CHAPTER 33.538
KENTON PLAN DISTRICT

(Added by Ord. No. 175210, effective 1/26/01. Amended by: Ord. No. 177422, effective 6/7/03; Ord. No. 178172, effecctive 3/5/04Ord. No. 182429, effective 1/16/09.)

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General

33.538.010 Purpose

The Kenton plan district use regulations foster a vital retail corridor along Denver Avenue. The Kenton plan district development standards ensure that the design of new buildings, and modifications to existing buildings, are compatible with the historic character of the area. These regulations also ensure a pleasant, safe and efficient environment for pedestrians along the Denver Avenue commercial corridor and near the light rail station. Together, these regulations:

- Enhance the commercial character along Denver Avenue by restricting industrial uses;
- Discourage auto-oriented uses and development; and
- Encourage retail uses in the historic storefront buildings along Denver Avenue.

33.538.020 Where These Regulations Apply

The regulations of this chapter apply in the Kenton plan district. The boundaries of the plan district are shown on Map 538-1 at the end of this chapter, and on the Official Zoning Maps.

Use Regulations

33.538.100 Prohibited Uses
The following uses are prohibited:

A. Wholesale Sales; and

B. Vehicle Repair.

33.538.110 Limited Uses

A. Individual Manufacturing and Production uses are limited to 3,000 square feet of floor area exclusive of parking area; and

B. Retail vehicle sales or leasing is limited to 3,000 square feet of floor area per site. Retail vehicle sales or leasing where the floor area is more than 3,000 square feet is prohibited.

Development Standards

33.538.200 Drive-Through Facilities
Drive-through facilities are prohibited.

33.538.210 Maximum Building Height
Maximum building heights are shown on Map 538-2.

33.538.220 Floor Area Ratios

A. **Purpose.** The minimum floor area ratio requirements ensure a level of development along Denver Avenue that is compatible with the existing buildings. The maximum floor area ratio requirements, which allow higher FARs, encourage increased intensity near the light rail station.

B. **Where these regulations apply.** These regulations apply to new development or additions of floor area to the site.

C. **Regulation.** Minimum and maximum floor area ratios are shown on Map 538-3.

33.538.230 Required Building Lines

A. **Purpose.** These regulations ensure a lively and attractive pedestrian environment with buildings that are compatible with the historic storefront buildings. They ensure that ground level uses are near the sidewalk.

B. **Where these regulations apply.** These regulations apply to site frontages shown on Map 538-4.

C. Building line standards. Exterior walls of buildings designed to meet these requirements must be at least 25 feet high.

1. Zero setback standard. On frontages designated for the zero setback standard, buildings must extend to the street lot line for the entire lot frontage except that up to 10 feet of the length of the building may be set back up to 10 feet from the street lot line to accommodate the main entrance.

2. Pedestrian amenities standard. On frontages designated for the pedestrian amenities standard, buildings must extend to the street lot line for at least 75 percent of the lot frontage. Up to 25 percent of the building may be set back up to 10 feet from the street lot line. The space between the building and the street lot line must be designed as an extension of the sidewalk and committed to active uses such as sidewalk cafes, vendor's stands, or developed as "stopping places."

33.538.240 Active Building Use Areas

A. Purpose. These regulations work with the Required Building Line standard to ensure a lively and attractive pedestrian environment with buildings that are compatible with the existing historic storefront buildings. These regulations ensure the continuity of active ground uses which reinforce the relationship of uses within a building and the sidewalk.

B. Where these regulations apply. These regulations apply to new development along frontages shown on Map 538-5.

C. Active building use area required. Buildings must be designed and constructed to accommodate active uses, such as lobbies, residential, retail, commercial, or office. This standard must be met along at least 50 percent of the ground floor of walls along the frontages shown on Map 538-5.

Areas designed to accommodate active building uses must meet the following standards:

1. The distance from the finished floor to the bottom of the structure above must be at least 12 feet. The bottom of the structure above includes supporting beams;

2. The area must be at least 25 feet deep, measured from the street-facing facade;

3. The area may be designed to accommodate a single tenant or multiple tenants;

4. The street-facing facade must include windows and doors; and

5. Parking is not allowed in the active building use areas.

33.538.250 Parking Access Restricted Frontages

A. Purpose. This regulation preserves on-street parking, while reducing the impact of automobiles. It creates a safer, more attractive environment for pedestrians. On Denver Avenue this regulation protects the existing historic pattern of no mid-block curb cuts.

B. Parking access restricted. Motor vehicle access to a vehicle area or structure is not allowed through a frontage shown on Map 538-6.

33.538.260 Required Design Review

A. Purpose. These regulations ensure attractive, quality design and a pleasant pedestrian environment in the plan district. They also promote a relationship between new development and the historic commercial buildings along Denver Avenue. Finally, the regulations ensure design quality and compatibility of character with the areas adjoining the commercial corridor.

B. Where these regulations apply. These regulations apply to new development and exterior alterations in the design overlay zone.

C. When Community Design Standards may be used. The Community Design Standards provide an alternative process to design review for some proposals. For some proposals, the applicant may choose to go through the design review process set out in Chapter 33.825, Design Review, or to meet the objective standards of Chapter 33.218, Community Design Standards. Proposals that do not meet the Community Design Standards—or where the applicant prefers more flexibility—must go through the design review process.

Unless excluded by Subsection D, below, proposals that are within the limits of Table 538-1 may use the Community Design Standards as an alternative to design review.

D. When Community Design Standards may not be used. The Community Design Standards may not be used as an alternative to design review as follows:

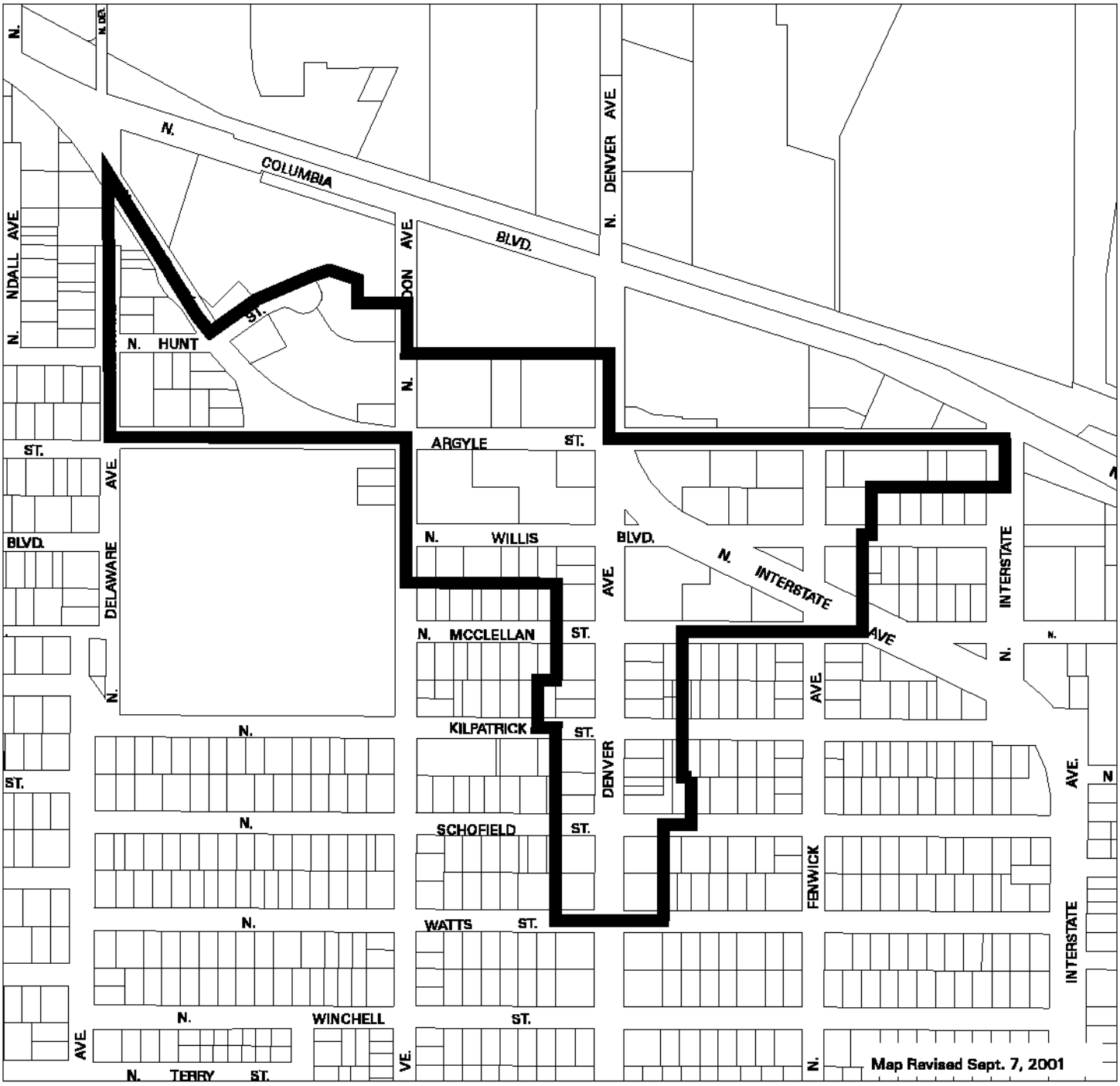
1. For institutional uses in residential zones, unless specifically allowed by an approved Impact Mitigation Plan or Conditional Use Master Plan; and

2. For alterations to sites where there is a nonconforming use, unless the nonconforming use is a residential use.

Table 538-1
Maximum Limits for Use of the Community Design Standards [1]

Zones	**Maximum Limit—New Floor Area**
R1, RH, RX, C & E Zones	20,000 sq. ft. of floor area
I Zones	**40,000 sq. ft. of floor area**
IR Zone	See institution's Impact Mitigation Plan.
Zones	**Maximum Limit—Exterior Alterations**
All except IR	•Alterations to the street-facing facade that affect less than 50 percent of the area of the façade, regardless of the square footage of the area affected; and •Alterations to the street-facing facade that affect less than 1,500 sq. ft. of the facade, regardless of the percentage of the facade affected.
IR Zone	See institution's Impact Mitigation Plan.

Notes:
[1] There are no maximum limits for proposals where any of the floor area is in residential uses.



NORTH

0' 300' 600'

Scale in Feet

Plan district boundary

Map 538-1

Kenton Plan District

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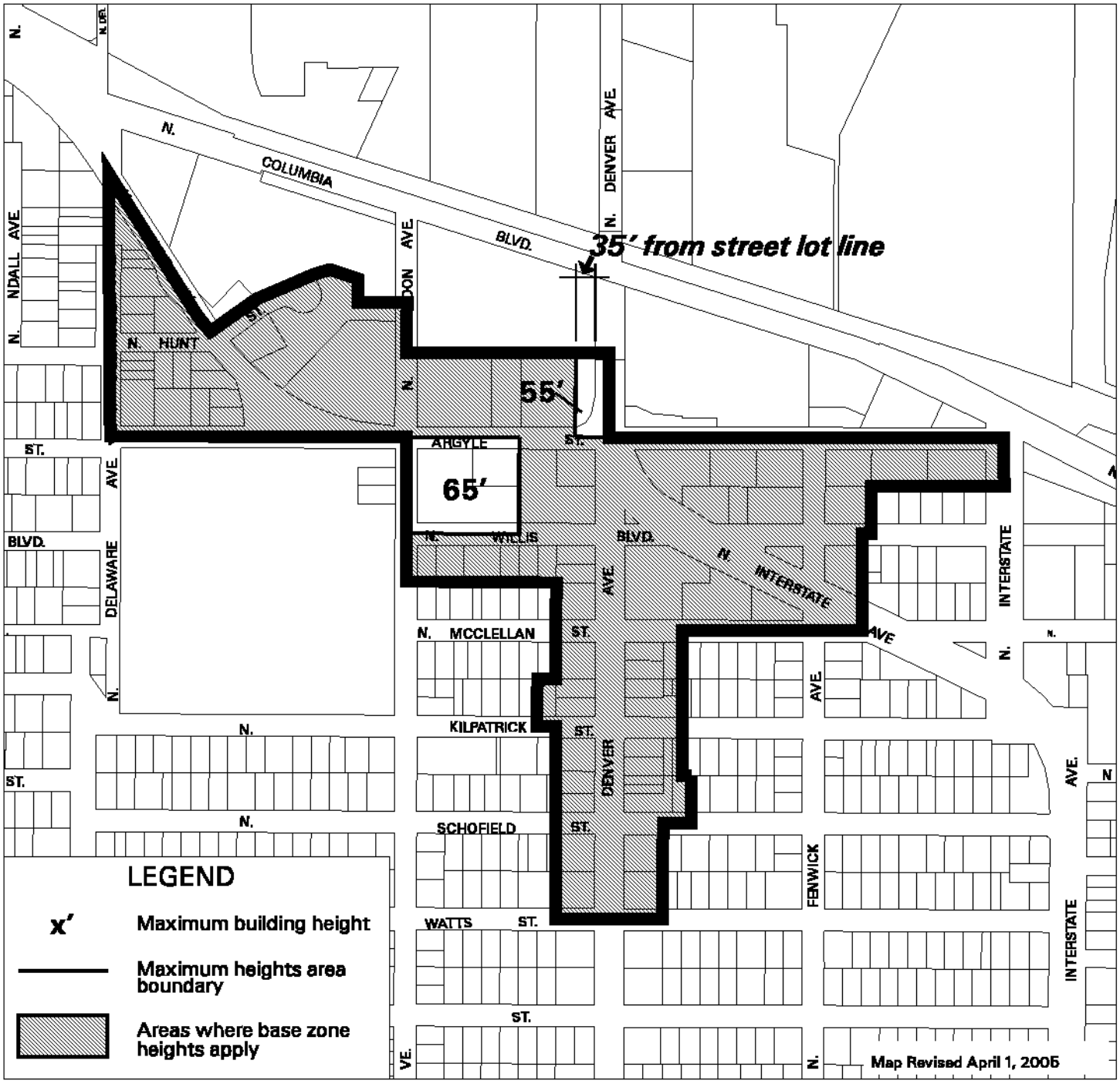

NORTH

0′ 300′ 600′

Scale in Feet

Plan district boundary

Map 538-2

Kenton Plan District

Maximum Heights

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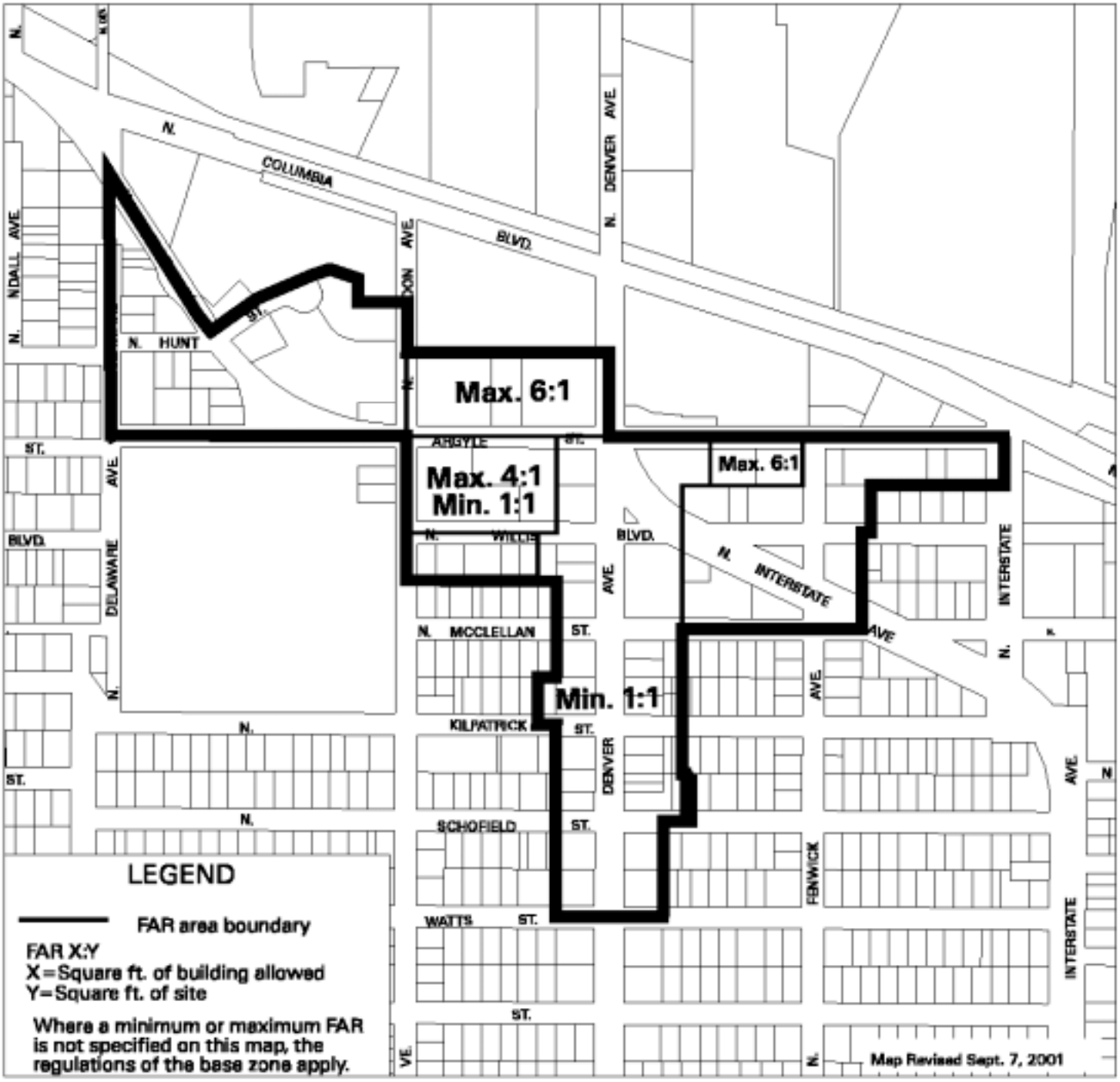

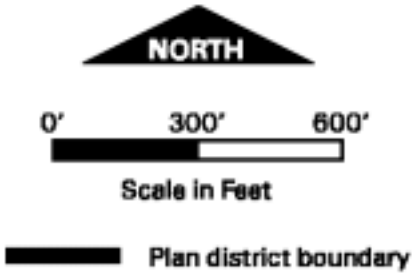

Map 538-3

Kenton Plan District

Floor Area Ratios

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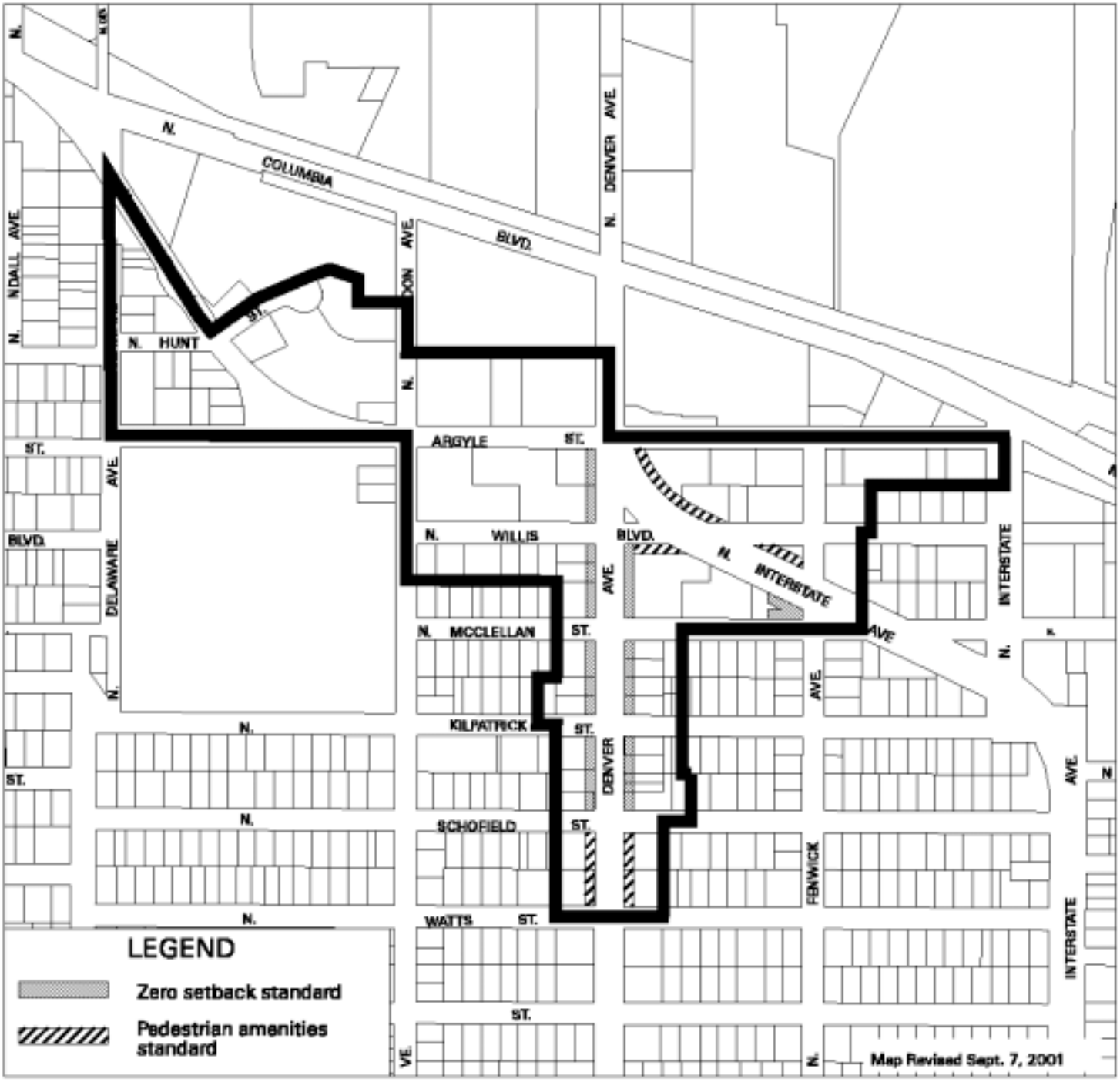

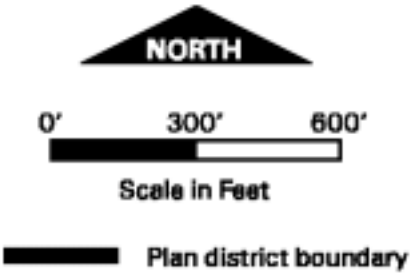

Map 538-4

Kenton Plan District

Required Building Lines

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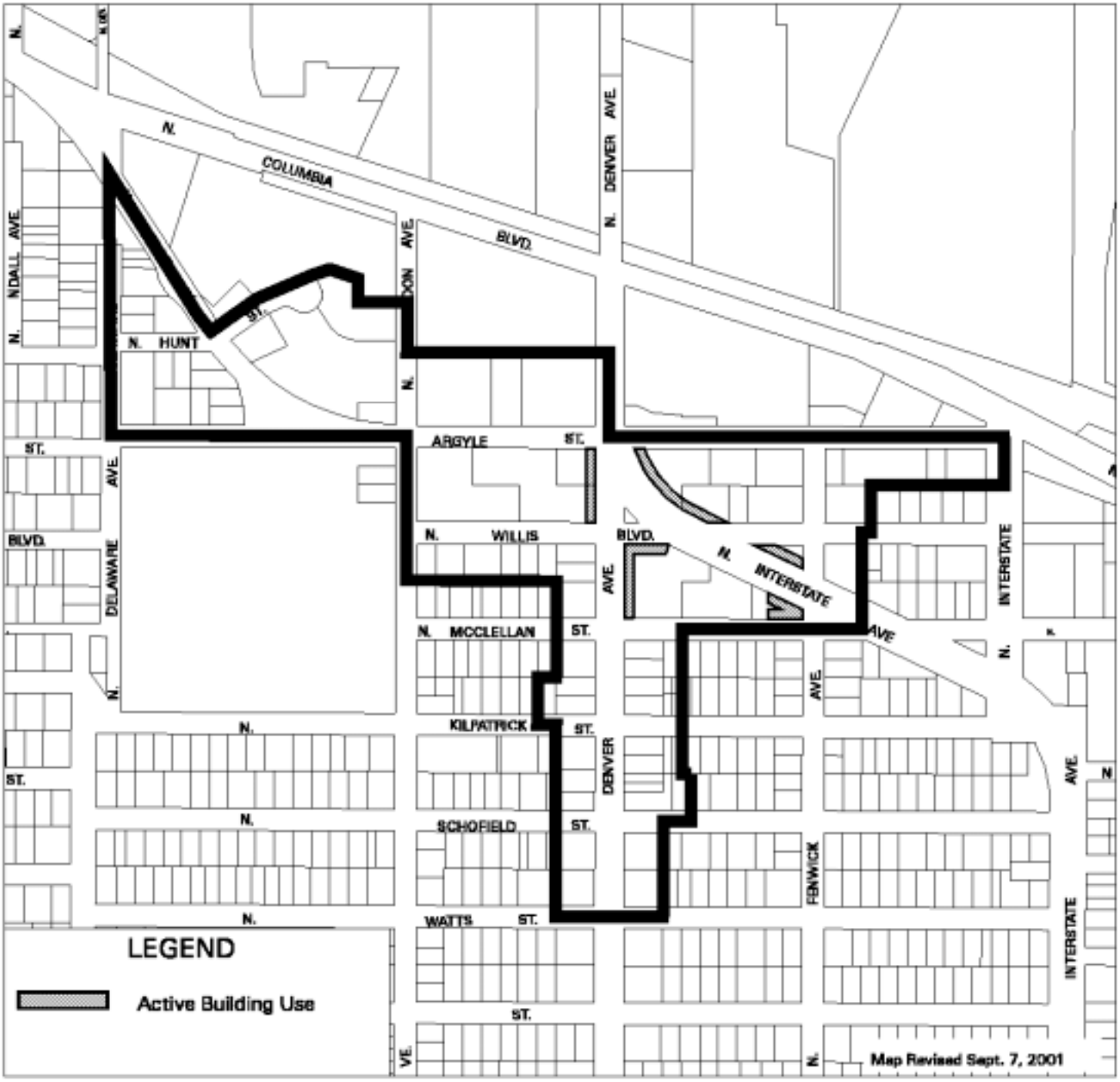

NORTH

0' 300' 600'

Scale in Feet

Plan district boundary

Map 538-5

Kenton Plan District

Active Building Use Areas

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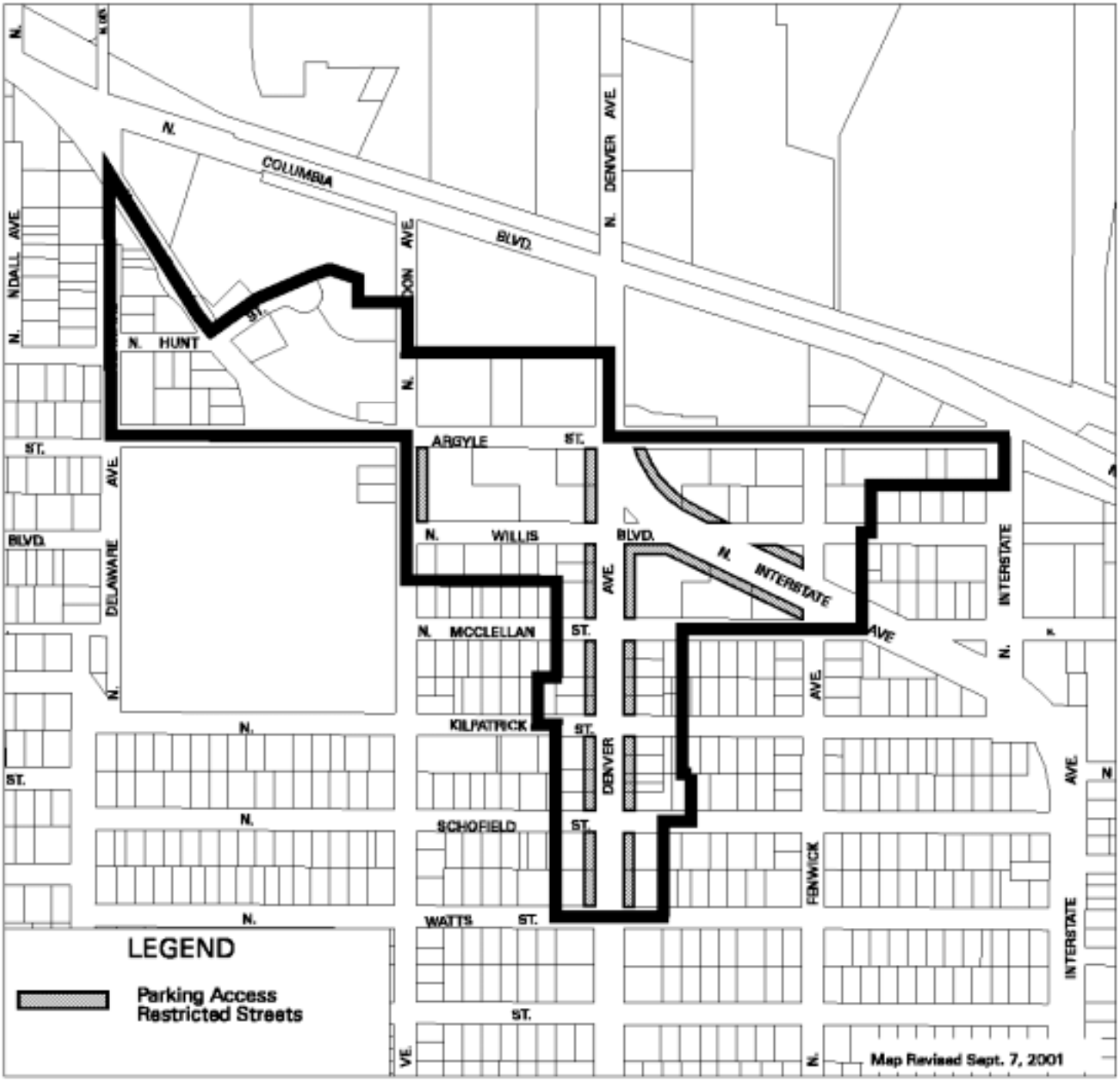

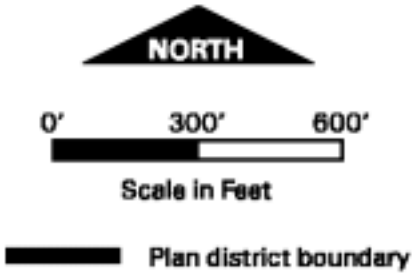

Map 538-6

Kenton Plan District

Frontages where Parking Access is Restricted

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