off-street parking area and a street frontage in the HX District.

a. This screening is required for new construction or paving or repaving of a parking area over 1,000 square feet.

b. The wall or planting shall be a minimum height of two-and-a-half (2.5) feet and a maximum height of three (3) feet.

c. A fence shall be a maximum height of five (5) feet. The total height of a combined wall and fence structure also shall be a maximum of five (5) feet.

d. A pedestrian access (break in the screening) is required a minimum of every 150 feet or a minimum of one per street frontage.

e. Fencing shall be wrought iron.

f. A wall shall be a solid, decorative concrete, or masonry wall.

g. If a solid, plain wall, the wall must incorporate one of the following design features:

1. Decorative panels;

2. Integrated planting (systems);

3. Public art; or

Other features as approved by the Planning Official.

7. *Existing Parking.* Existing surface parking lots will be allowed to be maintained until replaced by development of the parcels.

8. *Parking Access.* Access to structured parking shall only be from alleys or side streets. Access to structured parking is anticipated to be from designated secondary streets consistent with the City of Vancouver standards or approved road modifications.

9. *Parking Lot Lighting.* Parking lots shall be well lit to provide for visibility at night.

10. *Garage Openings.* Garage openings visible from public streets shall include decorative screening to soften the appearance of the garage facade.

11. *Parking Setbacks.* Parking garage entrances and exits shall be setback 6 feet from the building facade. Entrances to parking structures that are completely fronted by buildings.

12. *Parking Signage.* All parking shall have clear signage and entrances/exits lighted.

13. *Bicycle parking.* Bicycle parking shall be provided to meet acceptable City of Vancouver standards for the HX zone as listed below in table 20.670.040-5, and shall be consistent with the standards of VMC 20.945.050 <https://vancouver.municipal.codes/VMC/20.945.050>)

and *The City of Vancouver Bicycle Parking Guidelines*.

a. Up to 50 percent of long-term bicycle parking spaces may be provided in individual residential dwelling units, if they meet the following criteria:

- (1) The bicycle parking is located within 15 feet of the entrance to the dwelling unit
- (2) The bicycle parking is located in a closet or alcove of the dwelling unit that includes a rack
- (3) For buildings with no elevators that utilize the in-unit long-term bicycle parking provisions, in-unit long term bicycle parking spaces may only be located in ground floor units.

**Table 20.670.040-5 Bicycle Parking Minimums**

Uses	Required Short-Term Parking Bicycle Parking	Required Long-Term Bicycle Parking
Residential	.05 per dwelling unit, 2 spaces minimum	1 per dwelling unit for buildings with 5 or more dwelling units
Commercial	1 per 5,000 sf of floor area, 2 spaces minimum	1 per 15,000 sf of floor area, 2 spaces minimum
Office	1 per 25,000 sf of floor area, 2 spaces minimum	1 per 5,000 sf of floor area, 2 spaces minimum
Civic/Institutional Buildings	1 per 5,000 sf of floor area, 2 spaces minimum	1 per 15,000 sf of floor area, 2 minimum
Lodging	2 spaces minimum	1 per 10 rooms, 2 spaces minimum
Parks	1 per 5,000 sf park area, 2 spaces minimum	None

b. Additional Development Standards. The following standards apply to sites where more than 20 long-term bicycle parking spaces are required and provided in one or more shared bicycle parking facilities outside of individual dwelling units:

- (1) Minimum number of horizontal bicycle parking spaces. At least 20 percent of spaces must be in a horizontal rack, or on the lower level of a stacked bicycle parking rack.
- (2) Parking for larger bicycle spaces. At least 5 percent of spaces must accommodate a larger bicycle space for cargo bikes, placed in a horizontal rack. These spaces must be a minimum of 3 feet (36 inches) in width, 10 feet (120 inches) long with 3 feet and 4 inches (40 inches) of height clearance.
- (3) Electrical outlet requirement. At least 20 percent of spaces must have electrical sockets within four feet of the spaces. Each electrical socket must be accessible to horizontal bicycle parking spaces.

## **L. UTILITIES AND SCREENING**

1. *Utility and Solid Waste Locations.* Utilities shall be located away from primary streets and pedestrian sidewalks and located on alleys or from secondary streets wherever possible.
2. *Below Grade Utilities.* Utilities shall be located below grade in vaults or inside buildings where possible. Solid waste containers and disposal are shall be located inside buildings. If not possible, screening shall be provided per VMC 20.970.
3. *Venting System Locations.* Venting of air exhaust and mechanical building systems shall be away from primary streets and main pedestrian areas and shall be architecturally incorporated into buildings.
4. *Wall-Mounted Utilities.* Utilities mounted on building walls shall not intrude on the public right of way space adjacent to a pedestrian path of travel, shall be setback, or have a landscape zone for a buffer.
5. *Mechanical Vents.* Mechanical vents required on building exteriors shall be located 8'-0" above grade or between grade and 18" and shall be integrated into the façade design to minimize visual impacts.

#### **20.670.050 Design Standards Modification.**

Modifications to design standards listed above and The Heights Urban Design Guidelines, with the exception of height and parking, may be processed as part of the request for site plan approval if the applicant can demonstrate compliance with the following approval criteria:

- A. The modification(s) is warranted given site conditions and/or characteristics of the design; and
- B. The proposed change meets the intent of the development standards and The Heights Subarea Plan and is consistent with the Design Guidelines; and
- C. The proposed change will not result in a substantial impact to transportation, water, sewer, or storm water management systems; and
- D. The proposed change is consistent with Vancouver Municipal Code and Vancouver Comprehensive Plan.

#### **20.670.060 Approval Process**

- A. New developments and modifications to existing permitted development shall comply with the approval process outlined in VMC 20.270 Site Plan Review and VMC 20.790.530 Planned Action Review.
- B. New development and modifications to existing permitted development shall also comply with Design Review approval criteria for the HX District established below in VMC 20.670.060(D) unless exempted. The following activities shall be administratively exempt from design review:
  1. Exterior work not visible from the public way or public areas such as parks and other publicly accessible spaces;
  2. Placement of permanent signs, unless a) inconsistent with adopted design guidelines, such as pole signs; or b) potentially inconsistent with nearby uses;
  3. Public art; and
  4. Other minor construction such as replacement of doors, windows, awnings, etc., determined by the Planning Official to be exempt.
- C. *Site Plan approval criteria.* The Site Plan shall be approved, approved with conditions or denied upon finding that:

1. The proposed development implements the Heights District Plan and the requirements of this chapter
2. The proposed development is consistent with The Heights District Plan vision, goals, and policies, as applicable
3. The development is consistent with The Heights District Urban Design Guidelines or proposed standards that will achieve at least equal quality site development
4. All new development is consistent with the conceptual street and open space layout as illustrated in The Heights District Subarea Plan and Urban Design Guidelines

*D. Design Review approval criteria.* The Planning Official shall base all reviews of the design of any proposed construction, remodeling or development according to the following criteria:

1. The requirements, guidelines, and applicable provisions of this Title that are applicable to the zoning district where the property is located and including all additional zoning regulations which may apply to the use or to its area by provision for overlay district, or made applicable by any conditional use or variance approval;
2. The Heights Urban Design Guidelines kept on file and available for public inspection at the Community and Economic Development Department;
3. The relationship found to exist between existing structures and open space, and between existing structures and other structures in the vicinity, and the expected effect of the proposed construction upon such relationships;
4. The impact of the proposed construction on adjacent uses, including impact of new or revised parking and pedestrian uses; and
5. The protection of neighboring uses from identifiable adverse effects of the design of the proposed construction.
6. The proposed development is consistent with The Heights District Plan vision, goals, and policies, as applicable.