

**SAMMAMISH TOWN CENTER PLAN DEVELOPMENT CODE
UPDATED DRAFT CHAPTER 21B.25**

NOTE: **Highlighted yellow text** refers to sections that have been updated since the last draft. Highlighted text in **green** refers to items to be defined or items in need of clarification.

NOTE: Highlighted Blue sections indicate changes from PC review on October 1, 2009

**Chapter 21B.25
DEVELOPMENT STANDARDS – DENSITY AND DIMENSIONS**

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21B.25.010

Purpose.

The purpose of this chapter is to establish density and dimensional standards for development to implement Town Center policy goals and objectives. The standards and rules are established to provide a balance between certainty and flexibility in project design, and promote compatibility between uses.

21B.25.020

Interpretation of tables and general development capacity provisions.

- (1) SMC 21B.25.030 contains general density and dimension standards for all Town Center zones. Additional provisions, requirements, incentives, rules, and exceptions are set forth elsewhere in this title.
- (2) Commercial development capacity will be allocated during the unified site development process set forth in Chapter 21B.95 for the mixed-use nodes (also see SMC 21B.25.040 and the Town Center Plan, Chapter IV, Land Use Element).
- (3) Development standards are listed down the left side of both tables, and the zones are listed at the top. The matrix cells contain the minimum requirements of the zone. The parenthetical numbers in the matrix identify specific requirements applicable either to a specific use or zone. A blank box indicates that there are no specific requirements. If more than one standard appears in a cell, each standard will be subject to any applicable footnote following the standard.
- (4) See SMC 21B.25.040 for methods to acquire additional residential and commercial development capacity.

21B.25.030

Densities and dimensions.

A. Table of densities and dimensional standards for Town Center Zones.

| STANDARDS | TOWN CENTER ZONES | | | | |
|--|-------------------|----------|---------|------|---------|
| | TC-A | TC-B | TC-C | TC-D | TC-E |
| Maximum Residential Density ^{1,2,3} (DU/Acre) | 40 du/ac | 20 du/ac | 8 du/ac | None | 1 du/ac |

| STANDARDS | TOWN CENTER ZONES | | | | |
|--|-------------------------|---------------------|-------------------|-------------------|---------|
| | TC-A | TC-B | TC-C | TC-D | TC-E |
| Allocated Residential Density ^{1,3,4} (DU/Acre) | 16 du/ac | 8 du/ac | 4 du/ac | None | 1 du/ac |
| Minimum Residential Density ^{1,3,5} (DU/Acre) | 16 du/ac | 8 du/ac | None | None | None |
| Allocated commercial area | Variable ^{6,7} | None ⁸ | None | None ⁸ | None |
| Minimum Lot Width ⁹ | NA | NA | 30 ft | 30 ft | 30 ft |
| Minimum Street Setback ^{10,11,12} | 0 ft | 10 ft ¹³ | 15 ft | 10ft | 15 ft |
| Minimum Side Yard Setback ^{11,14} | NA | NA | 7 ft | NA | 10 ft |
| Minimum Back Yard Setback ^{11,14} | NA | 20 ft | 20 ft | 20 ft | 20 ft |
| Maximum Floor Area Ratio | NA | 0.5 ¹⁵ | 0.5 ¹⁵ | NA | NA |
| Maximum Height ¹³ | 60-70 ft ¹⁴ | 50 ft | 35 ft | 60 ft | 35 ft |

B. Development conditions.

1. Densities are based on gross developable acreage, which includes new roadways but not critical areas and buffers.
2. Maximum density means the absolute maximum density allowed after all incentives and bonus units are added per SMC 21B.25.040. Units purchased through the City’s TDR program (*subject to the adoption by the City Council including the Town Center as a receiving site*) do not count toward maximum residential density. The number of allowed units on a property may exceed the maximum allowed density by the number of TDRs purchased.
3. Density applies only to dwelling units and not to sleeping units.
4. Allocated density is the density allowed by right, before any additional units are added per SMC 21B.25.040. See Figure 21B.25.030a below for clarification on the density allocation for all Town Center zones.
5. For TC-A zones, the 16 du/acre minimum density applies to the average net density for the entire sub-zone (or development site if it does not cover the whole sub-zone). Minimum densities for individual properties will be determined during the unified zone development process.
6. A maximum of 600,000 square feet of commercial floor area are available within the Town Center, allocated during the unified zone development process, with base allocations divided as follows:
 - a. 200,000 square feet in the TC-A-1 subzone.
 - b. 90,000 square feet in the TC-A-2 subzone.
 - c. 90,000 square feet in the TC-A-3 subzone.

- d. 70,000 square feet in the TC-A-4 subzone.
- e. 20,000 square feet in the TC-A-5 subzone.

An additional 130,000 square feet of “bonus” commercial floor area may be allocated to the subzones per the bonus criteria set forth in SMC 21B.25.040.

- 7. Additional commercial floor area may be available from the commercial development capacity bonus pool per SMC 21B.25.040.
- 8. Commercial floor area may be permitted in TC-B or TC-D zones provided the site is developed as part of a Unified Zone Development Plan with an adjacent TC-A zone, as agreed upon in the UZDP (subject to the size and type of development).
- 9. These standards may be modified under the provisions for zero lot line and townhouse developments.
- 10. See SMC 21B.30.100 for greater specificity, exceptions, and departures to minimum street setbacks.
- 11. See SMC 21B.30.160 for open space and landscaped area requirements.
- 12. Minimum setbacks for private garages or carports shall be 20 feet. This setback allows sufficient space to park most vehicles in the driveway without blocking movement along the sidewalk.
- 13. The minimum street setback may be reduced to zero if the site is part of a unified zone development plan.
- 14. See also 21B.30 for greater specificity, exceptions, and departures for side and rear yard setbacks. For townhouse and multifamily development, the minimum side and back yard setback shall be 20 feet along any property line abutting R-1 through R-8 zones and TC-C and TC-E zones, except for structures in on-site play areas, which shall have a setback of five feet.
- 15. Maximum floor area ratio (Total occupiable building area, including garage, divided by total lot area) applies only to detached single family houses, and duplexes.
- 16. See SMC 21B.25.050(3) for measurement of height.
- 17. The maximum height as measured in SMC 21B.25.050(3) is 70 feet (with a maximum of six stories above the adjacent street(s)) west of 228th Avenue SE and 60 feet (with a maximum of five stories above adjacent street(s)) east of 228th Avenue SE.

21B.25.040

Provisions to Obtain Additional (Bonus) Residential Density or Commercial Development Capacity

- (1) Bonus Residential Dwelling Units. SMC 21B.25.030 identifies the “Maximum Density” and “Allocated Density” for each Town Center zone. Projects may obtain additional density by complying with the affordable housing provisions set forth in SMC Chapter 21B.75 and/or through

the City's Transfer of Development Rights (TDR) program (*subject to the adoption by the City Council including the Town Center as a receiving site*). Bonus provisions vary by zone. Specifically:

- (a) TC-A zones:
 - (i) Additional dwelling units are awarded from the Town Center's available affordable housing bonus pool subject to compliance with affordable housing provisions set forth in SMC Chapter 21B.75. The bonus pool units shall be distributed on a first come, first serve basis, provided the development does not exceed the 40 dwelling units/acre density limit for the zone, until the pool of available units is exhausted.
 - (ii) Once the affordable housing bonus pool is exhausted, developments may obtain additional units only through the City's TDR program (*subject to the adoption by the City Council including the Town Center as a receiving site*).
- (b) TC-B zones: Additional dwelling units are awarded from a combination of the affordable housing bonus pool (if available) and through the City's TDR program (*subject to the adoption by the City Council including the Town Center as a receiving site*), up to the zone's specified maximum density. Specifically:
 - (i) Until the affordable housing bonus pool is exhausted, 25 percent of additional requested dwelling units may be taken from the bonus pool (subject to compliance with affordable housing provisions set forth in SMC Chapter 21B.75) and the remaining 75 percent of the requested dwelling units shall be obtained through the City's TDR program (*subject to the adoption by the City Council including the Town Center as a receiving site*). The bonus pool units shall be distributed on a first come, first serve basis, provided the development does not exceed the density limits for the applicable zone, until the pool of available units is exhausted.
 - (ii) Once the affordable housing bonus pool is exhausted, developments may obtain additional units only through the City's TDR program (*subject to the adoption by the City Council including the Town Center as a receiving site*).
- (c) TC-C zones: Developments may obtain additional dwelling units only through the City's TDR program (*subject to the adoption by the City Council including the Town Center as a receiving site*), up to the zone's specified maximum density.
- (d) TC-D zone: Bonus dwelling units are not available in this zone.
- (e) TC-E zone: Bonus dwelling units are not available in this zone.

See Figures 21B.25.040a and 21B.25.040b below for clarification on the distribution of bonus dwelling units per zone.

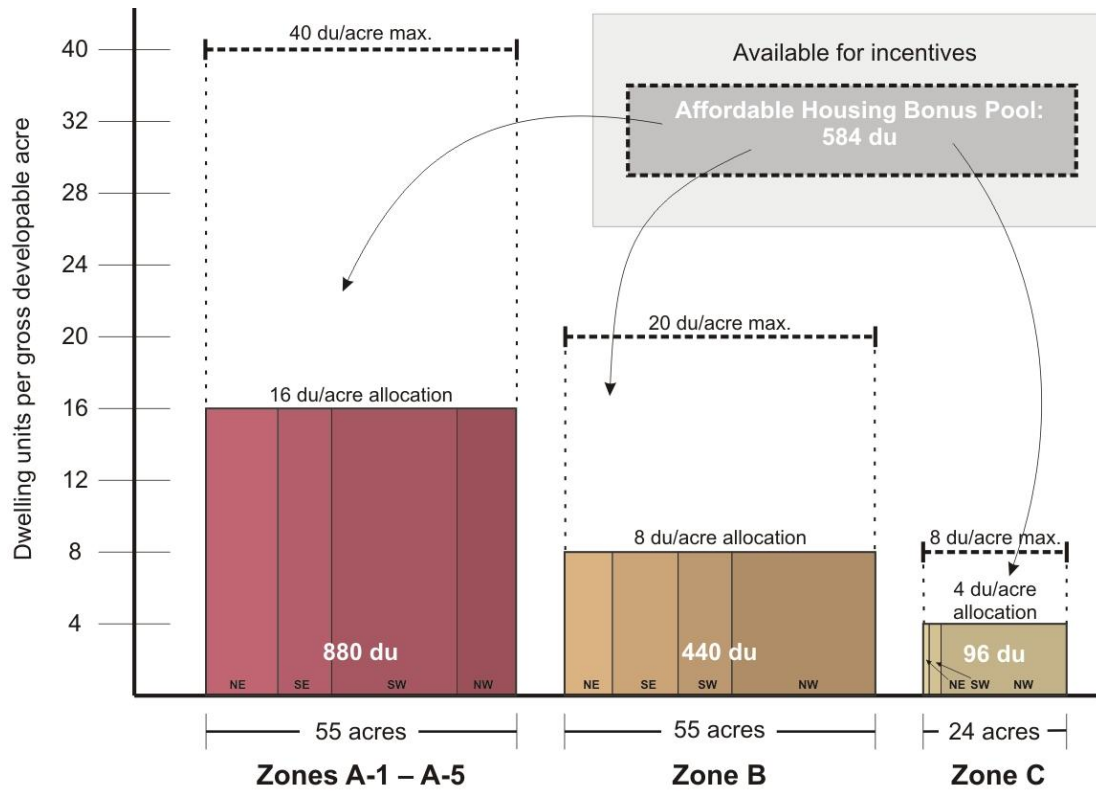


Figure 21B.25.040a. Illustrating the base and maximum residential development allocations (by the number of dwelling units) for the Town Center zones. Note that the pool of 584 dwelling units referenced the upper box are available for distribution as bonus units.

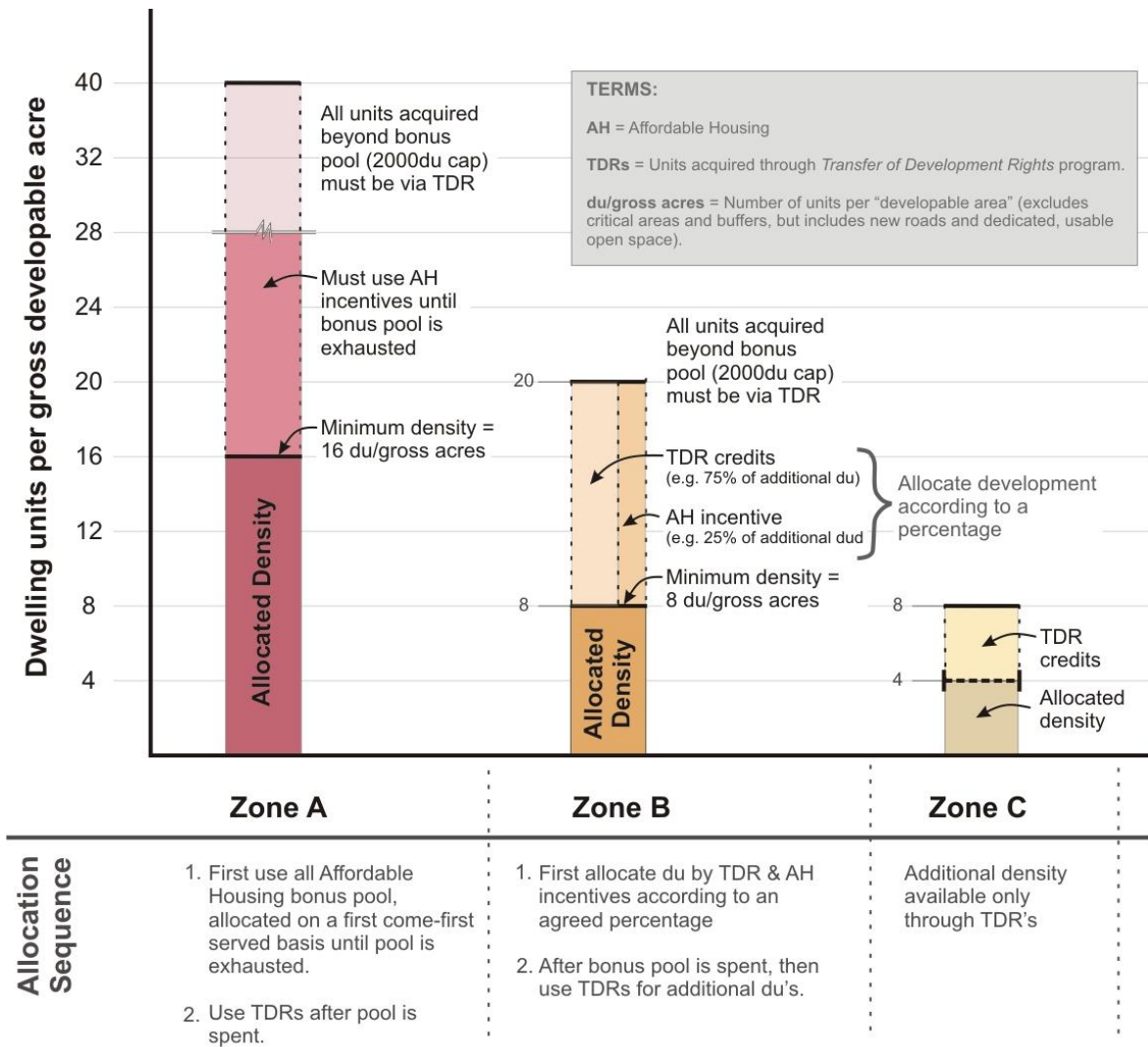


Figure 21B.25.040b. Standards for allocating bonus dwelling units per Town Center zones.

(2) Bonus Commercial Development Capacity. SMC 21B.25.030 and Figure 21B.25.040c below specify commercial floor area allocations by sub-zone with an additional 130,000 square feet of commercial floor area available through bonus incentives. Subsections (a) and (b) below provide the distribution and criteria for allocating bonus floor area, respectively. Subsection (c) below provides for the opportunity for additional commercial development capacity through the City's TDR program.

(a) Distribution of bonus commercial development capacity:

| SUB-ZONE | ALLOCATION | MAXIMUM BONUS DISTRIBUTION ^{1,2} | MAXIMUM ALLOCATION W/INCENTIVE ^{1,2} |
|----------|------------|---|---|
| TC-A-1 | 200,000 | All available floor area | 330,000 |
| TC-A-2 | 90,000 | 90,000 x .40 = 36,000 | 126,000 |

| SUB-ZONE | ALLOCATION | MAXIMUM BONUS DISTRIBUTION ^{1,2} | MAXIMUM ALLOCATION W/INCENTIVE ^{1,2} |
|--------------|----------------|---|---|
| TC-A-3 | 90,000 | 90,000 x .40 = 36,000 | 126,000 |
| TC-A-4 | 70,000 | 70,000 x .40 = 28,000 | 98,000 |
| TC-A-5 | 20,000 | 20,000 x .40 = 8,000 | 28,000 |
| TOTAL | 470,000 | 130,000 | 600,000 |

Table notes:

- Bonus floor area shall be distributed per the maximum levels indicated above on a first come-first serve basis until all 130,000 square feet of the available bonus floor area has been distributed. For example, if TC-A-1 is the first A-zone to apply for bonus floor area, it could use up the entire pool of bonus floor area and thus leaving no remaining bonus floor area available for other TC-A zones. Alternately, if TC-A-2 through TC-A-5 develop first and obtain their maximum bonus distribution (@ the 40 percent bonus ratio), only 22,000 square feet of bonus floor area would remain for possible distribution to TC-A-1.
- Bonus floor area allocation are subject to the design criteria specified in subsection (b) below.

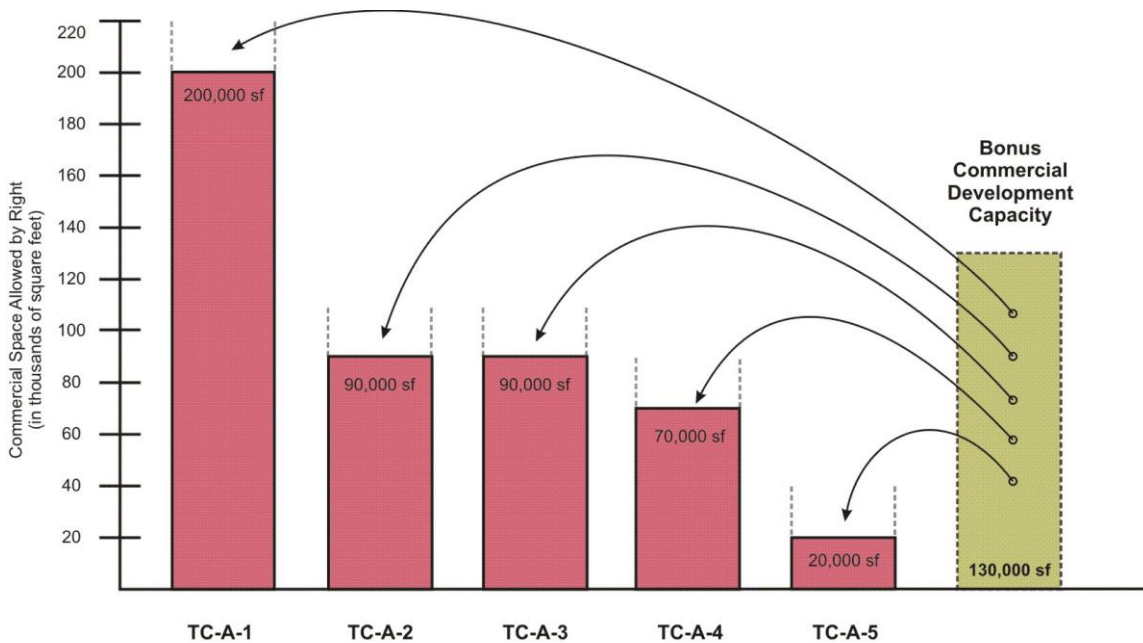


Figure 21B.25.040c. Illustrating the base commercial area allocations by zone and the pool of additional commercial area available for bonuses.

- Design criteria for awarding bonus commercial development capacity. Developments requesting available bonus commercial development capacity shall achieve a higher level of design performance than those specifically required in the Town Center development

regulations. In order to qualify for bonus floor area, developments shall incorporate at least five of the development features listed below as determined in the unified zone development process.

- (i) An extensive pedestrian network connected to the City's trail system with lighting, landscaping, and other amenities.
- (ii) Creative and effective vehicular circulation system that minimizes impacts of motorized vehicles on the pedestrian environment.
- (iii) A unique multi-use central open space with special amenities and activities.
- (iv) Increased use of structured parking.
- (v) Enhanced off-street pedestrian routes that connect to the existing/planned trail system.
- (vi) Special accommodation of transit services.
- (vii) Extensive environmental restoration and/or tree retention.
- (viii) Environmental certification of all structures (LEED, Built Green or other similar certification).
- (ix) Substantive use of low impact development techniques.
- (x) Enhanced commitment for affordable housing.
- (xi) Includes a use or uses that will expand the range of activities in the Town Center. Such use or uses might include a gym, dance studio or health center, cultural or performing arts facilities, educational facilities, artists' studios, medical clinics, assembly areas, small business centers and similar uses that will encourage economic diversity, additional local services, pedestrian activity and/or support for other business or community activities.
- (xii) Other significant features that exceed the development standards and regulations.



Extensive pedestrian network connected to the City's trail system



Vehicle circulation that reduces impacts and enhances the development's organization and open space



Structured parking away from primary open spaces and building entries



Substantive use of low impact development techniques



A unique multi-purpose open space such as this plaza that accommodates a farmer's market



Extensive environmental restoration, especially when incorporated as an amenity as in this case



Special amenity feature



Development configured to maximize tree retention

Figure 21B.25.040d. Examples of exemplary development worthy of consideration for commercial space allocation.

21B.25.050

Measurement methods.

The following provisions shall be used to determine compliance with this title:

- (1) Street setbacks shall be measured from the existing edge of a street right-of-way or temporary turnaround, except as provided by SMC 21B.25.150;
- (2) Lot widths shall be measured by scaling a circle of the applicable diameter within the boundaries of the lot; provided, that an access easement shall not be included within the circle; and
- (3) Building height shall be measured from the average finished grade to the highest point of the roof. The average finished grade shall be determined by first delineating the smallest square or rectangle that can enclose the building and then averaging the elevations taken at the midpoint of each side of the square or rectangle; provided, that the measured elevations do not include berms.
- (4) Lot area shall be the total horizontal land area contained within the boundaries of a lot; and
- (5) Impervious surface calculations shall not include areas of turf, landscaping, natural vegetation, surface water flow control, or water quality treatment facilities. (Ord. O2003-132 § 12)

21B.25.060

Minimum urban residential density.

Minimum density for residential development in the urban areas designated by the Comprehensive Plan shall be based on the tables in this chapter and adjusted as provided for in SMC 21B.25.090.

21B.25.070

Calculations – Allowable dwelling units, lots or floor area.

Permitted number of units, or lots or floor area shall be determined as follows:

- (1) The allowed number of dwelling units or lots (base density) shall be computed by multiplying the site area specified in SMC 21B.25.080 by the applicable allocated residential density number;
- (2) The maximum density (unit or lot) limits shall be computed by adding the bonus or transfer units authorized by SMC 21B.25.040(1) or **21B.80 SMC (WILL THIS BE APPLICABLE TO THE TOWN CENTER?)** to the allocated residential units computed under subsection (1) of this section;
- (3) The allowed commercial floor area includes all leasable floor area designed for commercial tenant occupancy, including basements, mezzanines, and upper floors, if any, expressed in square feet and measured from the interior face of exterior walls. Structured or underground parking areas and areas housing mechanical equipment shall be excluded from commercial floor area calculations; and
- (4) When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:
 - (a) Fractions of 0.50 or above shall be rounded up; and
 - (b) Fractions below 0.50 shall be rounded down.

21B.25.080

Calculations – Gross developable acreage.

- (1) All site areas may be used in the calculation of allocated and maximum allowed residential density or project floor area except as outlined under the provisions of subsection (2) of this section.
- (2) Submerged lands, landslide hazard areas and buffers, Category I-IV wetlands and buffers, and Type S, F, Np, and Ns streams and buffers shall not be credited toward allocated and maximum density or floor area calculations. Property used for new roadways, trails, storm water facilities, or other features used by residents or the general public shall be counted as part of the site area for density calculations. Property transferred to the City for the construction of public roadways or other public feature shall be counted as part of the site area if the City and property owner reach such an agreement as part of the transfer.

21B.25.090

Calculations – Site area used for minimum density calculations.

Minimum density shall be determined by multiplying the minimum density (dwelling units/acre) as set forth in SMC 21B.25.030(A) by the gross developable acreage of the project site as forth in SMC 21B.25.080 above.

21B.25.100

Lot area – Prohibited reduction.

Any portion of a lot that was used to calculate compliance with the standards and regulations of this title shall not be subsequently subdivided or segregated from such lot.

21B.25.110

Measurement of setbacks.

- (1) **Street Setback.** The street setback is measured from the street right-of-way or the edge of a surface improvement which extends beyond a right-of-way, whichever is closer to the proposed structure, to a line parallel to and measured perpendicularly from the street right-of-way or the edge of the surface improvement at the depth prescribed for each zone.
- (2) **Side Yard Setback.** The side setback is measured from the side lot line adjacent to another private property to a line parallel to and measured perpendicularly from the side lot lines at the depth prescribed for each zone.
- (3) **Back Yard Setback.** The back yard setback is measured from the rear lot line adjacent to another private property to a line parallel to and measured perpendicularly from the rear lot lines at the depth prescribed for each zone.
- (4) **Corner Lots.** For corner lots, setbacks from all street rights-of-way shall conform to setback and other development standards for front yards.

21B.25.120

Setbacks – Specific building or use.

When a building or use is required to maintain a specific setback from a property line or other building, such setback shall apply only to the specified building or use.

21B.25.130

Setbacks – Modifications.

The following setback modifications are permitted:

- (1) When the common property line of two lots is covered by a building(s), the setbacks required by this chapter shall not apply along the common property line; and
- (2) When a lot is located between lots having nonconforming street setbacks, the required street setback for such lot may be the average of the two nonconforming setbacks or 60 percent of the required street setback, whichever results in the greater street setback.

21B.25.140 (Needs to be consistent with amended 21A.25.170)

Setbacks – From regional utility corridors.

- (1) In subdivisions and short subdivisions, areas used as regional utility corridors shall be contained in separate tracts.
- (2) In other types of land development permits, easements shall be used to delineate such corridors.
- (3) All buildings and structures shall maintain a minimum distance of five feet from property or easement lines delineating the boundary of regional utility corridors, except for utility structures necessary to the operation of the utility corridor or when structures are allowed by mutual agreement in the utility corridor.

21B.25.150

Setbacks – From alley.

Accessory structures and accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.

21B.25.160

Setbacks – Required modifications.

In addition to providing the standard street setback, a lot adjoining a half-street or designated arterial shall provide an additional width of street setback sufficient to accommodate construction of the planned half-street or arterial.

21B.25.170

Setbacks – Projections and structures allowed.

Provided that the required setbacks from regional utility corridors of SMC 21B.25.140 and the sight distance requirements of SMC 21B.25.200 are maintained, structures may extend into or be located in required setbacks, as follows:

- (1) Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project 30 inches into a street setback, provided such projections are:
 - (a) Limited to two per facade; and
 - (b) Not wider than 10 feet;

- (2) Unenclosed porches and entry features may project **six** feet into the street setback;
- (3) Eaves may not project more than:
 - (a) Twenty-four inches into a street setback; or
 - (b) Eighteen inches across a lot line in a zero lot line development, provided that any neighboring building and its associated eaves are 10 feet from the lot line;
- (4) Fences may be allowed within front, side, or back yard setback per SMC 21B.30.260. For fences along an alley, see SMC 21B.30.400(3);
- (5) Rockeries, retaining walls and curbs may project into or be located in any setback, provided these structures do not exceed a height of six feet from the property line grade;
- (6) Fences located on top of rockeries, retaining walls or berms are subject to the requirements of **SMC 21B.30.260**;
- (7) Telephone poles and lines; power poles and lines; cable TV and Internet lines; light and flagpoles; trellises not exceeding eight feet in height, not wider than 10 feet; culverts; underground water facilities; underground sewer facilities; and accessory facilities for the provision of utilities, such as drains, but excluding electrical and cellular equipment cabinets, and similar utility boxes and vaults;
- (8) The following may project into or be located within a setback, but may only project into or be located within a setback area if an agreement documenting consent between the owners of record of the abutting properties is recorded with the King County Department of Records and Elections prior to the installment or construction of the structure:
 - (a) Sprinkler systems, electrical and cellular equipment cabinets and other similar utility boxes and vaults;
 - (b) Security system access controls;
 - (c) Structures, except for buildings, associated with trails and on-site recreation spaces and play areas required in SMC 21B.30.130 and 21B.30.250 such as benches, picnic tables and drinking fountains; and
 - (d) Surface water management facilities as required by City of Sammamish storm water management regulations;
- (9) Mailboxes and newspaper boxes may project into or be located within street **setbacks but will not be allowed in TC-AS zones**;
- (10) Fire hydrants and associated appendages;
- (11) Metro bus shelters may be located within street setbacks;
- (12) Unless otherwise prohibited in **SMC Chapter 21B.45** and 21B.25.200, freestanding and monument signs four feet or less in height, with a maximum sign area of 20 square feet may project into or be located within street setbacks; and

- (13) Storm water conveyance and control facilities, both above and below ground, provided such projections are:
- Consistent with setback, easement and access requirements specified in the surface water design manual; or
 - In the absence of said specifications, not within five feet of the property line.
- (14) Building elements that (a) do not restrict pedestrian access to or views from the street into the setback area or (b) make a fire or safety hazard or adverse impact. Such elements may, in some conditions, include canopies, awnings, blade signs, and lights.

RETAINING WALL IN SETBACK

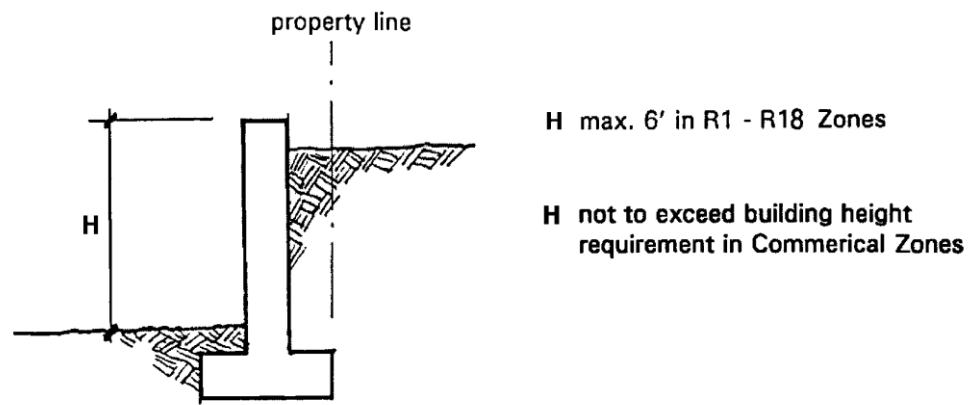


Figure 21B.25.170a. Retaining wall standards.

21B.25.180

Height – Exceptions to limits.

The following structures may be erected above the height limits set forth in SMC 21B.25.030:

- An additional two feet in height is allowed for structures with green roofs occupying at least 50 percent of the area of the roof;
- Roof structures housing or screening elevators, stairways, tanks, rooftop wind generators, ventilating fans or similar equipment required for building operation and maintenance may exceed the height limit by up to ten feet in the TC-A and TC-B zones provided the design meets the provisions of SMC 21B.30.220;
- Fire or parapet walls may exceed the height limit by up to ten feet in the TC-A and TC-B zones provided the design meets the building design provisions of SMC Chapter 21B.30; and,
- DELETE? - Skylights, flagpoles, chimneys, smokestacks, church steeples, crosses, spires, communication transmission and receiving structures, utility line towers and poles, and similar structures.**

21B.25.190

Lot divided by zone boundary.

When a lot is divided by a zone boundary, the following rules shall apply:

- (1) When a lot contains both residential and nonresidential zoning, the zone boundary between the zones shall be considered a lot line for determining permitted building height and required setbacks on the site;
- (2) When a lot contains residential zones of varying density:
 - (a) Any residential density transfer within the lot shall be allowed from the portion with the lesser residential density to that of the greater residential density;
 - (b) Compliance with these criteria shall be evaluated during review of any development proposals in which such a transfer is proposed; and
- (3) Uses on each portion of the lot shall only be those permitted in each zone pursuant to Chapter 21B.20 SMC.

21B.25.200

Sight distance requirements.

Except for utility poles and traffic control signs, the following sight distance provisions shall apply to all intersections and site access points:

- (1) A sight distance triangle area as determined by subsection (2) of this section shall contain no fence, berm, vegetation, on-site vehicle parking area, signs or other physical obstruction between 42 inches and eight feet above the existing street grade;
- (2) The sight distance triangle at:
 - (a) A street intersection shall be determined by measuring 15 feet along both street property lines beginning at their point of intersection. The third side of the triangle shall be a line connecting the endpoints of the first two sides of the triangle; or
 - (b) A site access point shall be determined by measuring 15 feet along the street lines and 15 feet along the edges of the driveway beginning at the respective points of intersection. The third side of each triangle shall be a line connecting the endpoints of the first two sides of each triangle; and
- (3) The director may require modification or removal of structures or landscaping located in required street setbacks, if:
 - (a) Such improvements prevent adequate sight distance to drivers entering or leaving a driveway; and
 - (b) No reasonable driveway relocation alternative for an adjoining lot is feasible.

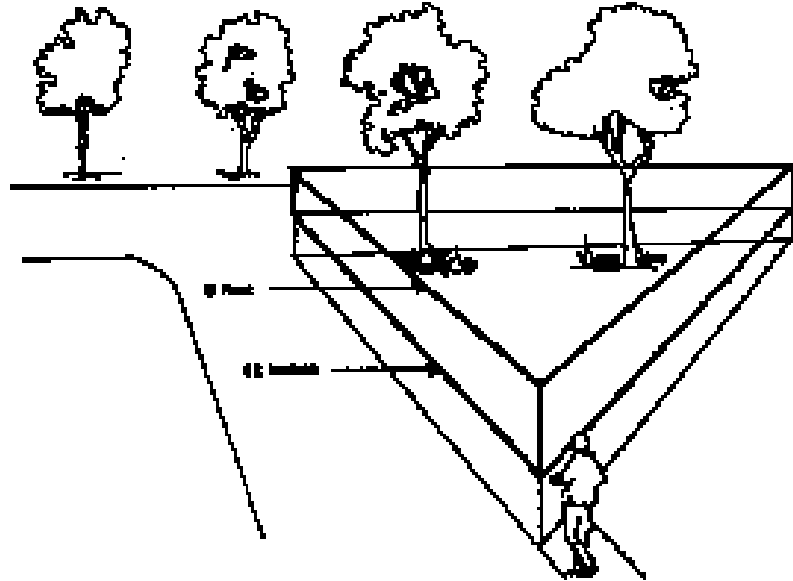


Figure 21B.25.200a. The area of a sight distance triangle between 42 inches and eight feet above the existing street grade shall remain open.