

ARTICLE XIII.

FORM DISTRICTS.

Division 51A-13.100.

General Provisions.

SEC. 51A-13.101. PURPOSE.

- (a) The purpose of this article is to provide an additional tool for the implementation *of*forwardDallas!. This article is not intended to preclude the use of planned development districts.
- (b) This article is intended to create walkable urban neighborhoods where higher-density mixed uses and mixed housing-types promote less dependence on the automobile.
- (c) These areas are intended to transition successfully to existing neighborhoods through the judicious mapping of permitted districts.

SEC. 51A-13.102. APPLICABILITY.

The following provisions in Chapter 51A apply to this article:

- (1) Article I, "General Provisions."
 - (2) Article II, "Interpretations and Definitions."
 - (3) Article III, "Decisionmaking and Administrative Bodies."
 - (4) The following provisions of Article IV, "Zoning Regulations":
 - (A) Section 51A-4.101, "New Zoning Districts Established."
 - (B) Section 51A-4.103, "Zoning District Map."
 - (C) Section 51A-4.104, "Zoning District Boundaries."
 - (D) Section 51A-4.105, "Interpretation of District Regulations."
 - (E) Portions of Sections 51A-4.201 through 51A-4.217 of Division 51A-4.200, "Use Regulations," as follows:
 - (i) In the RTN district, the use definitions, parking requirements, and additional provisions apply.
 - (ii) In the WMU and WR districts, only the use definitions and additional provisions apply.
 - (F) Section 51A-4.218, "Limited Uses."
 - (G) Section 51A-4.219, "Specific Use Permit (SUP)."
 - (H) Section 51A-4.220, "Classification of New Uses."
 - (I) Section 51A-4.221, "Sexually Oriented Businesses."
 - (J) In the RTN district, the residential parking design standards of Division 51A-4.300, "Off-Street Parking and Loading Regulations."
 - (K) In all form districts, the following provisions of Division 51A-4.300, "Off-Street Parking and Loading Regulations":
 - (i) Section 51A-4.301(d), "Construction and Maintenance Provisions for Off-Street Parking."
 - (ii) Section 51A-4.301(e), "Lighting Provisions for Off-Street Parking," except as modified in Section 51A-13.601.
 - (iii) Section 51A-4.301(h), "Residential Alley Access Restrictions for Nonresidential Uses."
 - (iv) Section 51A-4.304 (d), "Off-Street Stacking Space Regulations."
 - (v) Section 51A-4.305, "Handicapped Parking Regulations."
 - (vi) Section 51A-4.306, "Off-Street Parking in the Central Business District" (if the property is located within the Central Business District).
 - (L) Section 51A-4.411, "Shared Access Development."
 - (M) Section 51A-4.412, "Residential Proximity Slope." (N) Section 51A-4.501, "Historic Overlay District."
 - (O) Section 51A-4.503, "D and D-1 Liquor Control Overlay Districts."
 - (P) Section 51A-4.504, "Airport Flight Overlay District."
 - (Q) Section 51A-4.508, "Turtle Creek Environmental Overlay" (if the property is located within the corridor).
 - (R) Division 51A-4.600, "Regulations of Special Applicability," except that the fence height special exception in Section 51A-4.602(a)(6) and the design standards in Section 51A-4.605 do not apply.
 - (S) Division 51A-4.700, "Zoning Procedures," except that Paragraph (1) of Section 51A-4.704(c), "Nonconforming Structures," is replaced by the following text: "Except as provided in Subsection 51A-4.704(c)(2), a person may renovate, remodel, repair, rebuild, or enlarge a nonconforming structure if the work does not cause the structure to become more nonconforming as to building placement, building height, building facade, garage placement, open space, or landscaping regulations."
 - (5) Article V, "Flood Plain and Escarpment Zone Regulations."
 - (6) Article VI, "Environmental Performance Standards."
 - (7) Article VII, "Sign Regulations," except as modified in Section 51A-13.603, "Signs."
 - (8) Article VIII, "Plat Regulations," except that Section 51A-8.604(c), "Minor Street Criteria," does not apply.
 - (9) Article IX, "Thoroughfares."
 - (10) Article X, "Landscape and Tree Preservation Regulations," except for Section 51A-10.110, Sections 51A-10.125(a), (b)(1), (2), (3)(A) and (5) through (7), and Section 51A-10.126.
 - (11) Article XI, "Development Incentives."
 - (12) Article XII, "Gas Drilling and Production."
 - (13) Any provision of Chapter 51A specifically stated as applying to this article.
 - (i) Except as provided in this subparagraph, additions to nonconforming structures that total 35 percent or less of the floor area existing when the structure became nonconforming must comply with the use and placement requirements and the height and elements requirements in Section 51A-13.304 for each development type.
 - (ii) Additions to the nonconforming structure that total 35 percent or less of the floor area existing when the structure became nonconforming:
 - (aa) are not required to comply with maximum setback requirements, minimum story requirements, or minimum story height requirements;
 - (bb) are not required to have an entrance on a primary street;
 - (cc) must be constructed within the buildable envelope but are not required to fill the entire buildable envelope; and
 - (dd) do not trigger compliance with the blocks and street standards in Section 51A-13.502(a)(2).
 - (iii) An addition to a nonconforming structure that exceeds 35 percent of the floor area existing when the structure became nonconforming must comply with Article XIII regulations.
- (Am. Ord. 29827, passed 8-15-15)

SEC. 51A-13.103. CONFLICTS.

- (a) If there is a conflict between this article and a provision in another article of this chapter, this article controls.
- (b) If there is a conflict between a chart or illustration in this article and the text of this article, the text of this article controls.

Division 51A-13.200.

Definitions.

SEC. 51A-13.201. DEFINED TERMS.

In this article, unless the context requires otherwise:

- (1) ACTIVE USE means a use allowed in the applicable district other than parking.
 - (2) APARTMENT means a development type as defined in Section 51A-13.304, "Development Types."
 - (3) ATTIC STORY means habitable or uninhabitable space within a building situated within the structure of a pitched roof and above the uppermost regular story.
 - (4) BAIL BONDS means a business that acts as a surety and pledges money or property as bail for the appearance of a criminal defendant in court.
 - (5) BLANK WALL AREA means any portion of the exterior of a building that does not include a material change, windows or doors, or columns, pilasters, or other articulation greater than 12 inches in depth. Blank wall area is measured horizontally on each story.
 - (5.1) BLOCKFACE means all lots on one side of a street between two consecutive intersections, measured along the inner edges of each street right-of-way or pedestrian passage.
 - (5.2) BUILDABLE ENVELOPE means the three dimensional form within which the horizontal and vertical elements of a structure must be built to comply with the use and placement requirements and the height and elements requirements in Section 51A-13.304 for each development type.
 - (6) CHECK CASHING means a business that provides check cashing, payday cash advance, payroll advance, short-term cash loan, instant payday cash advance, and short-term money loan services to individuals for a specified fee.
 - (7) CIVIC BUILDING means a development type as defined in Section 51A-13.304, "Development Types."
 - (8) DEVELOPMENT TYPE means a development type defined by its form and function in Section 51A-13.304, "Development Types."
 - (9) DISTRICT PARKING SPACE means a parking space in a parking management overlay.
 - (10) DOOR YARD means the area between the edge of the sidewalk furthest from the street and the front building facade.
 - (11) DROP-IN DAY CARE CENTER means a facility providing child care for children, none of whom are related to the primary caregiver, for short periods of time. An individual child may receive care in excess of four hours per day, but may not receive care in excess of a total of 20 hours per week.
 - (12) GENERAL COMMERCIAL means a development type as defined in Section 51A-13.304, "Development Types."
 - (13) GROUND STORY means the story closest to and above grade along the street.
 - (14) HALF (½) STORY means an attic story.
 - (15) HARDSCAPE means paving with concrete, stamped concrete, pavers, or other similar materials, including permeable materials approved by the building official.
 - (15.1) HORIZONTAL FACADE ARTICULATION means the interval on a primary or side street facing facade that differentiates the ground story, upper story, and each additional upper story as applicable. Horizontal facade articulation includes, but is not limited to, overhangs, shadow lines, change in material, color, pattern, texture, or any variation of treatments that simulate individual stories.
 - (16) MANOR HOUSE means a development type as defined in Section 51A-13.304, "Development Types."
 - (17) MASSAGE PARLOR means any building, room, place, or establishment, other than a regularly licensed hospital, where manipulated massage or manipulated exercises are practiced upon the human body by anyone not a duly licensed physician or chiropractor whether with or without the use of mechanical, therapeutic, or bathing devices, including Turkish bathhouses. This use does not include duly licensed beauty parlors or barbershops or a place wherein registered physical therapists treat only patients recommended by a licensed physician and operated only under the physician's direction.
 - (18) MIXED USE PROJECT means a development on one building site with a combination of residential, civic, place of worship, office, retail, service and entertainment, commerce, or fabrication uses.
 - (19) MIXED USE SHOPFRONT means a development type as defined in Section 51A-13.304, "Development Types."
 - (20) OPEN SPACE LOT means a development type as defined in Section 51A-13.304, "Development Types."
 - (21) PRIMARY STREET means the principal frontage for a building site, as defined during site plan review. Any street designated with a -SH overlay is a primary street.
 - (22) REGULATING PLAN means a plan described in Division 51A-13.700, "Administration."
 - (23) SERVICE STREET means a service street designated on a regulating plan or site plan.
 - (24) SIDE STREET means a frontage that is not a primary street, as defined during site plan review.
 - (25) SINGLE-FAMILY HOUSE means a development type as defined in Section 51A-13.304, "Development Types."
 - (26) SINGLE-STORY SHOPFRONT means a development type as defined in Section 51A-13.304, "Development Types."
 - (27) SITE PLAN means a site plan as required in Section 51A-13.703, "Site Plan Review."
 - (28) STACKED TOWNHOUSE means Townhouse Stacked.
 - (29) STREET FRONTAGE means that portion of a building that must be located within the required setback area, expressed as a percentage of lot width.
 - (30) STREETSCAPE means the area between back of curb and the face of a building, including the planting zone, sidewalk, and door yard.
 - (31) TATTOO OR BODY PIERCING SHOP means a business which produces an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment and a facility where the piercing of body parts, other than ears, is performed for purposes of allowing the insertion of jewelry.
 - (32) TOWNHOUSE means a development type as defined in Section 51A-13.304, "Development Types."
 - (33) TOWNHOUSE STACKED means a development type as defined in Section 51A-13.304, "Development Types."
 - (34) TRANSPARENCY means the total area of window and door opening filled with glass, expressed as a percentage of the total facade area by story, except that structured parking transparency is not required to be filled with glass.
 - (35) UPPER STORY means any story above the ground story.
- (Am. Ord. 29827, passed 8-15-15; Am. Ord. 30889, passed 6-13-18)

Division 51A-13.300.

District Regulations.

SEC. 51A-13.301. DISTRICTS ESTABLISHED.

(a) Walkable Urban Mixed Use (WMU-3,-5,-8,-12,-20,-40).

- (1) The Walkable Urban Mixed Use (WMU) districts are intended to accommodate a mix of compatible uses in close proximity to one another in a pedestrian-friendly environment.
- (2) The WMU districts are divided into three intensities: low (WMU-3, -5); medium (WMU-8, -12); and high (WMU-20, -40).
- (3) The WMU districts are intended to accommodate a limited set of development types. (See Section 51A-13.304(a)(1), "Development Types by District.")
- (4) Parcels of any size are eligible for a WMU district. There is no minimum acreage required for an application for WMU zoning. The WMU districts are intended for locations where a sufficient critical mass of dense, walkable urban mixed use development exists or is definitely planned. This critical mass is present when:
 - (A) the surrounding area consists of at least 40 acres of existing or definitely planned WMU or WR zoning, high density multifamily zoning, multiple use zoning, or planned development zoning with equivalent characteristics;
 - (B) the surrounding area consists of at least 25 acres proposed by an adopted area plan pursuant to *forwardDallas!* for WMU or WR zoning, high density multifamily zoning, multiple use zoning, or planned development zoning with equivalent characteristics; or
 - (C) the applicant demonstrates that the surrounding area is at least 25 acres and is or will be a mix of dense residential, commercial, and other uses that will achieve the intent of this article for increased walkability, reduced vehicular trip generation, and reduced parking demand.
- (5) The WMU districts are intended for use in the vicinity of rail transit stations, immediately adjacent to the Central Business District, and in the 23 study areas of the Trinity River Comprehensive Plan. These districts are also appropriate for major job centers and concentrations of multifamily housing where an area plan pursuant to *forwardDallas!* has been adopted.

(b) Walkable Urban Residential (WR-3,-5,-8,-12,-20,-40).

- (1) The Walkable Urban Residential (WR) districts are intended to create residential neighborhoods with mixed housing options in a pedestrian-friendly environment.
- (2) The WR districts are divided into three intensities: low (WR-3, -5); medium (WR-8, -12); and high (WR-20, -40).
- (3) The WR districts are intended to accommodate a limited set of development types. (See Section 51A-13.304(a)(1), "Development Types by District.")
- (4) Parcels of any size are eligible for a WR district. There is no minimum acreage required for an application for WR zoning. The WR districts are intended for locations where a sufficient critical mass of dense, walkable urban mixed use development exists or is definitely planned. This critical mass is present when:
 - (A) the surrounding area consists of at least 40 acres of existing or definitely planned WMU or WR zoning, high density multifamily zoning, multiple use zoning, or planned development zoning

- with equivalent characteristics;
- (B) the surrounding area consists of at least 25 acres proposed by and is part of an adopted area plan pursuant to *forwardDallas!* for WMU or WR zoning, high density multifamily zoning, multiple use zoning, or planned development zoning with equivalent characteristics; or
- (C) the applicant demonstrates that the surrounding area is at least 25 acres and is or will be a mix of dense residential, commercial, and other uses that will achieve the intent of this article for increased walkability, reduced vehicular trip generation, and reduced parking demand.
- (5) The WR districts are intended for use in the vicinity of rail transit stations, immediately adjacent to the Central Business District, and in the 23 study areas of the Trinity River Comprehensive Plan. These districts are also appropriate for major job centers and concentrations of multifamily housing where an area plan pursuant to *forwardDallas!* has been adopted.

(c) Residential Transition (RTN).

- (1) The Residential Transition (RTN) district provides single-family and duplex living intended to serve as a land use transition between the more intense WMU or WR districts and established single-family neighborhoods. The RTN district may be a stand-alone district.
- (2) The RTN district is a low intensity district.
- (3) This RTN district is intended to accommodate a limited set of development types with up to two dwelling units per lot. (See Section 51A-13.304(a)(1), "Development Types by District.")
- (4) The RTN district must be applied as a buffer of at least half a block in depth between a proposed WMU or WR district that abuts or is across an adjoining alley or minor street from any single family neighborhood.

(d) Shopfront Overlay (-sh).

- (1) The Shopfront (-SH) overlay is intended to create pedestrian shopping streets through the designation of specific street frontages with development types that support active uses.
- (2) The -SH overlay may be applied over any WMU or WR district.
- (3) The -SH overlay is intended to accommodate a limited set of development types. (See Section 51A-13.304(a)(1), "Development Types by District.")
- (4) Where a -SH overlay designation has been applied to a WMU or WR district, the standards for a mixed use or single-story shopfront development type apply to at least the first 30 feet of the building measured inward from the street-facing facade. In a WR district, uses allowed by the -SH overlay that are not allowed in a WR district may extend no more than the first 50 feet of the building measured inward from the street-facing facade.
- (5) Any street designated with a -SH overlay is a primary street.
- (6) The boundaries of a -SH overlay are not required to follow lot lines or match parcel boundaries.
- (7) A shopfront overlay may be designated internal to a site in anticipation of a planned public or private street.

(e) Height Map Overlay (-HM).

- (1) **Purpose.**
- The height map (-HM) overlay is intended to modify the height requirements in the underlying zoning district. The -HM overlay may also be used to address the potential tunnel effect of tall buildings along roadway corridors.

- (2) **In General.**
- The boundaries of a -HM overlay are not required to follow lot lines or match parcel boundaries.

(3) Height Modifications Required.

- (A) **Reduction of Maximum Height.**
- The -HM overlay may reduce the maximum height in any district.
- (B) **Increase of Maximum Height.**
- The -HM overlay may increase the maximum height in the WMU-40 and WR-40 districts.

(4) Reduction of Minimum Height Prohibited.

An -HM overlay may not be used to reduce the minimum height provisions of Section 51A-13.302(b).

(f) Parking Management Overlay (-PM).

- (1) The Parking Management (-PM) overlay is intended to:
- (A) address parking needs within a designated area on an area-wide basis rather than on a parcel-by-parcel basis;
 - (B) establish a parking management program to achieve the most efficient use of available parking facilities within a designated area;
 - (C) reduce traffic congestion and parking shortages; and
 - (D) encourage joint-use parking facilities.
- (2) The city council may establish a -PM overlay in accordance with Section 51A-13.410, "Parking Management Overlay (-PM)."

SEC. 51A-13.302. HEIGHT.

(a) Maximum District Height.

- (1) Height within a WMU, WR, or RTN district cannot exceed the maximum height limit below (in feet or stories), except as otherwise provided in this section.

Intensity	District	Height in Stories (max)	Height in Feet (max)
LOW	RTN	2½	35
	WMU-3, WR-3	3½	50
	WMU-5, WR-5	5	80
MEDIUM	WMU-8, WR-8	8	125
	WMU-12, WR-12	12	180
HIGH	WMU-20, WR-20	20	300
	WMU-40, WR-40	40	600

- (2) Single-story shopfront, townhouse stacked, townhouse, manor house, and single-family house development types have maximum height limits that may be lower than the district height limits. (See Section 51A-13.304, "Development Types.")
- (3) Maximum height may be reduced by a -HM overlay.
- (4) Height greater than 40 stories or 600 feet in WMU-40 or WR-40 is allowed through application of the -HM overlay.

(b) Minimum District Height.

- (1) Height within a WMU, WR, or RTN district must meet or exceed the minimum requirements below (in stories), except as otherwise provided in this section.

Intensity	District	Height in Stories (min)
LOW	RTN	1
	WMU-3, WR-3	1
	WMU-5, WR-5	1
MEDIUM	WMU-8, WR-8	2
	WMU-12, WR-12	2
HIGH	WMU-20, WR-20	4
	WMU-40, WR-40	5

- (2) Mixed use shopfront, townhouse stacked, townhouse, and manor house development types are required to be at least two stories in height regardless of the minimum district height. (See

Section 51A-13.304, "Development Types.")

(3) The minimum height provisions apply to the first 30 feet of the building measured inward from the street-facing facade on any primary or side street, except that up to 20 percent of the required street frontage may be lower than the minimum height for the district.

(4) A -HM overlay cannot be used to override the minimum height provisions of this section.

(5) No minimum height requirements apply to civic buildings or open space lots.

(c) Measurement of Height.

(1) Except as provided in this paragraph, height is measured as defined in Section 51A-2.102, "Definitions."

(2) An attic story is considered a half-story and counts toward the calculation of maximum number of stories.

(3) A basement is not considered a story.

(4) If a ground story is more than five feet above grade, the space below that floor counts as an additional story.

(d) Story Height.

(1) Ground story height is measured from the ground story finished floor to the top of the ground story horizontal facade articulation break.

(2) Upper story height is measured from the top of the ground story horizontal facade articulation break to the top of each additional upper story horizontal facade articulation break.

(3) At least 80 percent of each story must meet the minimum and maximum ground- and upper-story height provisions.

(e) Height Exceptions.

(1) Structures accessory to utility, public service, and institutional uses may be erected to any height consistent with FAA airspace limitations, airport flight overlay district regulations, residential proximity slope height restrictions, and the building code, except that local utility and transmission and distribution lines and supporting structures are exempt from residential proximity slope height restrictions.

(2) In the RTN district, the following accessory structures may exceed the district height limits of this section provided they do not exceed the maximum district height by more than 12 feet:

(A) Amateur communications tower.

(B) Cooling tower.

(C) Clerestory.

(D) Chimney and vent stack.

(E) Elevator penthouse or bulkhead.

(F) Flagpoles.

(G) Mechanical equipment room.

(H) Ornamental cupola or dome.

(I) Parapet wall, limited to a height of four feet.

(J) Stairway access to roof.

(K) Roof top deck.

(L) Skylights.

(M) Spires and belfries.

(N) Solar panels.

(O) Tank designed to hold liquids.

(P) Visual screens surrounding roof-mounted mechanical equipment.

(Q) Wind turbines and other integrated renewable energy systems.

(f) Residential Proximity Slope.

(1) Except as provided in this subsection, no portion of a building or structure over 26 feet in height may be located above the residential proximity slope as established in Section 51A-4.412.

(2) If a parcel of land subject to a height restriction similar to the residential proximity slope in Section 51A-4.412 is rezoned to a WMU, WR, or RTN district, the city council must adopt an -HM overlay applicable to the parcel. The -HM overlay and any amendments to the overlay must provide the same height restrictions applicable to the parcel before rezoning.

(3) Form districts are not sites of origination in the application of the residential proximity slope regulations of Section 51A-4.412.

(Am. Ord. 30889, passed 6-13-18)

SEC. 51A-13.303. OPEN SPACE.

(a) Definitions.

(1) NET LAND AREA means gross land area minus street right-of-way.

(2) OFF-SITE OPEN SPACE means open space that is not located on the building site but is within a quarter of a mile walking distance of the property. Off-site open space may consist of parks, wildlife preserves, or any form of open space lot as described in this article.

(3) ON-SITE OPEN SPACE means the portion of a building site that is accessible to all occupants of that building site (or to the general public if dedicated as public open space) and principally open to the sky but allows for architectural elements such as colonnades, pergolas, and gazebos. The space must be a contiguous open area of not less than 10 feet in width or length.

(4) OPEN SPACE means off-site and on-site open space.

(b) Open Space Required.

At least eight percent of the net land area of a building site in a form district must be provided as open space. Compliance with this requirement must be demonstrated at the time of application for a building permit.

(c) Options For Compliance.

(1) In General.

Open space may be provided as a dedication of land to the city, as private open space, or as a combination thereof. Subject to the limitations of this section, open space may be located on-site, off-site, or both, and need not be contiguous.

(2) On-site Open Space.

(A) On-site open space may be provided at or below grade or above-ground through the use of an outside roof deck, rooftop garden, pool area, or similar type of outside common area. No more than 50 percent of the required on-site open space may be provided as door yards, colonnades, or landscaped medians. Except for emergency vehicles, on-site open space cannot be parked or driven upon.

(B) On-site open space must be landscaped in accordance with the following requirements:

(i) Plantings must comply with the general landscaping standards set forth in Section 51A-13.304(a)(2), "Landscaping."

(ii) One large canopy tree must be provided for every 2,500 square feet of required open space area. Two small canopy trees may be substituted per required large tree.

(iii) Site trees must be evenly distributed throughout the development.

(3) Fee-in-Lieu.

The open space requirement may be satisfied by the payment of a fee-in-lieu if the property that is the subject of the requirement is located within a public improvement district or tax increment financing district with an established open space fund. See Section 51A-10.135(c)(2) for the calculation of the fee-in-lieu amount.

(4) Credit.

A credit of up to 50 percent of the open space requirement is allowed for existing public open space within a quarter of a mile walking distance of the building site.

(d) Artificial Lot. For building sites over two acres in size, the artificial lot provisions in Section 51A-10.122 may apply.

(Am. Ord. 29827, passed 8-15-15)

SEC. 51A-13.304. DEVELOPMENT TYPES.

(a) General.

(1) Development Types by District.

	Mixed Use Shopfront	Single-Story Shopfront	General Commercial	Apartment	Townhouse Stacked	Townhouse	Manor House	Single-Family House	Civic Building	Open Space Lot
District	Mu	Ss	Gc	Apt	Ts	Th	Mh	Sf	Civ	O
	Mixed Use Shopfront	Single-Story Shopfront	General Commercial	Apartment	Townhouse Stacked	Townhouse	Manor House	Single-Family House	Civic Building	Open Space Lot
District	Mu	Ss	Gc	Apt	Ts	Th	Mh	Sf	Civ	O
Walkable Urban Mixed Use (WMU)										
Low (WMU-3, WMU-5)
Medium (WMU-8, WMU-12)
High (WMU-20, WMU-40)
Walkable Urban Residential (WR)										
Low (WR-3, WR-5)		.*	
Medium (WR-8, WR-12)			
High (WR-20, WR-40)				.					.	.
Residential Transition (RTN)					
Shopfront (-SH) Overlay over any WMU or WR district

* Office and Medical allowed only along thoroughfare

(2) Landscaping.

(A) In General.

- (i) Specific landscaping requirements for each development type are provided in Subsections (b) through (k) of this section.
- (ii) All street trees must meet the requirements of Section 51A-10.125(b)(4).
- (iii) All site trees must be a minimum of two inches in caliper at time of planting and may not be located closer than four feet to any paved surface (measured from the center of the tree trunk).
- (iv) All site tree in-ground planting areas must be a minimum of 100 square feet for a large tree and 50 square feet for a small tree. Planters for large or small trees must be a minimum of 25 square feet.
- (v) Site trees must be large tree species listed in Section 51A-10.134. Small tree species may be substituted at a rate of two small trees per required large tree.
- (vi) Existing healthy site trees may be used to satisfy the site tree requirements of this section in accordance with Section 51A-10.125(b)(3)(B). Whether a site tree is healthy is a determination made by the building official.
- (vii) In the RTN district, at least 50 percent of all required yards must be landscaped with turf, groundcover, soil, or mulch.

(B) Shared Access Developments.

- (i) One site tree must be provided for every 4,000 square feet, or portion thereof, within the shared access development, or a minimum of one site tree must be provided for each individual dwelling unit in the shared access development, whichever is greater.
- (ii) Site trees must be evenly distributed throughout the shared access development.

(3) Parking Setbacks and Access.

- (A) On-site surface parking must be located behind the parking setback line.
- (B) The parking setback line applies only to the ground story.
- (C) Except when configured as a multi-way boulevard or indented parking, no on-site surface parking is permitted between a building and the street. (See Division 51A-13.500, "Minor Streets and Streetscapes.")
- (D) Structured parking must contain active uses on the ground story along any -SH overlay or any primary street for the first 30 feet of the building measured inward from the street-facing facade. There is no active ground-story use requirement for structured parking along a service street.
- (E) The requirements of Subparagraphs (A), (B), (C), and (D) above do not apply to on-street or underground parking.
- (F) The required street frontage may be interrupted to allow for a maximum 30-foot-wide vehicular entrance to a parking structure or area.

(4) Summary of Development Type Regulations.

A summary of standards for each development type is shown on the next page. Specific requirements for each development type are found on the following pages. The text on the following pages controls over the text in the summary chart.

	Mixed Use Shopfront	Single-Story Shopfront	General Commercial	Apartment	Townhouse Stacked	Townhouse	Manor House	Single-family House	Civic Building	Open Space Lot
	Mu	Ss	Gc	Apt	Ts	Th	Mh	Sf	Civ	O
	Mixed Use Shopfront	Single-Story Shopfront	General Commercial	Apartment	Townhouse Stacked	Townhouse	Manor House	Single-family House	Civic Building	Open Space Lot
	Mu	Ss	Gc	Apt	Ts	Th	Mh	Sf	Civ	O
LOT										
Area per unit or building (min sf)	none	none	none	none	1,200	1,200	depends on # of units	3,500	3,000	2,000
Area per building (max sf)	none	none	none	none	none	none	20,000	5,000	none	none
Width (min ft)	none	none	none	none	16	16	50	35	30	20
Width (max ft)	none	none	none	none	none	none	100	45	none	none
Lot coverage (max)	100%	80%	80%	80%	80%	80%	60%	60%	60%	5%
FRONT SETBACK AREA										
Primary street (min/max ft)	5/15	5/15	5/15	5/15	5/15	5/15	15/none	15/none	20/none	10/none
Side street (min/max ft)	5/15	5/15	5/15	5/15	5/15	5/15	10/none	10/none	10/none	10/none
Service street (min/max ft)	none	none	none	none	none	none	none	none	none	10/none
REQUIRED STREET FRONTAGE										
Primary street (min/max ft)	90%	90%	70%	70%	70%	70%	none	none	none	none
Side street (min/max ft)	40%	40%	40%	40%	40%	40%	none	none	none	none
Service street (min/max ft)	none	none	none	none	none	none	none	none	none	none
PARKING SETBACK										
From primary street (min ft)	30	30	30	30	30	30	none	none	20	none
From side street (min ft)	5	5	5	5	5	5	none	none	5	none
From service street (min ft)	5	5	5	5	5	5	none	none	5	none
Abutting single-family district (min ft)	10	10	10	10	10	10	none	none	10	none
Abutting multifamily, nonresidential district, alley (min ft)	5	5	5	5	5	5	none	none	5	none
SIDE SETBACK										
Abutting single-family district (min ft)	15	15	15	15	10	10	10	5	10	10
Abutting multifamily, nonresidential district (min ft)	0 or 5	0 or 5	0 or 5	0 or 5	0 or 5	0 or 5	5	5	10	10

Abutting alley (min ft)	5	5	5	5	5	5	5	5	10	10
REAR SETBACK										
Abutting single-family district (min ft)	15	15	15	15	24	24	15	15	10	10
Abutting multifamily, nonresidential district (min ft)	5	5	5	5	24	24	15	15	10	10
Abutting alley (ft)	5	5	5	5	3/20+	3/20+	3/20+	3/20+	10	10
Abutting service street (ft)	10	10	10	10	3/20+	3/20+	none	none	10	10
HEIGHT										
Building height (min stories)	District dependent	1	District dependent	District dependent	2	District dependent	2	1	1	none
Building height (max stories/ft)	1 / 30		District dependent	District dependent	3½ / 50	District dependent	2½ / 35	2½ / 35	District dependent	35
STORY HEIGHT										
Ground story (min/max ft)	15/30	15/30	11/22	10/15	10/15	10/15	10/15	10/15	10/15	none
Upper story (min/max ft)	10/15	none	10/15	10/15	10/15	10/15	10/15	10/15	10/15	none
GROUND STORY TRANSPARENCY										
Primary street facade (min)	50%	50%	30%	30%	30%	30%	20%	20%	none	none
Side street facade (min)	25%	25%	25%	25%	25%	25%	20%	20%	none	none
Service street facade (min)	none	none	none	none	none	none	none	none	none	none
UPPER STORY TRANSPARENCY										
Primary street facade (min)	20%	none	20%	20%	20%	20%	20%	20%	none	none
Side street facade (min)	20%	none	20%	20%	20%	20%	20%	20%	none	none
Service street facade (min)	none	none	none	none	none	none	none	none	none	none
ENTRANCE										
Primary street entrance	required	required	required	required	required	required	required	required	none	none
Entrance spacing (max linear ft)	100	100	none	none	none	none	none	none	none	none
Side street entrance	allowed	allowed	allowed	allowed	allowed	allowed	allowed	allowed	none	none
Service street entrance	allowed	allowed	allowed	allowed	allowed	allowed	allowed	allowed	none	none
BLANK WALL AREA										
Primary street (max linear ft)	20	20	30	30	30	30	30	30	none	none
Side street (max linear ft)	none	none	none	none	none	none	none	none	none	none
Service street (max linear ft)	none	none	none	none	none	none	none	none	none	none

- (5) Administrative Waiver — Front Setback Area.

(A) The director may grant a deviation from the front setback area regulations if:

(i) the front setback area cannot be met due to interference with service provided by a public utility or state regulated entity for the transmission of power, fuel, water, or communication services; or

(ii) the front setback area cannot be met due to street easements.

(B) In determining whether to grant a deviation under Subparagraph (A), the director shall consider whether or not the result of the requested relief:

(i) is consistent with the purposes of Article XIII as stated in Section 51A-13.101;

(ii) will complement or be compatible with the surrounding uses and community facilities;

(iii) will contribute to, enhance, or promote the welfare of the area of request and adjacent properties;

(iv) will not be detrimental to the public health, safety, or general welfare; and

(v) will conform in all other respects to all applicable zoning regulations and standards.

(6) Relief from Required Street Frontage.

(A) The city plan commission may approve a site plan at a public hearing that does not comply with the required street frontage regulations in this section if:

(i) strict compliance with street frontage requirements are impractical due to site constraints or would result in substantial hardship;

(ii) the variation or exception from the street frontage requirements will not adversely affect surrounding properties; and

(iii) the site plan furthers the stated purpose of Article XIII as described in Section 51A-13.101(b).

(B) A site plan that deviates from required street frontage must follow the public notice procedure with a public hearing in accordance with Section 51A-4.702(h)(2)(C).

(Am. Ord. 30889, passed 6-13-18)

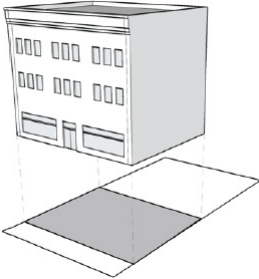
MU MIXED USE SHOPFRONT

(b) Mixed Use Shopfront.

(1) Definition.

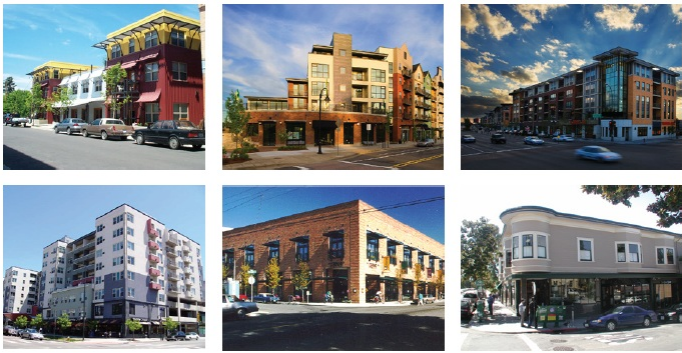
A development type intended primarily for ground-story retail and upper-story residential or offices uses.

Ground-story spaces should be flexible enough to accommodate a variety of retail and office uses. Upper stories should be used for offices or residential apartments. The building must be pulled up to the street. No on-site surface parking is permitted between the building and the street. On-site surface parking areas must be located to the rear of the building. Primary entrances must be prominent and street- facing. Large storefront windows must be provided to encourage interaction between the pedestrian and the ground-story space.



(2) Character Examples.

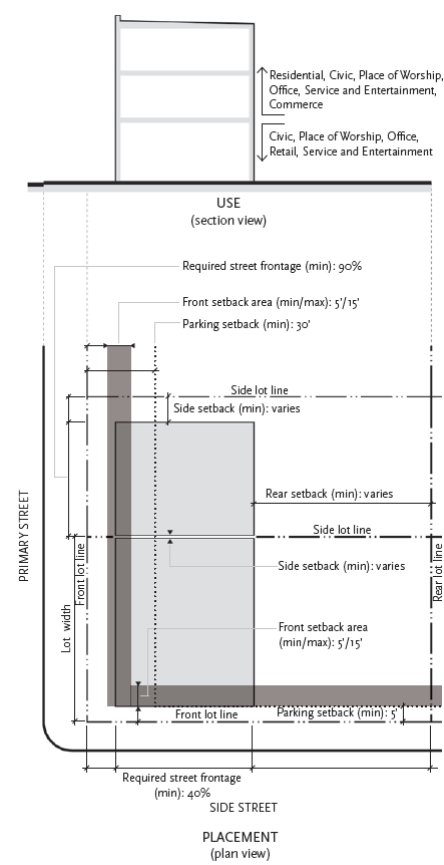
Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



(3) Districts permitted.

LOW:	WMU-3, WMU-5
MEDIUM:	WMU-8, WMU-12
HIGH:	WMU-20, WMU-40
OVERLAY:	-SH

(4) Use and Placement.



BUILDING USE

A summary of permitted uses by story is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses." No nonresidential use is permitted above a residential use.

BUILDING PLACEMENT

LOT

Area (min sf)	none
Area (max sf)	none
Width (min ft)	none
Width (max ft)	none
Lot coverage (max)	100%

FRONT SETBACK AREA

Primary street (min/max ft)	5/15
Side street (min/max ft)	5/15
Service street (min/max ft)	none

REQUIRED STREET FRONTAGE

Primary street (min)	90%
Side street (min)	40%
Service street (min)	none

PARKING SETBACK

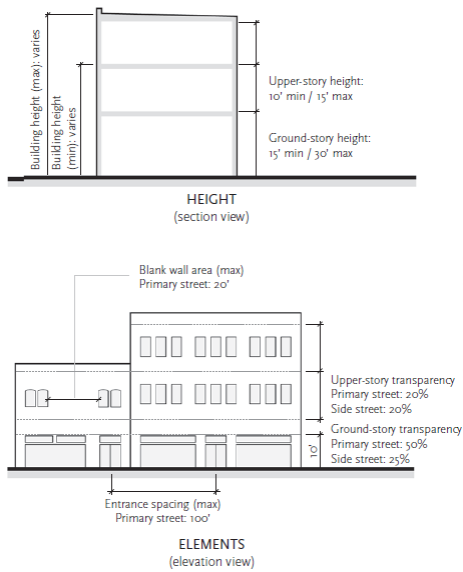
From primary street (min ft)	30
From side street (min ft)	5
From service street (min ft)	5
Abutting residential districts other than multi-family (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5

SIDE SETBACK

Abutting residential districts other than multi-family (min ft)	15
Abutting multifamily or nonresidential district (min ft)	0 or 5

Abutting alley (min ft)	5
REAR SETBACK	
Abutting residential districts other than multi-family (min ft)	15
Abutting multifamily or nonresidential district (min ft)	5
Abutting alley (min ft)	5
Abutting service street (min ft)	10

(5) Height and Elements.



BUILDING HEIGHT	
HEIGHT	
Building height (max stories/ft)	See Section 51A-13.302, "Height"
Building height (min stories)	
WMU-3, -5 , -8, -12	2
WMU-20	4
WMU-40	5
STORY HEIGHT	
Ground story (min/max ft)	15/30
Upper story (min/max ft)	10/15
BUILDING FACADE	
GROUND-STORY TRANSPARENCY	
Primary street facade (min)	50%
Side street facade (min)	25%
Service street facade (min)	none
<i>Measured between 0 and 10 ft above adjacent sidewalk.</i>	
UPPER-STORY TRANSPARENCY	
Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none
<i>Measured from horizontal facade articulation to horizontal facade articulation.</i>	
ENTRANCE	
Primary street	required
Entrance spacing (max linear ft)	100
Side street	allowed
Service street	allowed
BLANK WALL AREA	
Primary street (max linear ft)	20
Side street (max linear ft)	none
Service street (max linear ft)	none

(6) Ground-Story Shopfront Windows.

A minimum of 60 percent of the street-fronting, street-level window pane surface area must allow views into the ground-story use for a depth of at least four feet. Windows must be clear or unpainted, or, if treated, must be translucent. Spandrel glass or backpainted glass does not comply with this provision.

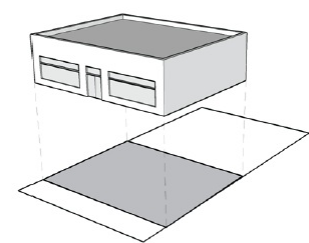
SS SINGLE-STORY SHOPFRONT

(c) Single-Story Shopfront.

(1) Definition.

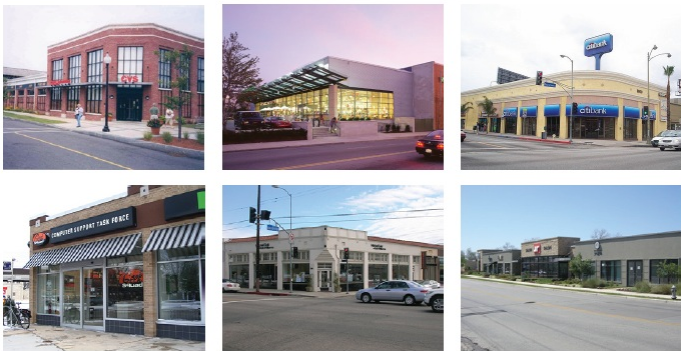
A development type intended primarily for single-story retail uses.

Ground-story spaces should be flexible enough to accommodate a variety of retail and office uses. The building must be pulled up to the street. No on-site surface parking is permitted between the building and the street. On-site surface parking areas must be located to the rear of the building. Primary entrances must be prominent and street-facing. Large storefront windows must be provided to encourage interaction between the pedestrian and the ground-story space.



(2) Character Examples.

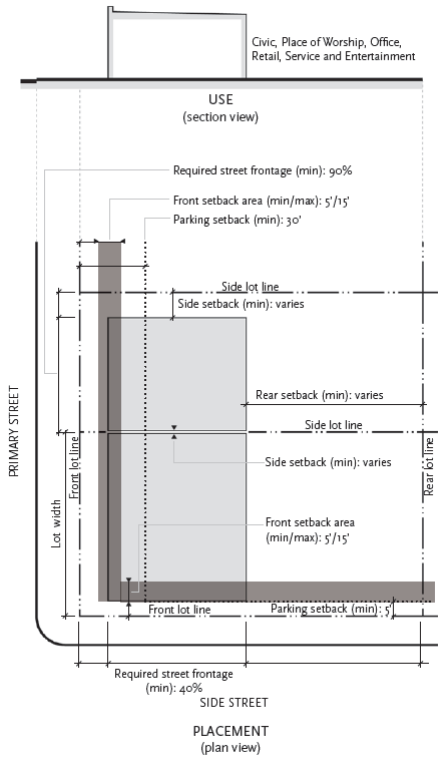
Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



(3) Districts Permitted.

LOW: WMU-3, WMU-5
OVERLAY: -SH

(4) Use and Placement.



BUILDING USE

A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

BUILDING PLACEMENT

LOT

Area (min sf)	none
Area (max sf)	none
Width (min ft)	none
Width (max ft)	none
Lot coverage (max)	80%

FRONT SETBACK AREA

Primary street (min/max ft)	5/15
Side street (min/max ft)	5/15
Service street (min/max ft)	none

REQUIRED STREET FRONTAGE

Primary street (min)	90%
Side street (min)	40%
Service street (min)	none

PARKING SETBACK

From primary street (min ft)	30
From side street (min ft)	5
From service street (min ft)	5
Abutting residential districts other than multi-family (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5

SIDE SETBACK

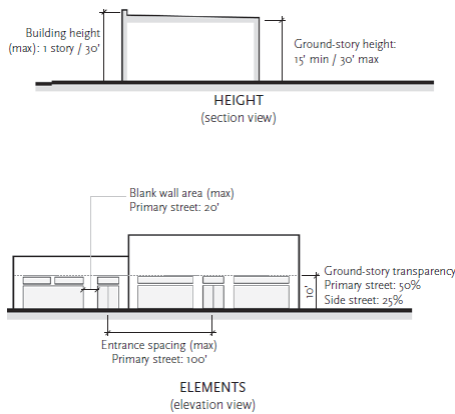
Abutting residential districts other than multi-family (min ft)	15
Abutting multifamily or nonresidential district (min ft)	0 or 5
Abutting alley (min ft)	5

REAR SETBACK

Abutting residential districts other than multi-family (min ft)	15
Abutting multifamily or nonresidential district (min ft)	5

Abutting alley (min ft)	5
Abutting service street (min ft)	10

(5) Height and Elements.



BUILDING HEIGHT

HEIGHT	
Building height (max stories/ft)	1 / 30
Building height (min stories)	1

STORY HEIGHT	
Ground story (min/max ft)	15/30
Upper story (min/max ft)	none

BUILDING FACADE

GROUND-STORY TRANSPARENCY	
Primary street facade (min)	50%
Side street facade (min)	25%
Service street facade (min)	none
<i>Measured between 0 and 10 ft above adjacent sidewalk.</i>	

UPPER-STORY TRANSPARENCY	
Primary street facade (min)	none
Side street facade (min)	none
Service street facade (min)	none
<i>Measured from horizontal facade articulation to horizontal facade articulation.</i>	

BUILDING ENTRANCE	
Primary street	required
Entrance spacing (max linear ft)	100
Side street	allowed
Service street	allowed

BLANK WALL AREA	
Primary street (max linear ft)	20
Side street (max linear ft)	none
Service street (max linear ft)	none

(6) Ground-Story Shopfront Windows.

A minimum of 60 percent of the street-fronting, street-level window pane surface area must allow views into the ground-story use for a depth of at least four feet. Windows must be clear or unpainted, or, if treated, must be translucent. Spandrel glass or backpainted glass does not comply with this provision.

(7) Landscaping.

- (A) General landscaping standards are set forth in Section51A-13.304(a)(2), "Landscaping."
- (B) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of four site trees must be provided, whichever is greater.
- (C) Site trees must be evenly distributed throughout the development.

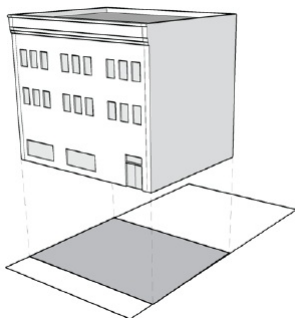
GC GENERAL COMMERCIAL

(d) General Commercial.

(1) Definition.

A development type intended primarily for nonresidential uses.

Ground-story spaces should be flexible enough to accommodate a variety of nonresidential uses. Upper stories should be used for offices or other types of compatible nonresidential uses. The building must be pulled up to the street. No on-site surface parking is permitted between the building and the street. On-site surface parking areas must be located to the rear of the building. Primary entrances must be street-facing.



(2) Character Examples.

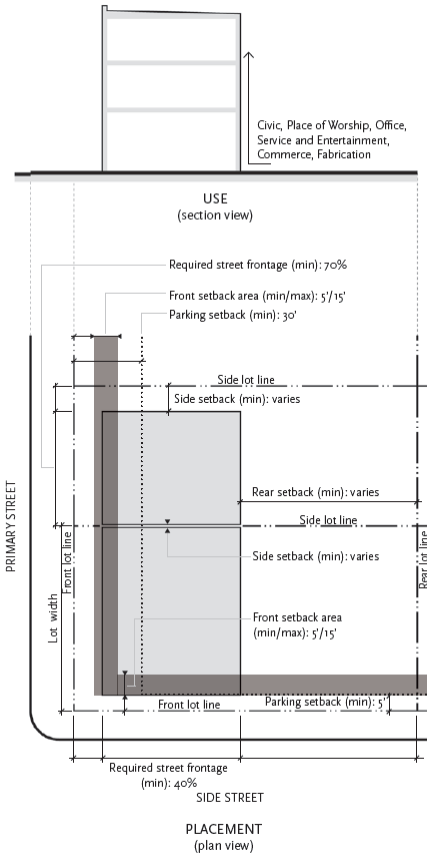
Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



(3) Districts Permitted.

LOW:	WMU-3, WMU-5
MEDIUM:	WMU-8, WMU-12
HIGH:	WMU-20, WMU-40

(4) Use and Placement.



BUILDING USE

A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

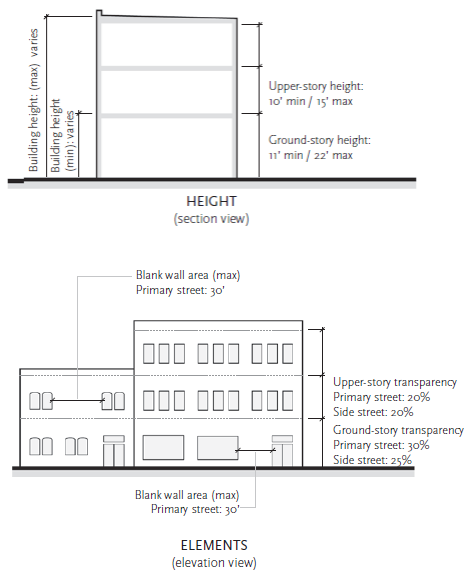
BUILDING PLACEMENT

LOT	
Area (min sf)	none
Area (max sf)	none
Width (min ft)	none
Width (max ft)	none
Lot coverage (max)	80%
FRONT SETBACK AREA	
Primary street (min/max ft)	5/15
Side street (min/max ft)	5/15
Service street (min/max ft)	none
REQUIRED STREET FRONTAGE	
Primary street (min)	70%
Side street (min)	40%
Service street (min)	none
PARKING SETBACK	
From primary street (min ft)	30
From side street (min ft)	5
From service street (min ft)	5
Abutting residential districts other than multi-family (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5
SIDE SETBACK	
Abutting residential districts other than multi-family (min ft)	15
Abutting multifamily or nonresidential district (min ft)	0 or 5
Abutting alley (min ft)	5

REAR SETBACK

Abutting residential districts other than multi-family (min ft)	15
Abutting multifamily or nonresidential district (min ft)	5
Abutting alley (min ft)	5
Abutting service street (min ft)	10

(5) Height and Elements.



BUILDING HEIGHT
HEIGHT

Building height (max stories/ft)	See Section 51A-13.302, "Height"
Building height (min stories)	
WMU-3, -5	1
WMU-8, -12	2
WMU-20	4
WMU-40	5

STORY HEIGHT

Ground story (min/max ft)	11/22
Upper story (min/max ft)	10/15

BUILDING FACADE

GROUND-STORY TRANSPARENCY

Primary street facade (min)	30%
Side street facade (min)	25%
Service street facade (min)	none

Measured from floor to horizontal facade articulation.

UPPER-STORY TRANSPARENCY

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none

Measured from horizontal facade articulation to horizontal facade articulation.

BUILDING ENTRANCE

Primary street	required
Entrance spacing (max linear ft)	none
Side street	allowed
Service street	allowed

BLANK WALL AREA

Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none

(6) Landscaping.

- (A) General landscaping standards are set forth in Section 51A-13.304(a)(2), "Landscaping."
- (B) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of four site trees must be provided, whichever is greater.
- (C) Site trees must be evenly distributed throughout the development.
- (D) Required landscaping may be provided aboveground when configured as on-site open space in accordance with Section 51A-13.303, "Open Space."

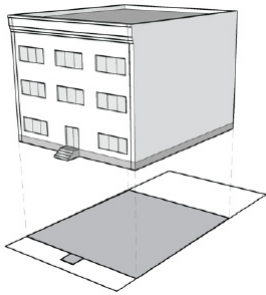
APT APARTMENT

(e) Apartment.

(1) Definition.

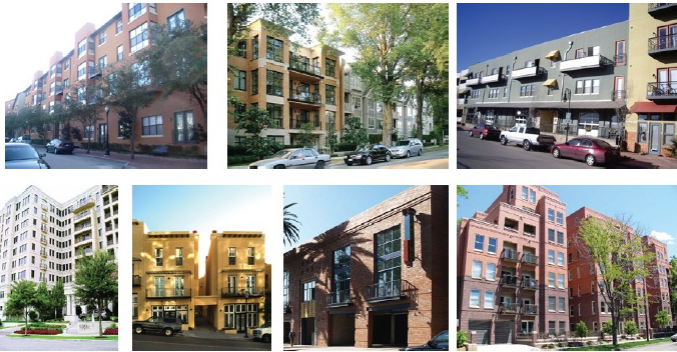
A development type containing three or more dwelling units consolidated into a single structure.

An apartment contains common walls. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. The building must be pulled up to the street. No on-site surface parking is permitted between the building and the street. On-site surface parking must be located to the rear of the building. The building often shares a common entrance. Primary entrances must be prominent and street-facing. An elevated ground floor for residential uses is recommended to ensure privacy.



(2) Character Examples.

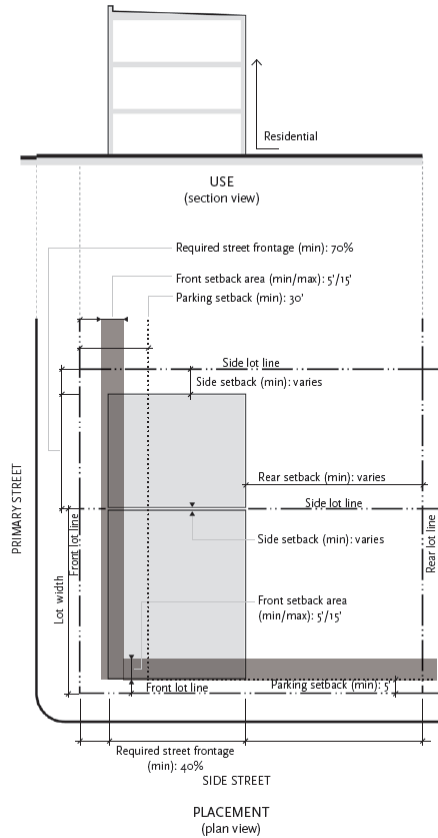
Character examples are provided below for illustrative purposes only and are intended to be character ex- amples of the development type and not the streetscape.



(3) Districts Permitted.

LOW:	WMU-3, WMU-5	WR-3, WR-5
MEDIUM:	WMU-8, WMU-12	WR-8, WR-12
HIGH:	WMU-20, WMU-40	WR-20, WR-40

(4) Use and Placement.



BUILDING USE

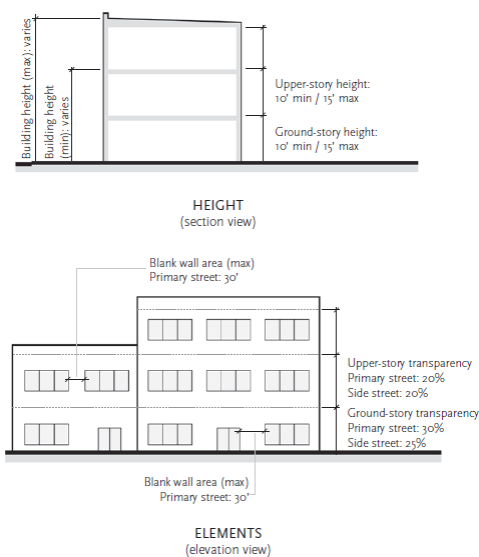
A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

BUILDING PLACEMENT

LOT	
Area (min sf)	none
Area (max sf)	none
Width (min ft)	none
Width (max ft)	none
Lot coverage (max)	80%
FRONT SETBACK AREA	
Primary street (min/max ft)	5/15
Side street (min/max ft)	5/15

Service street (min/max ft)	none
REQUIRED STREET FRONTAGE	
Primary street (min)	70%
Side street (min)	40%
Service street (min)	none
PARKING SETBACK	
From primary street (min ft)	30
From side street (min ft)	5
From service street (min ft)	5
Abutting residential districts other than multi-family (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5
SIDE SETBACK	
Abutting residential districts other than multi-family (min ft)	15
Abutting multifamily or nonresidential district (min ft)	0 or 5
Abutting alley (min ft)	5
REAR SETBACK	
Abutting residential districts other than multi-family (min ft)	15
Abutting multifamily or nonresidential district (min ft)	5
Abutting alley (min ft)	5
Abutting service street (min ft)	10

(5) Height and Elements.



BUILDING HEIGHT

HEIGHT

Building height (max stories/ft)	See Section 51A-13.302, "Height"
Building height (min stories)	
WMU-3, -5, -8, -12 WR-3, -5, -8, -12	2
WMU-20 WR-20	4
WMU-40 WR-40	5

STORY HEIGHT

Ground story (min/max ft)	10/15
Upper story (min/max ft)	10/15

BUILDING FACADE

GROUND-STORY TRANSPARENCY

Primary street facade (min)	30%
Side street facade (min)	25%
Service street facade (min)	none
<i>Measured from floor to horizontal facade articulation.</i>	

UPPER-STORY TRANSPARENCY

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none
<i>Measured from horizontal facade articulation to horizontal facade articulation.</i>	

BUILDING ENTRANCE

Primary street	required
Entrance spacing (max linear ft)	none
Side street	allowed
Service street	allowed

BLANK WALL AREA

Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none

(6) Landscaping.

- (A) General landscaping standards are set forth in Section 51A-13.304(a)(2), "Landscaping."
- (B) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of four site trees must be provided, whichever is greater.
- (C) Site trees must be evenly distributed throughout the development.
- (D) Required landscaping may be provided aboveground when configured as on-site open space in accordance with Section 51A-13.303, "Open Space."

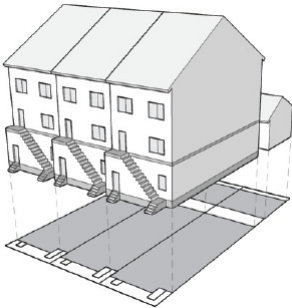
TS TOWNHOUSE STACKED

(f) Townhouse Stacked.

(1) Definition.

A development type with six or more attached units consolidated into a single structure that creates separate ground-story units for residential or office purposes.

Each unit shares a common side wall and a common floor or ceiling. Units are stacked vertically, however, no more than one unit is permitted above another unit. Each building must contain at least three units horizontally (six units total). Each unit typically has its own external entrance. No on-site surface parking is permitted between the building and the street. Garages facing the primary street are not per- mitted. An elevated ground floor for residential uses is recommended to ensure privacy.



(2) Character Examples.

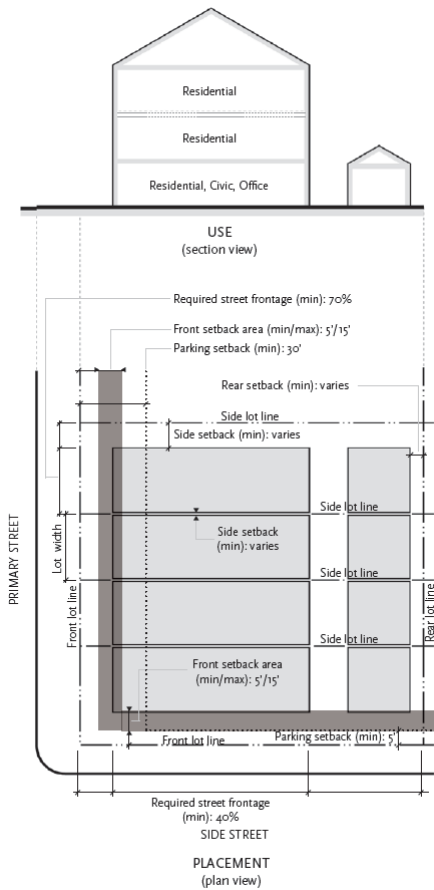
Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



(3) Districts Permitted.

LOW:	WMU-3, WMU-5	WR-3, WR-5
MEDIUM:	WMU-8, WMU-12	WR-8, WR-12

(4) Use and Placement.



BUILDING USE

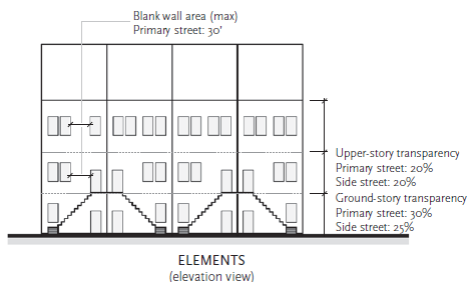
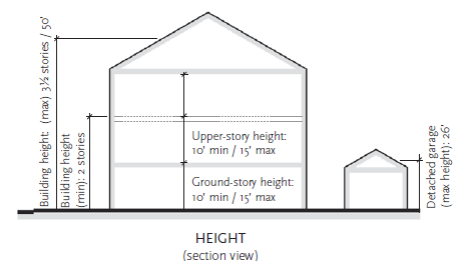
A summary of permitted uses by story is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

BUILDING PLACEMENT

LOT

Area (min sf)	1,200
Area (max sf)	none
Width (min ft)	16
Width (max ft)	none
Lot coverage (max)	80%
FRONT SETBACK AREA	
Primary street (min/max ft)	5/15
Side street (min/max ft)	5/15
Service street (min/max ft)	none
REQUIRED STREET FRONTAGE	
Primary street (min)	70%
Side street (min)	40%
Service street (min)	none
PRIMARY STREET	
PARKING SETBACK	
From primary street (min ft)	30
From side street (min ft)	5
From service street (min ft)	5
Abutting residential districts other than multi-family (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5
SIDE SETBACK	
Abutting residential districts other than multi-family (min ft)	10
Abutting multifamily or nonresidential district (min ft)	0 or 5
Abutting alley (min ft)	5
REAR SETBACK	
Abutting residential districts other than multi-family (min ft)	24
Abutting multifamily or nonresidential district (min ft)	24
Abutting alley (ft)	3 or 20 or more
Abutting service street (ft)	3 or 20 or more

(5) Height and Elements.



BUILDING HEIGHT

HEIGHT

Building height (max stories/ft)
WMU-3, -5, -8, -12 WR-3, -5, -8, -12 3 1/2 / 50

Building height (min stories)
WMU-3, -5, -8, -12 WR-3, -5, -8, -12 2

Detached garage (max ft) 26

STORY HEIGHT

Ground story (min/max ft) 10/15

Upper story (min/max ft) 10/15

BUILDING FACADE

GROUND-STORY TRANSPARENCY

Primary street facade (min) 30%

Side street facade (min) 25%

Service street facade (min) none

Measured from floor to horizontal facade articulation.

UPPER-STORY TRANSPARENCY

Primary street facade (min) 20%

Side street facade (min) 20%

Service street facade (min) none

Measured from horizontal facade articulation to horizontal facade articulation.

BUILDING ENTRANCE

Primary street required

Entrance spacing (max linear ft) none

Side street allowed

Service street allowed

BLANK WALL AREA

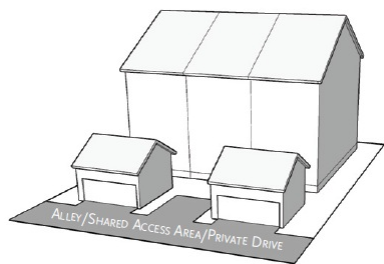
Primary street (max linear ft) 30

Side street (max linear ft) none

Service street (max linear ft) none

(6) **Garage Placement.**

- (A) Except for an alley, no garage access is permitted from a public street.
- (B) All vehicular access must be to the rear of the building.
- (C) Where the garage is less than 20 feet from the alley, an automatic garage door opener is required.



(7) **Landscaping.**

- (A) General landscaping standards are set forth in Section 51A-13.304(a)(2), "Landscaping."
- (B) One site tree must be provided in the front yard for each two units stacked vertically on an individually platted lot.
- (C) If more than two units stacked vertically are located on the same lot, the following requirements apply:
 - (i) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of one site tree must be provided for each set of two units stacked vertically, whichever is greater.
 - (ii) Site trees must be evenly distributed throughout the development.

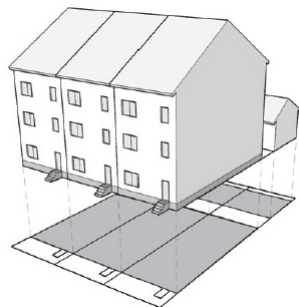
TH TOWNHOUSE

(g) **Townhouse.**

(1) **Definition.**

A development type with three or more attached dwelling units consolidated into a single structure.

Each unit must be separated by a common side wall. A townhouse unit must be more than one story in height, however, units must not be vertically mixed. Each unit must have its own external entrance. No on-site surface parking is permitted between the building and the street. Garages facing the primary street are prohibited. In the RTN district, only one unit per lot is permitted. An elevated ground floor for residential uses is recommended to ensure privacy.



(2) **Character Examples.**

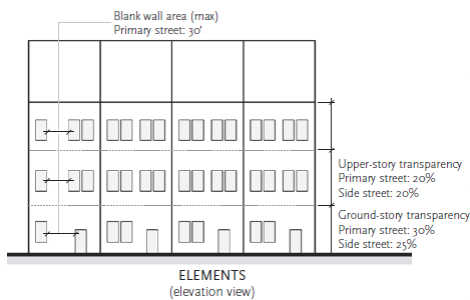
Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



(3) **Districts Permitted.**

LOW:	WMU-3, WMU-5	WR-3, WR-5	RTN
MEDIUM:	WMU-8, WMU-12	WR-8, WR-12	

(4) **Use and Placement.**



BUILDING HEIGHT HEIGHT

Building height (max stories/ft)	
RTN	2½ / 35
WMU-3, -5, -8, -12 WR-3, -5, -8, -12	3½ / 50
Building height (min stories)	
RTN	2
WMU-3, -5, -8, -12 WR-3, -5, -8, -12	2
Detached garage (max ft)	26

STORY HEIGHT

Ground story (min/max ft)	10/15
Upper story (min/max ft)	10/15

BUILDING FACADE

GROUND-STORY TRANSPARENCY

Primary street facade (min)	30%
Side street facade (min)	25%
Service street facade (min)	none

Measured from floor to horizontal facade articulation.

UPPER-STORY TRANSPARENCY

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none

Measured from horizontal facade articulation to horizontal facade articulation.

BUILDING ENTRANCE

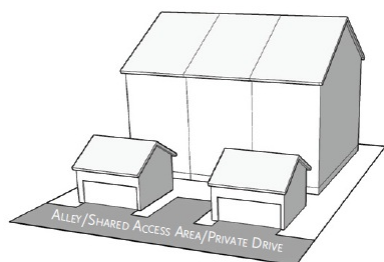
Primary street	required
Entrance spacing (max linear ft)	none
Side street	allowed
Service street	allowed

BLANK WALL AREA

Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none

(6) Garage Placement.

- (A) Except for an alley, no garage access is permitted from a public street.
- (B) All vehicular access must be to the rear of the building.
- (C) Where the garage is less than 20 feet from the alley, an automatic garage door opener is required.



(7) Landscaping.

- (A) General landscaping standards and alternative requirements for shared access developments are set forth in Section 61A-13.304(a)(2), "Landscaping."
- (B) Except in a shared access development, one site tree must be provided in the front yard for a townhouse on an individually-platted lot in all districts.
- (C) In a shared access development or if more than one townhouse unit is located on the same lot, the following requirements apply:
 - (i) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of one site tree must be provided for each individual unit, whichever is greater.
 - (ii) Site trees must be evenly distributed throughout the development.

(8) Townhouses on Individually-Platted lots.

- (A) Except for the foundation, a dwelling unit must be physically separable from contiguous dwelling units in the event of removal of a dwelling unit. Each party wall must be governed by a set of deed restrictions, stipulating that if a dwelling unit is removed, the party wall stays with the remaining dwelling unit.
- (B) Each dwelling unit must have separate utility services; however, general utility services on land owned and maintained by a homeowner's association are allowed.

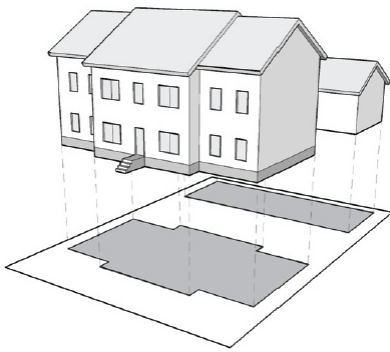
MH MANOR HOUSE

(h) Manor House.

(1) Definition.

A development type with two to five attached dwelling units consolidated in a single structure.

A manor house must be located on a single lot and must contain common walls. The building must look like a conventional single-family house with a single primary entrance except that a manor house with two dwelling units (duplex) may have one primary entrance for each unit. Dwelling units within a building may be situated either wholly or partially over or under other dwelling units. No garage may face a primary street. In the RTN district, up to two units per lot are permitted. An elevated ground floor for residential uses is recommended to ensure privacy.



(2) Character Examples.

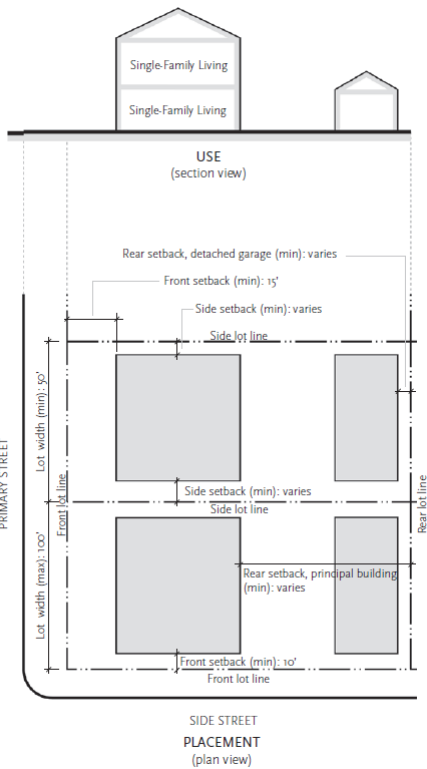
Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



(3) Districts Permitted.

LOW: WMU-3, WMU-5, WR-3, WR-5 RTN

(4) Use and Placement.



BUILDING USE

A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

BUILDING PLACEMENT

LOT

Area (min sf)	
2 units (duplex)	6,000
3 to 5 units	10,000
Area (max sf)	20,000
Width (min ft)	50
Width (max ft)	100
Lot coverage (max)	60%

FRONT SETBACK AREA

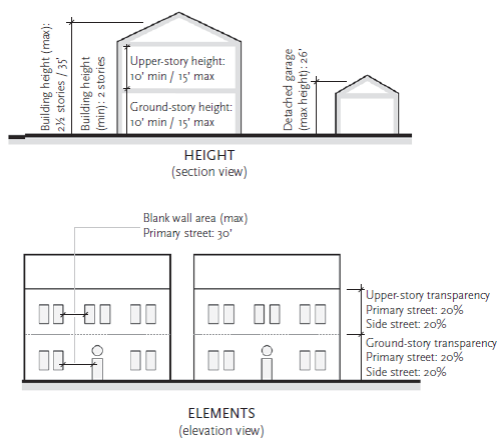
Primary street (min ft)	15
Side street (min ft)	10

SIDE SETBACK

Abutting residential districts other than multi-family (min ft)	10
Abutting multifamily or nonresidential district (min ft)	5

Abutting alley (min ft)	5
REAR SETBACK (principal building)	
Abutting residential districts other than multi-family (min ft)	15
Abutting multifamily or nonresidential district (min ft)	15
REAR SETBACK (detached garage)	
Abutting common lot line (min ft)	3
Abutting alley (min ft)	3 or 20+

(5) Height and Elements.



BUILDING HEIGHT

HEIGHT

Building height (max stories/ft)	2 1/2 / 35
Building height (min stories)	2
Detached garage (max ft)	26

STORY HEIGHT

Ground story (min/max ft)	10/15
Upper story (min/max ft)	10/15

BUILDING FACADE

GROUND-STORY TRANSPARENCY

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none

Measured from floor to horizontal facade articulation.

UPPER-STORY TRANSPARENCY

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none

Measured from horizontal facade articulation to horizontal facade articulation.

BUILDING ENTRANCE

Primary street	required
Entrance spacing (max linear ft)	none
Side street	allowed
Service street	allowed

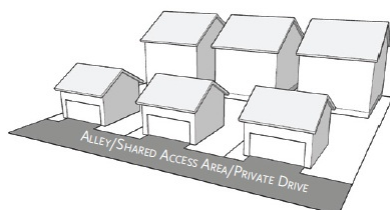
BLANK WALL AREA

Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none

(6) Garage Placement.

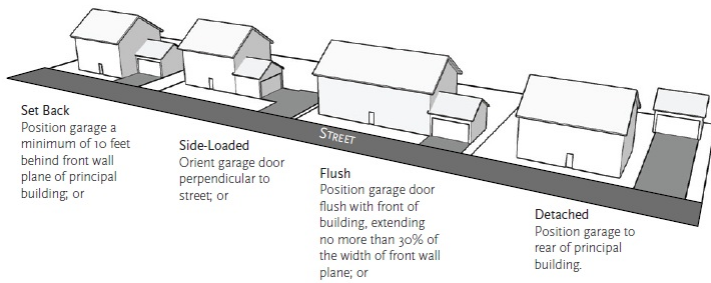
(A) Alley Provided.

- When an alley is provided and developed, all vehicular access must take place from the alley. On corner lots, access may be taken from the side street, in which case the garage door may face a side street.
- If the garage is less than 20 feet from the alley, an automatic garage door opener is required.



(B) No Alley Provided.

- When an alley is not provided or developed, street-facing garages may be positioned as set forth below.
- If the garage is less than 20 feet from the street, an automatic garage door opener is required.



(7) Landscaping.

- (A) General landscaping standards are set forth in Section51A-13.304(a)(2), "Landscaping."
- (B) In the RTN district, one site tree must be provided in the front yard of a manor house on an individually platted lot.
- (C) A minimum of one site tree must be provided on the lot for each individual unit in the manor house. At least one site tree must be located in the front yard of each manor house.

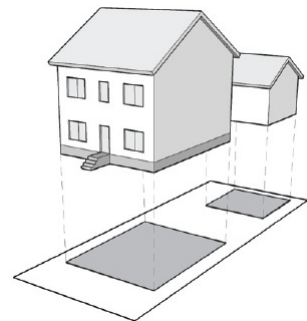
SF SINGLE-FAMILY HOUSE

(i) Single-Family house.

(1) Definition.

A development type containing one dwelling unit located on a single lot.

A single-family house has vehicular access only from the rear of the lot. Garages fac- ing the primary street are prohibited. Only one unit per lot is permitted. An elevated ground floor for residential uses is recom- mended to ensure privacy.



(2) Character Examples.

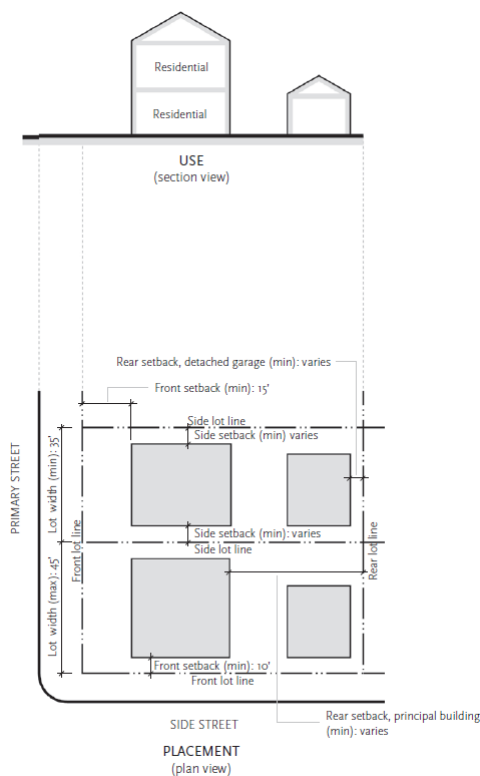
Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



(3) Districts Permitted.

LOW: RTN

(4) Use and Placement.



BUILDING USE

A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

BUILDING PLACEMENT

LOT

Area (min sf)	3,500
Area (max sf)	5,000
Width (min ft)	35
Width (max ft)	45
Lot coverage (max)	60%

FRONT SETBACK AREA

Primary street (min ft)	15
Side street (min ft)	10

SIDE SETBACK

Abutting residential districts other than multi-family (min ft)	5
Abutting multifamily or nonresidential district (min ft)	5
Abutting alley (min ft)	5
Abutting side street	10

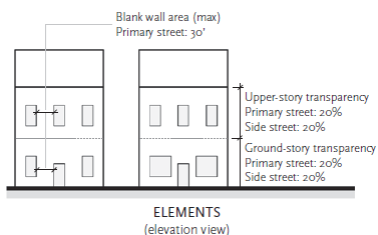
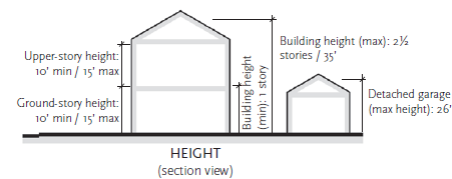
REAR SETBACK (principal building)

Abutting residential districts other than multi-family (min ft)	15
Abutting multifamily or nonresidential district (min ft)	15

REAR SETBACK (detached garage)

Abutting a common lot line (min ft)	5
Abutting alley (min ft)	3 or 20+

(5) Height and Elements.



BUILDING HEIGHT

HEIGHT

Building height (max stories/ft)	2 1/2 / 35
Building height (min stories)	1
Detached garage (max ft)	26

STORY HEIGHT

Ground story (min/max ft)	10/15
Upper story (min/max ft)	10/15

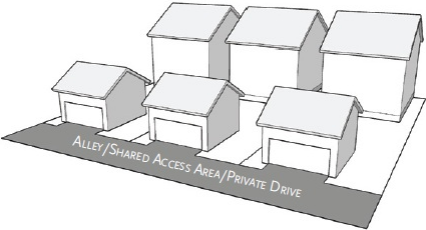
BUILDING FACADE

GROUND-STORY TRANSPARENCY

Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none
<i>Measured from floor to horizontal facade articulation.</i>	
UPPER-STORY TRANSPARENCY	
Primary street facade (min)	20%
Side street facade (min)	20%
Service street facade (min)	none
<i>Measured from horizontal facade articulation to horizontal facade articulation.</i>	
BUILDING ENTRANCE	
Primary street	required
Entrance spacing (max linear ft)	none
Side street	allowed
Service street	allowed
BLANK WALL AREA	
Primary street (max linear ft)	30
Side street (max linear ft)	none
Service street (max linear ft)	none

(6) Garage Placement.

- (A) Except on a corner lot, all vehicular access must take place from an alley. On a corner lot, access may be taken from the side street, in which case the garage door may face a side street.
- (B) If the garage is less than 20 feet from the alley, an automatic garage door opener is required.



(7) Landscaping.

- (A) General landscaping standards and alternative requirements for shared access developments are set forth in Section51A-13.304(a)(2), "Landscaping."
- (B) A minimum of two site trees must be provided on the lot for each single-family house. At least one site tree must be located in the front yard of each single-family house.

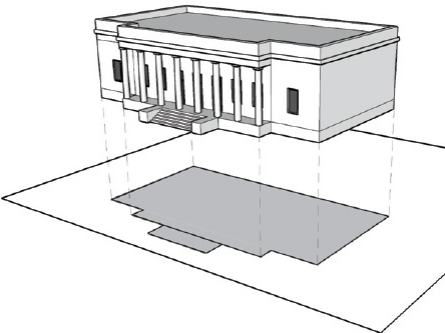
CIV CIVIC BUILDING

(j) Civic Building.

(1) Definition.

A development type containing civic or place of worship uses that serve the sur- rounding community.

Civic buildings should be designed to physically express their prominence in the community. Civic buildings should either be sited adjoining or surrounded by civic spaces or placed at the axial termination of a street in order to provide a visual landmark. In order to provide greater flexibility and allow more distinctive architectural expression, civic buildings do not have mandatory street frontage requirements. No surface parking is permitted between the building and any primary street.



(2) Character Examples.

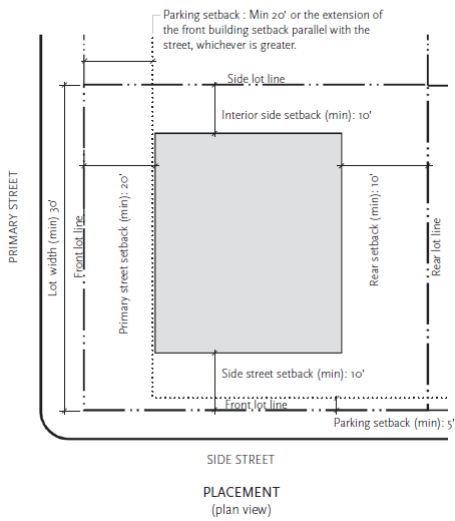
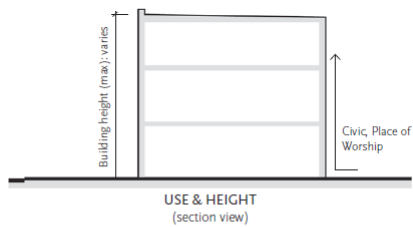
Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



(3) Districts Permitted.

LOW:	WMU-3, WMU-5	WR-3, WR-5	RTN
MEDIUM:	WMU-8, WMU-12	WR-8, WR-12	
HIGH:	WMU-20, WMU-40	WR-20, WR-40	
OVERLAY:	-SH		

(4) Use, Height, and Placement.



BUILDING USE

A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses."

BUILDING HEIGHT

Building height (max)	See Section 51A-13.302, "Height"
Building height (min stories)	1

BUILDING PLACEMENT

LOT

Area (min sf)	3,000
Width (min ft)	30
Lot coverage (max)	60%

SETBACKS

Primary street (min ft)	20
Side street (min ft)	10
Interior side (min ft)	10
Rear (min ft)	10

PARKING SETBACK

From primary street (min ft)	20
<i>No on-site surface parking is permitted between the building and the primary street.</i>	
From side street (min ft)	5
From service street (min ft)	5
Abutting residential districts other than multi-family (min ft)	10
Abutting multifamily or nonresidential district or alley (min ft)	5

(5) Landscaping.

- (A) General landscaping standards are set forth in Section 51A-13.304(a)(2), "Landscaping."
- (B) One site tree must be provided for every 4,000 square feet of lot area, or portion thereof, or a minimum of four site trees must be provided, whichever is greater.
- (C) Site trees must be evenly distributed throughout the development.

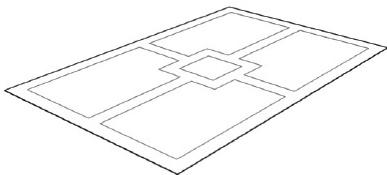
O OPEN SPACE LOT

(k) Open Space Lot.

(1) Definition.

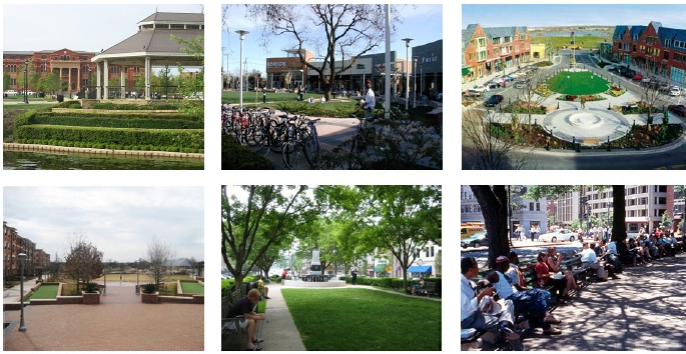
A development type located and designed to accommodate civic open space or natural area worthy of preservation.

An open space lot is intended primarily to provide for public or private open space. Open space lots can also be used to accommodate commercial surface parking lots, although commercial surface parking lots may not be used to satisfy open space requirements.



(2) Character Examples.

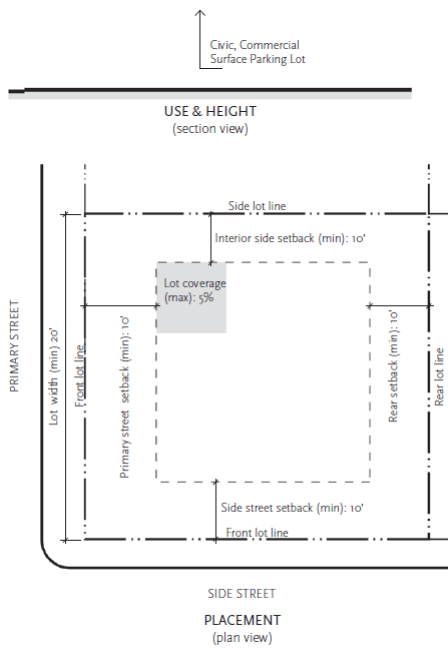
Character examples are provided below for illustrative purposes only and are intended to be character examples of the development type and not the streetscape.



(3) Districts Permitted.

LOW:	WMU-3, WMU-5	WR-3, WR-5	RTN
MEDIUM:	WMU-8, WMU-12	WR-8, WR-12	
HIGH:	WMU-20, WMU-40	WR-20, WR-40	
OVERLAY:	-SH		

(4) Use, Height, and Placement.



USE	
A summary of permitted uses is shown on the left. For a complete list of permitted uses, see Section 51A-13.306, "Uses." Parking as an accessory use is not permitted on an open space lot.	
HEIGHT	
Building/Structure Height (max ft)	35
BUILDING/STRUCTURE PLACEMENT	
No more than five percent of the total lot area may be occupied by buildings or structures.	
Rear setback (min):	10'
LOT	
Area (min sf)	2,000
Width (min ft)	20
Lot coverage (max)	5%
SETBACKS	
Front (min ft)	10
Side street (min ft)	10
Interior side (min ft)	10
Rear (min ft)	10

(5) Configuration.

(A) In General.

An open space lot must be configured as set forth in Subparagraphs (B) through (K).

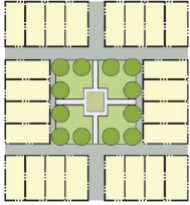
(B) Plaza or Esplanade.



(i) A plaza is a formal open space defined by building frontages and abutting streets. An esplanade is a linear, open area, abutting a river, large body of water, or street, where people may walk.

- (ii) A plaza or esplanade must be at least 2,000 square feet. A plaza may not exceed a maximum of one acre.
- (iii) An esplanade must have a minimum width of 40 feet.
- (iv) A plaza or esplanade must be bounded by a street on at least one side.
- (v) A plaza or esplanade is typically furnished with paths, benches, and open shelters.
- (vi) A plaza or esplanade may contain landscaping and paved surfaces. Pervious paving materials must make up a minimum of 70 percent of any paved surface. Trees and shrubs must be planted in formal patterns.
- (vii) For a plaza, perimeter street trees and sidewalks must be installed in accordance with the ST-1 streetscape standard. (See Division 51A-13.500, "Minor Streets and Streetscapes.")
- (viii) For an esplanade, street trees must be installed in accordance with the ST-1 streetscape standard. (See Division 51A-13.500, "Minor Streets and Streetscapes.")
- (ix) Site trees must be planted at the rate of one large canopy tree per 2,500 square feet of lot area. Each tree must have a caliper of at least two inches at the time of planting. Trees may be planted in planters or tree grates.
- (x) A plaza may be level, stepped, or gently sloping. An esplanade must be level.
- (xi) Lots that share a common lot line with a plaza or esplanade must configure development as though the plaza or esplanade were a primary street.

(C) Square.



- (i) A square is a formal open space defined by building frontages and abutting streets. A square must be at least 10,000 square feet in size, but may not exceed two acres.
- (ii) A square is bounded by streets on a minimum of three sides.
- (iii) A square is typically furnished with paths, benches, and open shelters.
- (iv) Landscaping must consist of lawn, trees, and shrubs planted in formal patterns.
- (v) A square must contain a minimum 30 percent turf, groundcover, soil, or mulch. The balance of the area may be any paved surface. Pervious paving materials must make up a minimum of 70 percent of any paved surface.
- (vi) Perimeter street trees and sidewalks must be installed in accordance with the ST-1 streetscape standard. (See Division 51A-13.500, "Minor Streets and Streetscapes.")
- (vii) Site trees must be planted at the rate of one large canopy tree per 2,500 square feet of lot area. Each tree must have a caliper of at least two inches at the time of planting.
- (viii) A square may be level, stepped, or gently sloping.
- (ix) Lots that share a common lot line with a square must configure development as though the square were a primary street.

(D) Green.



- (i) A green is an informal open space defined by abutting streets.
- (ii) A green must be at least 10,000 square feet in size, but may not exceed two acres.
- (iii) A green must be bound by streets on a minimum of two sides.
- (iv) A green is typically furnished with paths, benches, and open shelters.
- (v) Landscaping must consist of lawn and informally arranged trees and shrubs.
- (vi) A green must contain a minimum of 60 percent turf, ground-cover, soil, or mulch. The balance of the area may be any paved surface. Pervious paving materials must make up a minimum of 70 percent of any paved surface.
- (vii) Perimeter street trees and sidewalks must be installed in accordance with the ST-1 streetscape standard. (See Division 51A-13.500, "Minor Streets and Streetscapes.")
- (viii) Site trees must be planted at the rate of one large canopy tree per 2,500 square feet of lot area. Each tree must have a caliper of at least two inches at the time of planting. Site tree plantings may be informal.
- (ix) The topography may be irregular.
- (x) Lots that share a common lot line with a green must configure development as though the green were a primary street.

(E) Neighborhood Park.



- (i) A neighborhood park is a natural landscape consisting of open and wooded areas and may also include, but are not limited to, tennis courts, racquet ball courts, basketball courts, volley ball courts, ball fields, swings, slides, playgrounds, dog parks, benches, restrooms, picnic units, shelters, and walking paths.
- (ii) A neighborhood park must be at least 20,000 square feet in size.
- (iii) A neighborhood park is bounded by streets on a minimum of one side.
- (iv) Neighborhood parks are often irregularly shaped but may be linear in order to parallel creeks, canals, or other corridors.
- (v) Landscaping must consist of informally arranged trees and shrubs. The topography may be irregular.
- (vi) A neighborhood park may have a maximum of 15 percent impervious surface.
- (vii) Perimeter street trees and sidewalks must be installed in accordance with the ST-1 streetscape standard. (See Division 51A-13.500, "Minor Streets and Streetscapes.")
- (viii) Site trees must be planted at the rate of one large canopy tree per 2,500 square feet of lot area. Each tree must have a caliper of at least two inches at the time of planting.

(F) Tot Lot.



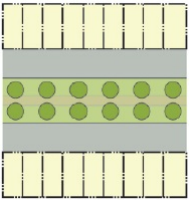
- (i) A tot lot provides play areas for children as well as open shelter and benches.
- (ii) A tot lot must be at least 2,000 square feet in size, but may not exceed one acre.
- (iii) Tot lots may be freestanding or located within squares, greens, or neighborhood parks.
- (iv) The impervious surface of a tot lot may not exceed 15 percent.
- (v) Perimeter street trees and sidewalks must be installed in accordance with the ST-1 streetscape standard. (See Division 51A-13.500, "Minor Streets and Streetscapes.")
- (vi) Site trees must be planted at the rate of one large canopy tree per 2,500 square feet of lot area. Each tree must have a caliper of at least two inches at the time of planting.

(G) Community Garden.



- (i) A community garden is a grouping of garden plots available to nearby residents for small-scale cultivation, including storage facilities for necessary equipment.
- (ii) A community garden must be at least 10,000 square feet in size, but may not exceed two acres.
- (iii) The impervious surface of a community garden may not exceed 15 percent.
- (iv) Perimeter street trees and sidewalks must be installed in accordance with the ST-1 streetscape standard. (See Division 51A-13.500, "Minor Streets and Streetscapes.")

(H) Landscaped Median.



- (i) A wide landscape median provides open space and green area embedded within the public realm of a minor street.
- (ii) A landscape median must be at least 20 feet in width and one block in the length, with a reduction of the width to eight feet at the location of turn lanes.
- (iii) Landscaping must consist of lawn and formally arranged trees.
- (iv) A double row of street trees must be planted at the rate of one large canopy tree every 40 feet on center, on average. Each tree must have a caliper of at least three inches at the time of planting.
- (v) Trees must be planted no more than 10 feet nor less than six feet from the back of curb.
- (vi) Improvements may include paved walks, trails, benches, and trash receptacles.

(I) Greenbelt.



- (i) Greenbelts typically follow natural features such as streams or rivers. They are designed to incorporate natural settings such as creeks and significant stands of trees within neighborhoods, and are used for transportation, recreation, and environmental protection.
- (ii) Greenbelts differ from neighborhood parks, plazas, and squares in that their detailing is natural (i.e. informally planted), except along rights-of-way, and may contain irregular topography.
- (iii) Design of the greenbelt should incorporate conservation of existing mature tree canopy and landscape and protection of existing natural drainage-ways and creeks.
- (iv) Land within the 100-year floodplain may be used to accommodate a greenbelt.
- (v) The greenbelt must be accessible from adjacent development.
- (vi) Improvements may include paved walks, trails, benches, and trash receptacles.
- (vii) No rear-facing lots may abut a greenbelt.

(J) Private Open space under 2,000 SF.

Private open space of less than 2,000 square feet must be designed to meet the standards for landscaping or private open space for the appropriate development type.

(K) Commercial Surface Parking Lot.

A commercial surface parking lot on an open space lot may be approved through the specific use permit process. The length of time the use may be operated must be set during approval of the specific use permit. The commercial surface parking lot must meet all standards for design and landscaping required in this article. No commercial surface parking lot may be used to satisfy public or private open space requirements.

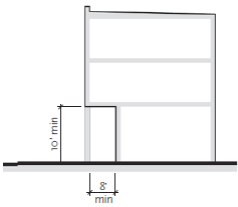
(6) Certificate of Occupancy Required.

Except for a landscape median and greenbelt, a certificate of occupancy is required for all open space lots.

(Am. Ord. 30889, passed 6-13-18; Am. Ord 31470, passed 2-24-20)

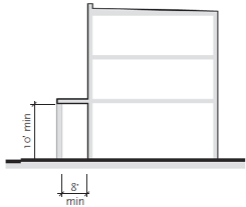
SEC. 51A-13.305. BUILDING ELEMENTS.

(a) Arcades.



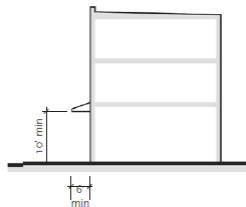
- (1) Arcades are permitted on mixed use shopfront, single-story shopfront, general commercial, and civic development types.
- (2) An arcade must have a clear depth from the support columns to the building's facade of at least eight feet and a clear height above the sidewalk of at least 10 feet.
- (3) An arcade must be contiguous and extend over at least 50 percent of the width of the building facade.
- (4) No arcade may encroach into the door yard or the public right-of-way.

(b) Galleries.



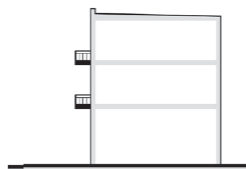
- (1) Galleries are permitted on mixed use shopfront, single-story shopfront, general commercial, and civic development types.
- (2) A gallery must have a clear depth from the support columns to the building's facade of at least eight feet and a clear height above the sidewalk of at least 10 feet.
- (3) A gallery must be contiguous and extend over at least 50 percent of the width of the building facade from which it projects.
- (4) A gallery may encroach into the door yard. No gallery may encroach into the public right-of-way without a license for the use of that right-of-way.

(c) Awnings.



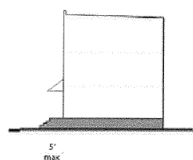
- (1) Awnings are permitted on mixed use shopfront, single-story shopfront, general commercial, apartment, and civic development types.
- (2) A ground-story awning must have a minimum clearance of 10 feet above the sidewalk and must have a minimum depth of six feet.
- (3) An awning may encroach into the door yard. No awning may encroach into the public right-of-way without a license for the use of that right-of-way.

(d) Balconies.



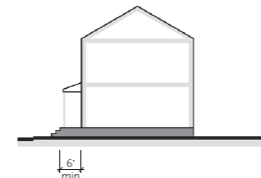
- (1) Balconies are permitted only on the upper stories of mixed use shopfront, general commercial, apartment, townhouse stacked, townhouse, manor house, single-family house, and civic development types.
- (2) No balcony may project within five feet of a common lot line.
- (3) A balcony may encroach into the door yard. No balcony may encroach into the public right-of-way without a license for the use of that right-of-way.

(e) Stoops.



- (1) Stoops are permitted on townhouse stacked, townhouse, manor house, apartment, and single-family house development types.
- (2) A stoop must be no more than five feet deep (including the steps) and six feet wide.
- (3) A stoop may be roofed, but not enclosed.
- (4) Partial walls and railings on a stoop may be no higher than 3 1/2 feet.
- (5) A stoop may encroach into the door yard. No stoop may encroach into the public right-of-way without a license for the use of that right-of-way.

(f) Front Porches.



- (1) Front porches are permitted on townhouse stacked, townhouse, manor house, apartment, and single-family house development types.
- (2) A front porch must be a minimum of six feet deep (not including the steps).

(3) Except as provided in this paragraph, a front porch must be contiguous with a width not less than 50 percent of the building facade from which it projects. This provision does not apply to the apartment development type.

(4) A front porch may be roofed, but not enclosed.

(5) Partial walls and railings on a porch may be no higher than 3 1/2 feet.

(6) A front porch may encroach into the door yard. No front porch may encroach into the public right-of-way without a license for the use of that right-of-way.

(g) Roof Treatments.

Dormers are permitted in an attic story. Dormers must not break the primary eave line, be individually more than 15 feet wide, and collectively be more than 60 percent of the facade length.

(h) Building Entrances.

(1) The following building entrance requirements apply to mixed use shopfront, single-story shopfront, general commercial, and apartment development types.

(2) An entrance providing both ingress and egress, operable during normal business hours, is required to meet primary street entrance requirements. Additional entrances off another street, pedestrian area, or internal parking area are permitted.

(3) The entrance separation requirements provided for the development type must be met for each building, but are not applicable to adjacent buildings.

(4) An angled entrance may be provided at either corner of a building along the primary street to meet the primary street entrance requirements, provided any applicable entrance spacing requirements can still be met.

(5) A minimum of 50 percent of a required entrance must be transparent.

(6) A required fire exit door with no transparency may front on a primary, side, or service street.

(i) Fences and Walls.

(1) Except as provided below, the provisions of Section 51A-4.602 apply.

(2) In a door yard, a fence may not exceed three feet in height above grade. In all other required yards, no fence or wall may exceed six feet in height above grade.

(Am. Ord. 30889, passed 6-13-18)

SEC. 51A-13.306. USES.

(a) General Provisions.

(1) Allowed uses.

No certificate of occupancy may be issued for a use in a WMU, WR, or RTN district that is not allowed by this section. Existing nonconforming uses may continue in accordance with Section 51A-4.704.

(2) Use Categories.

(A) In order to regulate uses more efficiently, categories of uses have been established.

(B) Use categories provide a systematic basis for assigning land uses to appropriate development types. Use categories classify land uses and activities based on common functional, product, or physical characteristics.

(C) Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties, and site conditions.

(3) Principal Uses.

Principal uses are grouped into categories of uses. Permitted uses are shown in Section 51A-13.306(b), "Use Chart." The use categories used in the use chart are listed in Section 51A-13.306(d), "Use Categories." The examples of permitted uses listed are not an exhaustive list. The building official has the responsibility for categorizing uses. See Paragraph (6) below.

(4) Transitional Uses.

Transitional uses are intended to provide an opportunity for owners in a form district to make appropriate use of their property during the interim period as the district develops. For a list of permitted transitional uses and regulations, see Section 51A-13.306(e), "Transitional Uses."

(5) Accessory uses.

(A) Except as provided below, accessory uses are allowed in conjunction with a permitted principal use in accordance with Section 51A-4.217.

(B) A use listed in Section 51A-13.306, "Uses," (and not Sections 51A-4.201 through 51A-4.216) may be an accessory use if the building official determines that the use is customarily incidental to a main use and otherwise complies with this section.

(C) Except as otherwise provided in this article or in Article IV, accessory uses are subject to the following area restrictions.

(i) If the use is conducted outside, it may not occupy more than five percent of the area of the lot containing the main use.

(ii) If the use is conducted inside, it may not occupy more than five percent of the floor area of the main use.

(iii) Any use that exceeds these area restrictions is considered to be a separate main use.

(D) Pedestrian sky bridges are not permitted in the form districts.

(E) Wind turbines and other integrated renewable energy systems are permitted in the form districts.

(6) Building Official Responsibility.

(A) The building official is responsible for categorizing all uses. If a proposed use is not listed in a use category, but is similar to a listed use, the building official shall place the proposed use under that use category.

(B) When determining whether a proposed use is similar to a listed use in Section 51A-13.306(d), "Use Categories," the building official shall consider the following criteria:

(i) The actual or projected characteristics of the proposed use.

(ii) The relative amount of site area or floor area and equipment devoted to the proposed use.

(iii) Relative amounts of sales.

(iv) The customer type.

(v) The relative number of employees.

(vi) Hours of operation.

(vii) Building and site arrangement.

(viii) Types of vehicles used and their parking requirements.

(ix) The number of vehicle trips generated.

(x) Signs.

(xi) How the proposed use is advertised.

(xii) The likely impact on surrounding properties.

(xiii) Whether the activity is likely to be independent of the other activities on the site.

(7) Additional Use Regulations.

Except as otherwise provided in this article, the additional provisions in Division 51A-4.200 for a specific use apply to that use under this article.

(b) Use Chart.

The use chart identifies the uses allowed by right, the uses requiring a specific use permit, and uses that are not allowed. The use chart key is set forth below.

(A) Permitted. (P)

Indicates that the use is allowed by right in that development type.

(B) specific use Permit. (I)

Indicates that a use is permitted in that development type only in accordance with Section 51A-4.219, "Specific Use Permit (SUP)."

(C) Blank Cell.

A blank cell indicates that a use is not permitted in that development type.

Use Chart

		Mixed Use Shopfront		Single-Story Shopfront	General Commercial	Apartment	Townhouse Stacked		Townhouse	Manor House	Single-family House	Civic Building	Open Space Lot	Additional Regulations
		Mixed Use Shopfront		Single-Story Shopfront	General Commercial	Apartment	Townhouse Stacked		Townhouse	Manor House	Single-family House	Civic Building	Open Space Lot	Additional Regulations
		Mu		Ss	Gc	Apt	Ts		Th	Mh	Sf	Civ	O	
Principal Use	Use Category	Ground Story	Upper Stories	Ground Story	All Stories	All Stories	Ground Story	Upper Stories	All Stories	All Stories	All Stories	All Stories	---	
Residential	Single-family living		*				*	*	*	*	*			(c)(1), (c)(2)
	Multifamily living		*				*	*	*	*	*			
	Group living		*			*	*	*	*	*	*			(c)(1)
Civic	Community service, except as listed below:	☐	☐	☐	☐		☐					☐		
	<i>Museum, library</i>	*	*	*	*		*					*		(c)(3)
	Day care	*	*	*	*							*		(c)(3)
	Educational	*	*	*	*							*		(c)(3)
	Government service, except as listed below:	*	*	*	*							*		(c)(3)
	<i>Detention center, jail, or prison</i>				☐							☐		
	Park or Open space												*	
	Social service	☐	☐	☐	☐									(c)(8)
	Transit station	*	*	*	*							*		
	Utilities											*	(c)(4)	
Place of Worship	Place of Worship	*	*	*	*						*			
Office	Medical	*	*	*	*									
	Office	*	*	*	*	*								
Retail	Drive-thru facility	☐		☐	☐									(c)(9)
	Restaurant or Bar	*	*	*	*									(c)(5)
	Retail sales	*	*	*	*									(c)(5)
	Vehicle sales	*	*	*	*									
Service and Entertainment	Commercial amusement (inside)	☐	☐	☐	☐									
	Indoor recreation	*	*	*	*									
	Personal service, except as listed below:	*	*	*	*									
	Animal care	*	*	*	*									(c)(6)
Commerce	Commercial parking	*	*	*	*								☐	
	Passenger terminal limited to a Helistop		☐		☐									
	Overnight lodging	*	*	*	*									(c)(7)
	Self-service storage		☐		☐									
Fabrication	Light manufacturing				*									
	Research and development				*									
	Vehicle service				*									

Key: * = Permitted ☐ = Specific Use Permit Blank Cell = Not Permitted

(c) Additional Regulations.

(1) Handicapped Group Dwelling Unit and Group Residential Facilities.

A handicapped group dwelling unit or group residential facility must be located at least 1,000 feet from any other group residential facility or licensed handicapped group dwelling unit. Dwellings or facilities that do not meet this standard may request a specific use permit. For purposes of this provision, the distance between uses is measured in a straight line, without regard to intervening structures or objects, between the nearest boundaries of the building sites on which the uses are located. (Note: The spacing component of these use regulations is based, not on the handicapped status of the residents, but on the non-family status of the groups.)

(2) Townhouse and Manor House in the RTN District.

A townhouse or manor house in the RTN district must be located on an individually-platted lot. No more than two dwelling units are permitted on a lot. No multifamily or group living is permitted in the RTN district.

(3) Special Regulations in the RTN District.

In the RTN district, museum, library, day care, educational, and government service uses are permitted only by specific use permit.

(4) Tower/Antenna for Cellular Communication.

(A) In General.

For tower/antenna for cellular communication uses, the provisions of Section 51A-4.212(10.1) apply, except as modified in Subparagraphs (B) and (C).

(B) Mounted Cellular Antennas.

- (i) Permitted by right in the RTN district when attached to an existing structure that is currently occupied or was last occupied by a nonresidential use.
- (ii) Permitted by right in a WMU or WR district when attached to any existing structure.

(C) Monopole and Other Cellular Towers.

- (i) Not permitted in the RTN district.
- (ii) Permitted by specific use permit in a WMU or WR district.

(5) Restaurant or Bar and Retail Sales.

(A) A permitted ground-story restaurant or bar or retail sales use is allowed in the upper stories of a building provided that a restaurant or bar or retail use also exists on the ground story of the building.

(B) A restaurant or bar is permitted in the upper stories of an overnight lodging facility in a mixed use shopfront.

(6) Animal Care.

No outdoor runs are permitted in association with an animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding, animal shelter, kennel, or doggy day care facility.

(7) Overnight Lodging.

A lobby serving an overnight lodging facility is permitted on the ground story of a mixed use shopfront building.

(8) Overnight General Purpose Shelter.

No overnight general purpose shelter may provide shelter to more than 20 overnight guests.

(9) Drive-thru Facility.

Except as provided in this paragraph, a drive-thru facility is only permitted by specific use permit. A drive-thru facility may be established within the ground story of a parking structure without obtaining a specific use permit if all stacking spaces are completely contained within the structure.

(d) Use Categories.

(1) Residential Use Categories.

(A) Single-Family Living.

(i) **Definition.** Residential occupancy of a dwelling unit by one family, on a monthly or longer basis, within a structure that contains no more than two dwelling units.

(ii) **Examples of Permitted Uses.**

Single-family or duplex.

Handicapped group dwelling unit.

(B) Multifamily Living.

(i) **Definition.** Residential occupancy of a dwelling unit by one family, on a monthly or longer basis, within a structure that contains at least three dwelling units.

(ii) **Examples of Permitted uses.**

Multifamily and retirement housing.

(C) Group Living.

(i) **Definition.** Residential occupancy of a structure by a group of people who may not meet the definition of a family. Tenancy is usually arranged on a monthly or longer basis. Generally, group living facilities have a common eating area for residents, and residents may receive care or training.

(ii) **Examples of Permitted Uses.**

Boarding house, rooming house, or lodging house.

Foster home (seven or more residents).

Fraternity, sorority, or college dormitory.

Group residential facility.

Hospice.

Monastery or convent.

Nursing home.

Residential hotel.

(2) Civic Use Categories.

(A) Community Service.

(i) **Definition.** Uses of a public, nonprofit, or charitable nature providing ongoing public safety, educational training, or counseling to the general public on a regular basis, without a residential component.

(ii) **Examples of Permitted Uses.**

Museum or library.

Community service center.

Neighborhood arts center or similar public community facility.

(B) Day care.

(i) **Definition.** Uses providing care, protection, and supervision of children or adults on a regular basis away from their primary residence. Care is typically provided to a given individual for fewer than 18 hours each day, although the facility may be open 24 hours each day.

(ii) **Examples of Permitted Uses.**

Adult day care facility.

Child care facility.

Nursery school or preschool.

(C) Educational.

(i) **Definition.** Public and private (including charter or religious) schools at the primary, elementary, middle, junior high, or high school level that provide basic academic education. This use also includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree.

(ii) **Example of Permitted uses.**

Academy (special training).

College, community college, university, or seminary. Public or private (K-12) school.

Charter, trade, vocational, or business school.

(D) Government Service.

(i) **Definition.** Office, storage, maintenance, or other facility for the operation of local, state, or federal government.

(ii) **Examples of Permitted uses.**

City, county, state, federal, or government office.

Convention center or trade center.

Detention center, jail, or prison.

Police, fire, EMS station, substation, or ambulance service.

Post office.

(E) Park/Open space.

(i) **Definition.** A use focusing on public gathering areas for passive or active outdoor recreation, and having few structures.

(ii) **Examples of Permitted uses.**

Botanical garden, nature preserve, or recreational trail.

Cemetery, mausoleum, columbarium, or memorial park.

Square, green, plaza, neighborhood park, tot lot, or community garden.

Farmers market.

(F) Social Service.

(i) **Definition.** A use that primarily provides housing related to social service programs, including treatment of those with psychiatric, alcohol, or drug problems, and transients.

(ii) **Examples of Permitted Uses.**

Halfway house.

Overnight general purpose shelter.

(G) Transit Station.

(i) **Definition.** A facility for the boarding of non-commercial transit.

(H) Utilities.

(i) **Definition.** Public or private infrastructure serving a limited area with no on-site personnel (minor utility) or serving the general community with on-site personnel (major utility).

(ii) Examples of Permitted Uses.

Minor utilities, including on-site stormwater retention or detention facility, neighborhood-serving telephone exchange or switching center, gas or electric installation or transmission, water and wastewater pump station or lift station, gas gates, reservoir, control structure, drainage well, and water supply water well. Major utilities, including aeration facility, electrical substation, electric or gas generation plant, filter bed, railroad right-of-way, transmission tower, waste treatment plant, water pumping facility, and water tower or tank.

Mounted cellular antennas or monopole cellular towers.

(3) Place of Worship.

(A) Place of Worship.

(i) Definition. A place of assembly that provides meeting areas for religious practice.

(ii) Examples of Permitted uses.

Church, mosque, shrine, synagogue, tabernacle, or temple.

(4) Office Use Categories.

(A) Medical.

(i) Definition. A use providing medical or surgical care to patients. Some uses may offer overnight care.

(ii) Examples of Permitted uses.

Blood plasma donation center.

Medical or dental laboratory.

Hospital, urgent care, or emergency medical office.

Medical, dental office, or chiropractor's office.

Ambulatory surgical center.

(B) Office.

(i) Definition. Activities conducted in an office setting that generally focus on business, professional, or financial services.

(ii) Examples of Permitted uses.

Offices including advertising, business management consulting, data processing, collection agency, real estate or insurance agent, professional services such as a lawyer, accountant, bookkeeper, engineer, or architect, sales office, or travel agency.

Financial services such as lender, investment, or brokerage house, or bank.

Call center.

Counseling in an office setting.

Radio, TV, or recording studio.

Art studio or art gallery.

(iii) Examples of Prohibited uses.

Bail bonds.

(5) Retail Use Categories.

(A) Drive-thru Facility.

(i) Definition. A facility that provides direct window service for customers in motor vehicles.

(ii) Examples of Permitted Uses.

Restaurant with drive-through service.

Financial institution with drive-through service.

Dry cleaners, pharmacies, and other retail uses with drive-through service.

Pay stations for various uses, including utility services, with drive-through windows.

(B) Restaurant or Bar.

(i) Definition. Establishment that prepares and sells food or drink for on- or off-premise consumption.

(ii) Examples of Permitted uses.

Alcoholic beverage establishment.

Bar, tavern, lounge, or brew pub.

Pizza or other meal delivery facility.

Restaurant, fast-food restaurant, take-out, yogurt, ice cream, or coffee shop.

(C) Retail Sales.

(i) Definition. A facility involved in the sale, lease, or rental of new or used products.

(ii) Examples of Permitted uses.

Sale of alcoholic beverages for off-premise consumption.

Sale of baked goods, flowers, fuel (including gasoline and diesel fuel), pets, pharmaceuticals, produce, groceries, and tobacco.

Sale, lease, or rental of antiques, appliances, art supplies, bicycles, books, building supplies, cameras, carpet and floor coverings, crafts, clothing, computers, convenience goods, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts or novelties, hardware, home improvement, household products, jewelry, liquor, medical supplies, music, musical instruments, office supplies, package shipping, pet supplies, photo finishing, picture frames, plants, printed materials, souvenirs, sporting goods, stationery, used or secondhand goods, vehicle parts and accessories, or videos. General merchandise or food store.

(iii) Examples of Prohibited uses.

Check cashing.

Pawnshop.

(D) Vehicle Sales.

(i) Definition. Direct sales, rental, or leasing of passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles.

(ii) Examples of Permitted uses.

Vehicle sales, rental, or leasing.

Boats and other recreational vehicle sales. Vehicle rental.

(6) Service and Entertainment Use Categories.

(A) Commercial Amusement (Inside).

(i) Definition. A facility wholly enclosed in a building that offers entertainment or games of skill for a fee to the general public.

(ii) Examples of Permitted uses.

Adult cabaret.

Amusement center, arcade, or children's amusement center.

Billiard hall or pool hall.

Bingo parlor.
Bowling alley.
Dance hall.
Motor track.
Skating rink.

(B) Indoor Recreation.

(i) **Definition.** A generally commercial use, varying in size, providing daily or regularly scheduled recreation-oriented activities in an indoor setting.

(ii) **Examples of Permitted uses.**

Athletic, tennis, swim, or health club.
Dance, martial arts, music studio, or classroom.
Gymnastic facility or indoor sports academy.
Lodge or membership club.
Movie or other theater.

(C) Outdoor Recreation.

(i) **Definition.** A generally commercial use, varying in size, providing daily or regularly scheduled recreation-oriented activities. These activities may take place wholly outdoors or within a number of outdoor structures.

(ii) **Examples of Permitted uses.**

None.

(iii) **Examples of Prohibited uses.**

Drive-in theater.
Campground, travel trailer park, or recreational vehicle park.
Extreme sports such as paintball, BMX, or skateboarding facility.
Golf course, country club, or executive par three golf course.
Outdoor entertainment activity such as batting cage, golf driving range, mini-amusement park, miniature golf facility, or water park.
Horse stable, riding academy, or equestrian center.
Outdoor shooting range.
Sports academy for active recreational or competitive sports.
Stadium, arena, or commercial amphitheater.
Commercial amusement (outside).

(D) Personal Service.

(i) **Definition.** Facilities involved in providing personal services or repair services to the general public.

(ii) **Examples of Permitted uses.**

Animal care (animal grooming, animal hospital, veterinary clinic, pet clinic, animal boarding, animal shelter, kennel, or doggy day care). No outside runs are permitted.
Catering establishment (small-scale) or small-scale cleaning establishment.
Dry-cleaning or laundry drop-off facility, laundromat, cleaning, pickup station, or coin-operated pickup station.
Drop-in child care center.
Funeral home, mortuary, undertaking establishment, or commercial wedding chapel.
Hair, nail, tanning, massage therapy, personal care service, or barber and beauty shop.
Modeling studio.
Photocopy, blueprint, package shipping and quick-sign service, printing, and publishing.
Palmist, psychic, or medium.
Security service.
Appliance, bicycle, canvas product, clock, computer, jewelry, musical instrument, office equipment, radio, shoe, television or watch repair.
Tailor, milliner, upholsterer, or locksmith.

(iii) **Examples of Prohibited uses.**

Massage parlor.
Tattoo or body piercing.
Taxidermist.

(7) Commerce Use Categories.

(A) Commercial Parking.

(i) **Definition.** A facility that provides parking not accessory to a principal use, for which a fee may or may not be charged.

(ii) **Examples of Permitted uses.**

Park-and-ride facility.
Short- and long-term fee parking facility. Surface parking lot.

(B) Overnight Lodging.

(i) **Definition.** Accommodations arranged for short term stays of less than 30 days for rent or lease.

(ii) **Examples of Permitted uses.**

Hotel, motel, inn, extended-stay facility, bed and breakfast, or youth hostel.

(C) Passenger Terminal.

(i) **Definition.** A public or commercial facility for the takeoff and landing of airplanes and helicopters, and a facility for bus, taxi, or limo service.

(ii) **Examples of Permitted uses.**

Helistop (SUP required).

(iii) **Examples of Prohibited uses.**

Airport, heliport, or airline terminal.
Bus passenger terminal or multi-modal facility. Taxi dispatch center or limousine service.

(D) Self-Service Storage.

(i) **Definition.** A facility that provides separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property.

(ii) **Examples of Permitted uses.**

Warehouse, self-service, fully enclosed indoor multi-story storage, or mini-warehouse.

(8) Fabrication Use Categories.

(A) Light Industrial.

(i) **Definition.** A facility that manufactures, assembles, disassembles, repairs, or services industrial, business, or consumer machinery, equipment, products, or by-products mainly by providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the facility.

(ii) **Examples of Permitted uses.**

None.

(iii) **Examples of Prohibited uses.**

Brewery, winery, or large-scale catering establishment.

Bus or rail transit vehicle maintenance or storage facility.

Contractors storage including janitorial and building maintenance service, exterminator, or other maintenance yard or facility, building, heating, plumbing, landscaping, or electrical contractor and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site.

Crematorium or pet crematorium.

Electronics service center.

Food or beverage production.

Labor hall.

Lawn, tree, or garden service.

Laundry, dry-cleaning, carpet cleaning plants, or large-scale cleaning establishment.

Leather production.

Lumberyard and wood products, sheet metal shop, or soft drink bottling.

Stone, clay, glass, and concrete products.

(B) Light Manufacturing.

(i) **Definition.** A facility conducting light manufacturing operations within a fully-enclosed building.

(ii) **Examples of Permitted uses.**

Bulk mailing service.

Clothing or textile apparel manufacturing.

Manufacture or assembly of equipment, instruments (including musical instruments), appliances, precision items, electrical items, sporting goods, office and art supplies, electrical equipment/items, paper products (except pulp mills), metal and glass products.

Office showroom/warehouse.

Printing, publishing, and lithography.

Production of artwork and toys, sign-making, movie production facility, or photo-finishing laboratory.

Repair of scientific or professional instruments and electric motors.

Sheet metal, welding, machine, tool repair shop, or studio.

Woodworking, including cabinet makers and furniture manufacturing.

(C) Research and Development.

(i) **Definition.** A facility focused primarily on the research and development of new products.

(ii) **Examples of Permitted uses.**

Laboratories, offices, and other facilities used for research and development by or for any individual, organization, or concern, whether public or private.

Prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product.

Pilot plants used to test manufacturing processes planned for use in production elsewhere.

Production facilities and operations with a high degree of scientific input.

Facilities and operations in which the input of science, technology, research, and other forms of concepts or ideas constitute a major element of the value added by manufacture per unit of product.

(D) Vehicle Service.

(i) **Definition.** A facility providing repair and service to passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles.

(ii) **Examples of Permitted uses.**

Audio and alarm system installation, custom accessories, quick lubrication facilities, auto detailing, minor scratch and dent repair, bedliner installation, glass repair and replacement, tire sales and mounting, or full- or self-service vehicle wash.

Alignment shop, body shop, engine replacement or overhaul, repair of cars, trucks, RVs, and boats, repair or replacement of brakes, shocks, mufflers, and transmissions.

Towing service or truck service.

(E) Wholesale trade.

(i) **Definition.** A facility involved in the sale, lease, or rental of products to industrial, institutional, or commercial businesses only. The use emphasizes on-site sales or order-taking and often includes display areas. Products may be picked up on-site or delivered to the customer.

(ii) **Examples of Permitted uses.**

None.

(iii) **Examples of Prohibited uses.**

Mail-order house.

Sale or rental of machinery, equipment, heavy equipment, building materials, special trade tools, welding supplies, machine parts, electrical supplies, plumbing supplies, janitorial supplies, restaurant equipment, and store fixtures.

Wholesale sales of food, clothing, auto parts, building hardware, and similar products.

(9) Industrial Use Categories.

(A) Agriculture.

(i) **Definition.** A use that creates or preserves areas intended primarily for the raising of animals and crops, conservation, and the secondary industries associated with agricultural production.

(ii) **Examples of Permitted uses.**

None.

(iii) **Examples of Prohibited uses.**

Animal raising including horses, hogs, cows, sheep, goats, swine, poultry, rabbits, and other small animals.

Apiculture, aquaculture, or dairying.

Crop production, soil preparation, agricultural services, large animal and veterinary services, or farm labor and management services.

Floriculture, horticulture, pasturage, row and field crops, viticulture, tree or sod farm, silviculture, or sale of agriculture products.

Fish hatcheries and preserves.

Grain, fruit, field crop and vegetable cultivation and storage.

Hunting, trapping, and game propagation.

Livestock, dairy, poultry, and egg products.

Livestock auction.

Milk processing plant.

Packing house for fruits or vegetables.

Personal or commercial animal breeding and development.

Plant nursery or plant nursery with landscape supply.

Poultry slaughtering and dressing.

Timber tracts or forest nursery gathering of forest products.

(B) Heavy Industrial.

(i) **Definition.** A use emphasizing industrial businesses and the sale of heavier equipment. Factory production and industrial yards are located here. Sales to the general public are limited.

(ii) **Examples of Permitted uses.**

None.

(iii) **Examples of Prohibited uses.**

Any use that is potentially dangerous, noxious, or offensive to neighboring uses in the district or those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio or television reception, or radiation.

Asbestos or radioactive materials.

Animal processing, packing, treating and storage, livestock or poultry slaughtering, concentrate plant, processing of food and related products, production of lumber, tobacco, chemical, rubber, leather, clay, bone, paper, pulp, plastic, stone, or glass materials or products, production or fabrication of metals or metal products including enameling and galvanizing, automobile dismantlers and recyclers.

Bulk storage of flammable liquids, chemicals, cosmetics, drugs, soaps, paints, fertilizers, and abrasive products.

Commercial feed lot.

Concrete batching and asphalt processing and manufacture or batch plant.

Earth-moving, heavy construction equipment or transportation equipment.

Explosives, fabricated metal products, and machinery.

Impound lot, wrecker service including city wreckers, auto storage, and wrecking, junk, or salvage yard.

Manufactured or modular housing sales.

Petroleum, liquefied petroleum gas, and coal products and refining.

Primary metal manufacturing.

Pulp mill, rubber and plastic products, or rubber manufacturing.

Scrap metal processors, sawmills, or secondary materials dealers.

Tanning and finishing of leather products.

Trailer leasing, auction vehicle, or broker vehicle.

Tire recapping, tobacco products, or transportation equipment.

(C) Resource Extraction.

(i) **Definition.** A use that extracts minerals and other solids and liquids from land.

(ii) **Example of Permitted uses.**

Gas drilling (see Article XII, "Gas Drilling and Production").

(iii) **Examples of Prohibited uses.**

Mining, dredging, earth extraction, clearing or grading (timber cutting).

Extraction of phosphate or minerals.

Extraction of sand or gravel or borrow pit.

Metal, sand, stone, gravel, or clay mining and other related processing.

Stockpiling of sand, gravel, or other aggregate materials.

(D) Warehouse and Distribution.

(i) **Definition.** A facility for the storage or movement of goods for itself or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers.

(ii) **Examples of Permitted uses.**

None.

(iii) **Examples of Prohibited uses.**

Bulk storage, including nonflammable liquids, cold storage plants, including frozen food lockers, household moving and general freight storage, or separate warehouse used by retail store such as furniture or appliance store.

Bus barn.

Central postal facility.

Freight or service facility.

Outdoor storage yard.

Parcel services.

Railroad switching yard, freight terminal, or piggyback yard.

Transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred.

Trailer storage or drop-off lot.

Truck or motor freight terminal or service facility.

Warehouse.

(E) Waste-Related Service.

(i) **Definition.** A use that receives solid or liquid wastes from others for transfer to another location and a use that collects sanitary wastes or that manufactures or produces goods or energy from the composting of organic material.

(ii) **Examples of Permitted uses.**

None.

(iii) **Examples of Prohibited uses.**

- Animal waste processing.
- Landfill.
- Manufacture and production of goods from composting organic material.
- Recycling facility including recyclable material storage, including construction material.
- Recycling drop-off facility, recycling buy-back center, or recycling collection center.
- Solid or liquid waste transfer station, waste incineration.

(e) **Transitional Uses.**

(1) **Purpose.**

When a form district is initiated, it may not be possible to develop and completely transition the entire area at the inception. Transitional uses are intended to provide an opportunity for owners in a form district to make appropriate use of their property during the interim period as the district develops. No transitional use is allowed without a specific use permit which must contain a specified duration and, which may, if necessary, provide regulations as provided in this subsection to ensure compatibility of the use with surrounding property.

(2) **Specific Use Permit.**

- (A) The uses listed in Paragraph (3) are permitted in the WMU and WR districts subject to a specific use permit.
- (B) A specific use permit approved for a transitional use must contain a specified duration, which may not exceed five years. A specific use permit for a transitional use is not subject to automatic renewal. No off-street parking reductions are permitted.
- (C) A specific use permit approved for a transitional use may modify the following regulations of this article if the city council determines that no adverse impact on surrounding properties will result:
 - (i) Section 51A-13.302, "Height."
 - (ii) Section 51A-13.304, "Development Types."
 - (iii) Section 51A-13.305, "Building Elements."
- (D) A specific use permit for a transitional use does not create nonconforming rights in the use, structure, or any modifications of the regulations of this article. Upon expiration of the specific use permit, immediate compliance with all regulations of this article is required.
- (E) No expiration of a specific use permit may occur while an application for renewal of the specific use permit is pending before the city plan commission or city council. If an application is pending at the end of the current time limit stated in the specific use permit ordinance, the time limit shall be extended as a matter of law:
 - (i) until the day following the next succeeding official agenda meeting of the city council after the council makes a final decision to deny the application; or
 - (ii) if the city council votes to create a new time limit, until the effective date of the amending ordinance establishing the new time limit.

(3) **List of Transitional Uses.**

- (A) All uses permitted under Section 51A-13.306, regardless of the district or development type in which the use is located.
- (B) Crop production.
- (C) Building repair and maintenance shop.
- (D) Catering service, large scale.
- (E) Electronics service center.
- (F) Tool or equipment rental.
- (G) Lumber, brick, or building materials sales yard.
- (H) Recycling collection center.
- (I) Outdoor recreation, including, but not limited to, country club with private membership, private recreation center, club, or area (outside), public golf course, and commercial amusement (outside).
- (J) Nursery or plant sales on an open lot.

(4) **RTN District.**

Transitional uses are not permitted in the RTN district.

(Am. Ord. 30889, passed 6-13-18)

Division 51A-13.400.

Parking Regulations.

SEC. 51A-13.401. GENERAL PROVISIONS.

(a) **Accessory or Main Use.**

- (1) Except as provided in this division, all off-street parking must be provided on the lot occupied by the main use.
- (2) Off-street parking is considered an accessory use.
- (3) Off-street parking may be provided as a main use, subject to the standards of this article (see Commercial Parking).
- (4) Parking may be provided in a parking overlay district in accordance with Section 51A-13.410, "Parking Management Overlay (-PM)."

(b) **Calculation of Required Parking.**

- (1) Except as provided in this division, when a lot is used for a combination of uses, the parking requirements are the sum of the requirements for each use, and no parking space for one use is included in the calculation of the parking requirements for any other use.
- (2) In determining the required number of parking spaces, fractional spaces are counted to the nearest whole number, with one-half counted as an additional space.

(c) **Parking Charges.**

Except as provided in this subsection, required parking must be available as free parking. Required parking located in a parking structure may be available as free parking, contract parking, or parking on an hourly or daily fee basis. On-street parking may be metered or otherwise be offered for a fee by the city of Dallas or where authority has been appropriately delegated by the city in a -PM overlay.

(d) **Outdoor Dining.**

The area of any uncovered outdoor dining (not to exceed 50 percent of the indoor dining area) is exempt from the calculation of required parking spaces.

(e) **Maximum Reserved Parking.**

- (1) Surface parking spaces may be reserved for a specific tenant or dwelling unit, provided that the following standards are not exceeded.

Use	Reserved Spaces (maximum)
Residential	1.5 per single-family living unit
	1.0 per one-bedroom multifamily living unit
	1.0 per two-bedroom multifamily living unit
	2.0 per three-bedroom (or more) multifamily living unit
Nonresidential	1.2 per 1,000 SF

- (2) Underground parking may be reserved without the imposition of maximum standards.

(f) **Surface Parking Cap (maximum).**

Surface parking may not exceed 125 percent of the required parking specified in Section 13.402, except where the parking is part of a -PM overlay.

(g) **Handicapped Parking.**

If more than 10 parking spaces are required, handicapped parking spaces are re- quired as set out in Section51A-4.305, and designed in accordance with the latest edition of the city of Dallas Off-Street Parking and Driveways Handbook (latest edition).

SEC. 51A-13.402. REQUIRED PARKING.

(a) **Spaces Required.**

(1) **RTN District Required Spaces.**

(A) Except as otherwise provided, the residential parking design standards of Division 51A-4.300 and the number of required off-street parking spaces in Division 51A-4.200 apply in the RTN district.

(B) No compact parking is permitted on surface parking lots. A maximum of 20 percent of the required parking in a structure may be compact parking.

(C) No parking reductions are permitted in the RTN district.

(2) **WMU and WR District Required Spaces.**

The following spaces are required in the WMU or WR districts.

Required Parking in WMU and WR Districts

	Use Category	Number of Spaces Required
	Use Category	Number of Spaces Required
Residential	Household living	1.50 per single-family living unit
		1.15 per one-bedroom or smaller multifamily living unit
		1.65 per two-bedroom multifamily living unit
2.00 per three-bedroom or larger multifamily living unit		
	0.70 per retirement housing living unit	
	Group living	0.25 per bed PLUS 1 per 200 SF office, minimum 4
Civic	Community service	1 per 200 SF
	Day care	1 per 500 SF
	Educational	1.50 per elementary classroom
		3.50 per junior high or middle classroom
		9.50 per senior high classroom
		1 per 25 SF seats in any other classroom type
	Government service	1 per 200 SF
	Park/open space	None
Place of worship	1.00 per 4 fixed seats or per 18" length of bench OR 1 per 28.00 SF floor area without seating	
Social service	see Group Living	
Office	Medical	1 per 222 SF
	Office, except: Art studio, gallery Financial services, Bank Call center	1 per 333 SF
		1 per 500 SF
		1 per 222 SF
		1 per 167 SF
Retail	Restaurants, except: Bar, private club	1 per 100 SF 1 per 83 SF
	Retail sales	1 per 250 SF
	Vehicle sales	1 per 200 SF sales area
Service and Entertainment	Commercial amusement (inside), except: Dance hall	1 per 200 SF
		1 per 25 SF
		1 per 150 SF
	Indoor recreation, except: Health club or spa Movie theater Performing arts theater	1 per 143 SF 0.27 per seat 0.40 per seat
		Personal service
Commerce	Overnight lodging	1.25 per room PLUS 1 per 200 SF of meeting room
	Self-service storage	minimum 6
Fabrication	Light manufacturing	1 per 600 SF
	Research & development	1 per 300 SF
	Vehicle service	1 per 500 SF, minimum 5

Note: The parking requirements of Division 51A-4.200 apply to uses not listed in the preceding chart nor deemed to be an equivalent use pursuant to the provisions of Section51A-13.306, "Uses." (Am. Ord 31470, passed 2-24-20)

SEC. 51A-13.403. PARKING REDUCTIONS.

(a) **General.**

(1) No parking reductions are permitted in the RTN district.

(2) In the WR and WMU districts, if a parking reduction is requested, delta credits may not be used to supply required parking, and all rights to future delta credits must be relinquished except in the following cases:

- (A) any building certified or eligible for certification as historic on the National Register of Historic Places or located within a city of Dallas historic overlay district; and
- (B) any building on the city of Dallas Landmark Commission's historic resources list.

(b) **Maximum Parking Reductions.**

The maximum cumulative parking reduction allowed under Section51A-13.403, "Parking Reductions," and Section 51A-13.501(f), "Pedestrian Amenities," is 50 percent of the parking specified in Section 51A-13.402(a)(2).

(c) **Access to Transit.**

(1) **Rail Transit Station Access.**

- (A) The following parking reductions apply for locations within a 2,640-foot walking distance of a rail transit station:
 - (i) A parking reduction of two percent for properties located within a 1,321- to 2,640-foot walking distance of a rail transit station.
 - (ii) A parking reduction of 15 percent for properties located within a 601- to 1,320-foot walking distance of a rail transit station.
 - (iii) A parking reduction of 25 percent for properties located within a 600- foot walking distance of a rail transit station.
- (B) The rail transit station must be in operation or anticipated to be in operation within one year of the requested reduction.
- (C) For purposes of this paragraph, a stop on a fixed rail system is considered a rail transit station.

(2) **Bus or Trolley Transit.**

The building official may approve a five percent reduction in the number of required parking spaces for uses with a main entrance within a 600-foot walking distance of an improved bus or trolley transit stop providing both shade and seating. This reduction will be granted only where a rail transit station is not available.

(3) **Measurement of Walking Distance.**

Walking distance is measured from the primary entrance of the use to the rail platform (or in the case of an underground station, the top of the nearest elevator, stair, or escalator leading to the

rail platform) or the nearest bus boarding location using the most convenient pedestrian path.

(4) Restaurant and Bar Uses.

No parking reduction for access to transit is allowed for restaurant or bar uses located within a 600-foot radius of the property in a residential district other than multifamily. For purposes of this subparagraph, distance is measured from the primary entrance of the bar or restaurant use to the nearest point of the property in a residential district other than multifamily.

(d) Access to Car-Sharing Program.

The building official may approve a reduction in the number of required parking spaces for residential units in a residential project or mixed use project with a residential component where an active car-sharing program is made available to residents, and where cars for the program are available on the site or within a 600-foot walking distance of the site. The building official may reduce parking requirements by five spaces for each car-share vehicle available.

(e) Affordable Housing.

(1) The building official may approve a reduction in the number of spaces for each standard affordable housing dwelling unit, as defined in Division 51A-4.900, to 50 percent of the spaces required in Section 51A-13.402(a)(2) provided the following findings are made:

(A) any parking problems that may be caused by the development in the future can be corrected either on-site or on one or more sites in the immediate area that are bound by a covenant running with the land to provide parking for the site in question; and

(B) alternate transportation is available for the residents of the development or public transportation is within 1,320 feet of the site.

(2) Approval is conditioned upon the owner of the property recording a covenant, approved as to form by the city attorney. The covenant must run with the land for the benefit of the city. The covenant must also ensure that no change in the affordable housing status of the property as described in the application is allowed unless parking that meets the requirement of all applicable laws in effect at the time the affordable housing status change is provided.

(f) Employer Transportation Demand Management (TDM).

(1) The building official may approve up to a 25 percent reduction in the number of spaces for uses that institute and commit to maintain a transportation demand management (TDM) program, considering information the applicant submits that clearly indicates the types of TDM activities and measures proposed. The applicant must demonstrate to the satisfaction of the building official that a specific reduction will occur. If the applicant demonstrates that a specific reduction will occur, the building official shall reduce the amount of required parking equal to the amount of the reduction, up to a maximum of 25 percent.

(2) There is no limitation on the types of TDM activities for which reductions may be granted. The following measures serve as a guide to potential transportation management activities that may be used in combination to reduce parking demand.

(3) No TDM program may be discontinued without notice to the building official and proof of compliance with all applicable parking requirements.

(4) No TDM program may be changed without the approval of the building official. The building official may approve a change only if the applicant demonstrates that the changes proposed will either maintain the previously approved reduction, support an increase in the previously approved reduction, or that parking is provided to compensate for any reduction lost by the proposed change to the plan.

(A) Transportation Coordinator.

The occupant of the use may appoint an employee to act as transportation coordinator with responsibility for disseminating information on ride-sharing and other transportation options that may be cause for a reduction in otherwise applicable parking requirements. In addition to acting as liaisons, transportation coordinators must be available to attend meetings and training sessions with transit providers.

(B) Preferential Parking.

The occupant of the use may provide specially marked spaces for each registered car pool and van pool.

(C) Financial Incentives.

The occupant of the use may provide cash or in-kind financial incentives for employees telecommuting or commuting by car pool, van pool, and mass transit.

(D) Telecommuting.

The occupant of the use may allow work from home or otherwise outside the facility on specific days.

(E) Emergency Ride Home.

The occupant of the use may provide an emergency ride home for those with family, medical, or other similar emergencies.

(g) Increased Pedestrian Amenities.

A parking reduction of two percent will be granted where a higher level of pedestrian amenity is provided in accordance with Section 51A-13.501(f), "Pedestrian Amenities."

(h) Underground Office Parking.

When all or part of the parking for an office use is provided underground, the building official shall approve a parking reduction of 0.33 spaces for each space provided underground.

(i) Tree Preservation.

(1) The building official may approve a reduction in the number of parking spaces required by one space for each protected tree (as defined in Article X) retained that would otherwise have to be removed to provide required parking.

(2) The preserved tree must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers and meet the planting area requirements of Section 51A-10.104.

(3) The maximum reduction authorized by this subsection is five percent or one space, whichever is greater.

(Am. Ord. 30889, passed 6-13-18)

SEC. 51A-13.404. SPECIAL PARKING REGULATIONS.

(a) Purpose.

- (1) This section provides alternatives to standard parking design.
- (2) Joint parking allows the connection of parking lots on abutting properties.
- (3) Shared parking allows an exception to the requirement that no parking space for one use be included in the calculation of the parking required for any other use.
- (4) On-street parking provides credit for adjacent on-street spaces.
- (5) Packed parking provides more efficient surface parking through the reduction of maneuvering area on a lot when an attendant is used to park vehicles.
- (6) Remote parking allows an exception to the requirement that all parking be provided on the lot occupied by the main use.
- (7) Tandem parking provides for cars to be more efficiently parked by stacking one behind the other.

(b) General Standards.

- (1) Special parking may account for 100 percent of the parking required for any use.
- (2) Special parking may not be located in a residential district, except that civic and place of worship uses may provide parking in residential districts on the same lot where these uses are located. Nonresidential uses in residential districts may also use special parking, provided that the special parking is not located in a residential district.
- (3) Special parking must comply with all codes, ordinances, rules, and regulations of the city and may not create safety hazards.

(c) Joint Parking.

(1) Uses abutting one another may physically connect their parking areas at the lot line to create connecting drive aisles, provided a mutual access easement acceptable to the city has been executed. The agreement must ensure that maneuvering space for required parking spaces in both parking areas is preserved. See Section 51A-4.328.

(2) The use of joint parking does not by itself authorize a reduction in the number of required spaces.

(d) Shared Parking.

(1) Uses sharing parking must have either mutually exclusive or compatibly overlapping hours of operation. The building official shall determine whether the hours of operation are compatibly overlapping on a case-by-case basis through the use of the ULI Shared Parking Model (latest edition).

(2) The building official shall use the ULI Shared Parking Model, assuming the national averages provided in the accompanying manual. Modification of the weekday or weekend employee/customer or resident/visitor parking ratios, captive market percentages for visitors and employees, drive percentages for visitors and employees, monthly or time of day adjustment factors, or any other model assumptions are permitted only through the parking special exception process.

(3) The building official is expressly authorized to apply the reductions of Section 51A-13.403, "Parking Reductions," prior to running the ULI Shared Parking Model.

(e) On-Street Parking.

- (1) A parking space located on a public street may be included in the calculation of parking requirements if it is adjacent to the building site where the use is located.
- (2) Each on-street parking space may only be counted for one use, except that an on-street parking space may be used to reduce the combined total parking requirement of a mixed use project.
- (3) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space ($8 \div 24 = 1/3$). The total of the limited-availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(f) Packed Parking.

- (1) The passenger loading and unloading area for packed parking must have adequate means of ingress to and egress from a street or an alley. The building official shall only consider alley access in satisfaction of this requirement when alley access is permitted by this article.
- (2) All maneuvering, parking, and loading for packed parking must be accomplished on private property.
- (3) The area of each packed parking space must be no less than 145 square feet.
- (4) An access lane that is no less than 24 feet wide must be provided through the packed parking area.
- (5) An attendant must be provided to park vehicles during all business hours of the main use. A valet parking license may also be required. See Division 3, "Valet Parking Services," of Article VI of Chapter 43 of the Dallas City Code.
- (6) A sign must be prominently displayed at all entrances of a packed parking lot.
 - (A) Each sign must state:
 - (i) that all or a portion of the lot is restricted to packed parking serving the main use;
 - (ii) that an attendant must be provided during all business hours of the main use;
 - (iii) the business hours of the main use;
 - (iv) a phone number specified by the building official to be used for reporting violations of this division;
 - (v) the phone number of the valet licensee; and
 - (vi) the issuance number of the valet license.
 - (B) Each sign must be constructed of weather resistant material.
 - (C) Each sign must be no less than 30 inches wide and 24 inches long.
 - (D) Each sign must contain clearly legible letters in a color that contrasts with the background material of the sign.

(g) Remote Parking.

- (1) Remote parking must be located within a walking distance of 300 feet from the use served by the remote parking unless an extension of walking distance is approved by the building official.
- (2) The building official shall extend the walking distance for remote parking to no more than 600 feet unless the extension would:
 - (A) significantly discourage patrons of the use from using the remote parking;
 - (B) unreasonably endanger the safety of persons or property; or
 - (C) not otherwise be in the public interest.
- (3) A license is required to authorize an extension of walking distance beyond 600 feet. The building official must require that either a shuttle or an attendant be provided by the applicant as a condition to approval of an extension of the walking distance for remote parking beyond 600 feet.
 - (A) If a shuttle is required, it must:
 - (i) transport patrons between the main use and the remote parking lot;
 - (ii) be adequately staffed during all hours of operation of the main use; and
 - (iii) have adequate seating capacity to accommodate patrons expected to use the remote parking.
 - (B) If an attendant is required, the attendant shall drive vehicles of patrons between the main use and the remote parking lot. A valet parking license may also be required. See Division 3, "Valet Parking Services," of Article VI of Chapter 43 of the Dallas City Code.
 - (C) The building official may not authorize remote parking to be located beyond a walking distance of 2,640 feet from the main use.
- (4) A sign must be prominently displayed at all entrances of a remote parking lot and at all entrances of a parking lot providing on-site parking for the main use. Each sign must:
 - (A) illustrate or describe the location of the remote parking in relation to the main use;
 - (B) be constructed of weather resistant material;
 - (C) be no less than 30 inches wide and 24 inches long; and
 - (D) contain clearly legible letters in a color that contrasts with the background material of the sign.

(h) Tandem Parking.

- (1) Tandem parking is allowed for:
 - (A) single-family living;
 - (B) multifamily living; and
 - (C) the residential component of a mixed-use project.
- (2) Two parking spaces in tandem must have a combined minimum dimension of nine feet in width by 34 feet in length.
- (3) Up to 85 percent of the total parking spaces provided for residential projects may incorporate tandem parking.
- (4) For residential projects, both parking spaces in tandem must be assigned to the same dwelling unit.
- (5) Tandem parking may not be used to provide guest parking.

SEC. 51A-13.405. DESIGN AND MAINTENANCE.

(a) Parking Handbook Applies.

All off-street parking spaces and areas must comply with the guidelines established in the city of Dallas, Off-Street Parking and Driveways Handbook (latest edition). The director shall keep a true and correct copy of the handbook on file for public inspection upon request.

(b) Location of Parking.

Parking must comply with the parking setback standards as set forth for each development type in Section 51A-13.304, "Development Types."

(c) Dimensional Standards.

Except as provided in this division, each off-street parking space must be provided in accordance with the dimensional standards as set out in Section 51A-4.301(d)(1) and the Off-Street Parking and Driveways Handbook (latest edition).

(d) Parking Surface.

Permeable paving such as pervious asphalt or concrete is permitted.

(e) Residential Alley Access Restrictions.

Residential alley restrictions in Section 51A-4.301(h), "Residential Alley Access Restrictions for Nonresidential Uses," apply in the WMU, WR and RTN districts.

SEC. 51A-13.406. PARKING LOT LIGHTING.

All parking lot lighting must meet the standards of Section 51A-13.601, "Site Lighting."

SEC. 51A-13.407. REQUIRED STACKING SPACES.

The required number of stacking spaces in Division 51A-4.200 apply to each use, and the design requirements of Section 51A-4.304(c) apply to any stacking spaces provided.

SEC. 51A-13.408. SURFACE PARKING SCREENING AND LANDSCAPING.

(a) Screening Required.

- (1) Off-street surface parking must be screened in the following instances:
 - (A) Where the parking area serves a nonresidential use contiguous with a residential use or vacant lot in an A, A(A), R, R(A), D, D(A), TH, TH(A), CH, MF, MF(A), MH, MH(A), or RTN district.
 - (B) Where the parking area serves a multifamily use contiguous with a single-family or duplex use or a vacant lot in an R, R(A), D, D(A), TH, TH(A), CH, or RTN district.
- (2) If an alley separates a parking area from another use, the use is considered contiguous to the parking area. If a street separates a parking area from another use, the use is not considered contiguous to the parking area.

(b) Screening Standards.

- (1) Required screening for off-street parking must be a brick, stone, concrete masonry, stucco, or concrete wall that is not less than six feet in height. No wall may have more than 10 square inches of open area for each square foot of surface area, and may contain a maximum of two openings or gates for vehicular access (although openings or gates for pedestrian access are acceptable).
- (2) Either one large canopy tree or two large non-canopy trees are required along any parking lot screening for every 50 linear feet of the screening wall, with trees spaced no less than 25 feet apart.

(c) Surface Parking Landscaping.

- (1) Parking spaces in a surface parking lot may not be more than 60 feet from a large canopy tree planted in a median or island.
- (2) Each tree must have a caliper of at least two inches and may not be planted closer than four feet to the paved portion of the parking lot.
- (3) A median or island in a surface parking lot must be a minimum of 125 square feet in area.
- (4) Where no building lies between the sidewalk and a surface parking lot, a perimeter buffer around the parking lot is required. (See also Section 51A-13.503(f), "Parking Buffer (ST-6).") The perimeter buffer must consist of:
 - (A) a brick, stone, concrete masonry, stucco, or concrete wall that is not less than 30 inches in height. No wall may have more than 10 square inches of open area for each square foot of surface area, and may contain a maximum of two openings or gates for vehicular access (although openings or gates for pedestrian access are acceptable); or
 - (B) a planting strip not less than five feet in depth, planted with landscape materials that will form a continuous, evergreen hedge of not less than 30 inches in height. Landscape materials must be no less than 24 inches in height at time of planting, and must be maintained at no greater than 48 inches in height.

(d) Maintenance of Landscaping and Screening.

The owner of off-street parking must maintain required landscaping and screening in compliance with the requirements of this section.

SEC. 51A-13.409. PARKING SPECIAL EXCEPTIONS.

(a) Exceptions Allowed.

The following exceptions are allowed in addition to any permitted reductions authorized in this division.

(1) Parking Design.

- (A) The board of adjustment may grant a special exception to the parking design standards of this division if the board of adjustment determines, after a public hearing, that the special exception will not adversely affect neighboring property.
- (B) In determining whether to grant a special exception, the board of adjustment shall consider the following factors:
 - (i) Hours of use for the parking area.
 - (ii) Size and configuration of the lot on which the parking area is located.

(2) Parking Demand.

- (A) The board of adjustment may grant a special exception to authorize a reduction in the number of parking spaces required under this division if the board of adjustment finds, after a public hearing, that the parking demand generated by the use does not warrant the number of parking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent or nearby streets.
- (B) The maximum reduction authorized by this paragraph is 25 percent or one space, whichever is greater.
- (C) In determining whether to grant a special exception for reduced parking demand, the board of adjustment shall consider the following factors:
 - (i) The extent to which the parking spaces provided will be remote, shared, or packed parking.
 - (ii) The parking demand and trip generation characteristics of all uses for which the special exception is requested.
 - (iii) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.
 - (iv) The availability of public transit and the likelihood of its use.
 - (v) The feasibility of parking mitigation measures and the likelihood of their effectiveness.
- (D) In granting a special exception for reduced parking demand, the board of adjustment shall specify the use or uses to which the special exception applies. A special exception granted by the board of adjustment for a particular use automatically and immediately terminates if that use is changed to a new use or discontinued.
- (E) The board of adjustment may not grant a special exception for reduced parking demand to reduce the number of parking spaces required in an ordinance granting or amending a specific use permit.

(3) ULI Shared Parking Model Factors.

The board of adjustment may grant a special exception to allow modification of the weekday or weekend employee/customer or resident/visitor parking ratios, captive market percentages for visitors and employees, drive percentages for visitors and employees, monthly or time of day adjustment factors, or any other model assumptions of the ULI shared parking model. The board of adjustment must find that the alternative model assumptions are more appropriate given the specific location or characteristics of the proposed mix of uses.

(4) Tree Preservation.

- (A) The board of adjustment may grant a special exception to authorize a reduction in the number of parking spaces required under this division if the board of adjustment finds, after a public hearing, that the reduction will result in the preservation of an existing protected tree.
- (B) The preserved tree must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barriers.
- (C) The reduction authorized by this paragraph is equal to the number of existing protected trees preserved, except that the maximum reduction authorized by this paragraph is 10 percent or one space, whichever is greater. No reduction may be granted under this paragraph for the preservation of any tree for which a parking reduction has been obtained under Section 51A-13.403(i), "Tree Preservation."

(5) Stacking Spaces.

- (A) The board of adjustment may grant a special exception to authorize a reduction in the number of stacking spaces required if the board of adjustment finds, after a public hearing, that the stacking demand generated by the use does not warrant the number of stacking spaces required, and the special exception would not create a traffic hazard or increase traffic congestion on adjacent and nearby streets.
- (B) The maximum reduction authorized by this paragraph is two spaces for each of the first two drive-through windows, or 25 percent of the total number of required spaces, whichever is greater.
- (C) In determining whether to grant a special exception, the board of adjustment shall consider the following factors:
 - (i) The stacking demand and trip generation characteristics of all uses for which the special exception is requested.
 - (ii) The current and probable future capacities of adjacent and nearby streets based on the city's thoroughfare plan.
- (D) In granting a special exception, the board of adjustment shall specify the use or uses to which the special exception applies. A special exception granted by the board of adjustment for a particular use automatically and immediately terminates if that use is changed to a new use or discontinued.
- (E) The board of adjustment may not grant a special exception to reduce the number of stacking spaces required in an ordinance granting or amending a specific use permit.

(b) Restrictions or Conditions.

In granting a special exception under this section, the board of adjustment may:

- (A) establish a termination date for the special exception;
- (B) provide for the reassessment of conditions after a specified period of time;
- (C) impose restrictions on access to or from the subject property; or

- (D) impose any other reasonable condition necessary to improve traffic safety, lessen congestion on the streets, or ensure adequate parking.

SEC. 51A-13.410. PARKING MANAGEMENT OVERLAY (-PM).

(a) General Provisions.

(1) A Parking Management (-PM) overlay may only be established within a WMU or WR district, or within a WMU or WR district and a contiguous MU district, or within a WMU or WR district and a contiguous planned development district for MU district uses.

- (2) The establishment or amendment of a -PM overlay is a change in zoning district classification and must follow the procedures set out in Section 51A-4.701.

(b) Establishing a -PM overlay.

- (1) The applicant must submit a site plan that includes:

- (A) a map and the legal description of the property within the proposed district;
 - (B) the location of existing and proposed parking spaces within the proposed district, including any on-street parking spaces;
 - (C) all uses the proposed district will serve;
 - (D) any parking reduction or parking special exception granted within the boundaries of the -PM overlay;
 - (E) the method of ingress and egress to each parking area;
 - (F) screening, lighting, and landscaping of each parking area;
 - (G) the entity responsible for managing the required parking within the proposed overlay, limited to the board of a public improvement district (PID), tax increment financing reinvestment zone (TIF), or parking authority, the city, or other governmental entity established under Texas law; and
 - (H) any other information the director determines is necessary for a complete review of the proposed overlay.
- (2) In establishing a -PM overlay, the city council may impose conditions to ensure adequate parking and efficient management of parking within the overlay.

(c) Meeting Parking Standards.

For purposes of meeting parking standards, the entire area within the -PM overlay shall be considered one lot. In order to measure compliance for a site plan or certificate of occupancy, the applicant must provide a table demonstrating compliance with the requirements of this division.

SEC. 51A-13.411. OFF-STREET LOADING.

(a) Off-Street Loading Not Required.

Off-street loading is not required for any use.

(b) Location and Design Standards.

If off-street loading is provided, it must meet the following standards.

- (A) Ingress to and egress from off-street loading spaces must have at least the same vertical height clearance as the off-street loading space.
- (B) Each off-street loading space must be designed with a reasonable means of vehicular access from the street or alley in a manner which will least interfere with traffic movement.
- (C) Each off-street loading space must be independently accessible so that no loading space blocks another loading space.
- (D) Trash removal facilities and other structures must not block a loading space. The design of the ingress, egress, and maneuvering area must be approved by the director.
- (E) Off-street loading must be located behind the parking setback.

(Am. Ord. 30889, passed 6-13-18)

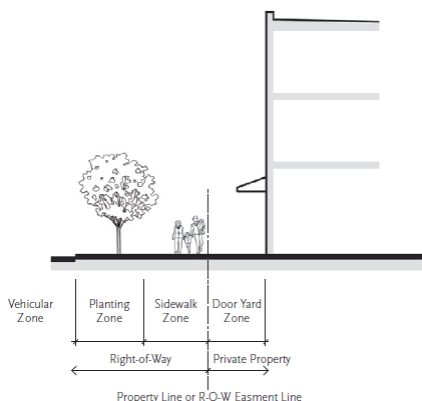
SEC. 51A-13.412. NONCONFORMING PARKING.

- (a) A use that is nonconforming as to parking may be expanded only if the parking spaces required to serve the additional area are provided.
- (b) A use that is nonconforming as to parking may be changed to another allowed use requiring more parking if parking spaces for the additional demand are provided.
- (c) A use that is nonconforming as to parking may be changed to another allowed use that requires less parking.
- (d) Additional required parking for a nonconforming site must be calculated based on the difference between the required parking in Section 51A-13.402 for the prior use and the required parking for the new use. Additional spaces must be made available to accommodate this difference. These additional spaces may be provided through the use of special parking.

Division 51A-13.500.

Minor Streets and Streetscapes.

SEC. 51A-13.501. GENERAL PROVISIONS.



(a) Planting Zone.

- (1) The planting zone is the area nearest to the curb within the public right-of-way.
- (2) Street trees must be planted in the planting zone in accordance with the applicable street cross-section (see Section 51A-13.502, "New Minor Streets," and Section 51A-13.503, "Existing Streets").
- (3) One large canopy tree must be planted every 40 feet on center, on average. All street trees must have a minimum caliper of three inches at the time of installation.
- (4) Where utilities exist or are proposed, two small trees may replace a required large canopy tree except where a mixed-use shopfront or single-story shopfront is proposed or required. If the replacement small trees conflict with utilities and cannot be planted within the planting zone, the replacement small trees must be planted within the door yard, but no closer than five feet from the building facade. Replacement small trees must be planted as evenly spaced as possible considering utility conflicts.
- (5) The planting zone may be hardscaped with tree grates or landscaped with a tree lawn.
- (6) The planting zone must remain clear of obstacles at all times except as provided for in Section 51A-13.501(d), "Encroachments."

(b) Sidewalk Zone.

- (1) The sidewalk zone is the area between the planting zone and the front property line or right-of-way easement within the public right-of-way.
- (2) The sidewalk zone must remain clear of obstacles at all times and must be constructed to meet all city and ADA specifications.

(c) Door Yard Zone.

- (1) The door yard is the area between the sidewalk zone and the front building facade.

- (2) Except in an -SH overlay, the door yard may be hardscaped or landscaped. In a -SH overlay, the door yard must be hardscaped.
- (3) The door yard must remain clear of obstacles at all times except as specifically provided for in Section 51A-13.501(d), "Encroachments."

(d) Encroachments.

(1) Planting Zone.

The following encroachments are permitted in the planting zone subject to approval of a license for use of public right-of-way issued in accordance with Article VI of Chapter 43 of the Dallas City Code.

- (i) Benches, trash receptacles, newspaper racks, and bicycle racks.
- (ii) Utility boxes, meters, man hole covers, regulatory signs, and fire suppression equipment.
- (iii) Pedestrian lighting.
- (iv) Landscaping, sidewalk, trees, tree grates, and planters.

(2) Sidewalk Zone.

Except as permitted in Section 51A-13.503(g), "Nonconforming Streetscapes," no encroachments are permitted over or in the sidewalk zone.

(3) Door Yard Zone.

The following encroachments are permitted in the door yard.

- (i) Galleries, awnings, balconies, stoops, and front porches in accordance with Section 51A-13.305, "Building Elements."
- (ii) Outdoor seating areas.
- (iii) A maximum three-foot-high fence.
- (iv) Outdoor display in accordance with Section 51A-13.602, "Outdoor Storage and Display."
- (v) Signs in accordance with Section 51A-13.603, "Signs."
- (vi) Benches, trash receptacles, public art, water features, bicycle racks, and bollards.
- (vii) Pedestrian lighting.
- (viii) Utility boxes, meters, man hole covers, and fire suppression equipment.
- (ix) Landscaping, sidewalks, trees, tree grates, and planters.

(e) Easements.

- (1) The sidewalk zone, planting zone, and on-street parking area may be provided on private property provided the sidewalk zone, planting zone, and on-street parking area are located within an easement permanently dedicated to the city.
- (2) The dedicated easement must provide the city with perpetual access to allow for customary public use, including but not limited to, the provision of public signs, street lighting, parking meters, and public utilities.
- (3) The easement cannot be used for underground structures of any kind except those associated with underground utilities.

(f) Pedestrian Amenities.

(1) Applicability.

The following pedestrian amenities apply in the WMU and WR districts.

(2) Location.

Pedestrian amenities must be provided within the door yard or planting zone.

(3) Required Amenities.

The following pedestrian amenities are required:

- (i) Benches at one per 300 feet of frontage on at least one primary street.
- (ii) Trash receptacles at one per 300 feet of frontage on at least one primary street.
- (iii) Bicycle parking at one five-bicycle rack per 300 feet of frontage on at least one primary street.

(4) Optional Amenities.

(A) In General.

A minimum of two of the pedestrian amenities or enhancements listed in this subparagraph are required to obtain a two percent parking reduction.

(B) Galleries, Arcades, and Awnings.

Galleries, arcades, or awnings with a minimum length of 25 feet per 100 feet of building facade must be provided along the frontage in accordance with Section 51A-13.305, "Building Elements."

(C) Pedestrian Passage.

A mid-block pedestrian passage, available at all times to the general public, must be provided and constructed in accordance with Section 51A-13.502(b)(7), "Pedestrian Passage."

(D) Public Open Space.

An additional two percent of net land area must be provided as public open space in accordance with Section 51A-13.304(k), "Open Space Lot," either on- or off- site (within a walking distance of 1,320 feet). To obtain this credit, the dedication of public open space must be accepted by the city of Dallas.

(E) Building Materials.

- (i) At least 85 percent of the exterior finish of all buildings (not including windows and doors) must be masonry. For purposes of this paragraph, masonry materials include stone, cementitious simulated stone, brick, portland cement stucco, and cementitious siding.
- (ii) The use of no more than 15 percent of the following materials may be used on the exterior finish of a building:
 - (aa) Pre-cast masonry (for trim and cornice elements only).
 - (bb) Glass fiber reinforced fiber concrete and fiberglass reinforced plastic (for trim elements only).
 - (cc) Metal (for beam lintels, trim elements, and ornamentation only).
 - (dd) Split-faced concrete masonry unit (only for piers and foundation walls).
 - (ee) Glass block (no closer than 30 inches to building corners).
 - (ff) Fabric for awnings.

(F) Public Art.

Public art (including water features), approved in writing by the director of cultural affairs or the cultural affairs commission, must be provided.

(G) Pedestrian Lighting.

Pedestrian lighting (free-standing or wall-mounted) must be provided at one per 75 feet of frontage.

(H) Underground Utilities.

All utilities must be provided underground.

(5) Maintenance.

All pedestrian amenities must be maintained by the owner of the lot; if there is more than one owner, all owners are jointly and severally liable for maintenance.

(g) No Waiver Permitted.

No waiver of the minor street or streetscape provisions of this division is allowed through the subdivision process.

SEC. 51A-13.502. NEW MINOR STREETS.

(a) Block and Street Standards.

- (1) Except as provided in this subsection, in WR and WMU districts, no blockface may be greater than 500 feet in length without an alley, street, or pedestrian passage providing through-access to another alley, street, or pedestrian passage. If an alley, street, or pedestrian passage cannot connect to another alley, street, or pedestrian passage because one does not exist, through-access must be provided by an alley, street, or pedestrian passage to the rear property line.
- (2) An individual lot with less than 100 feet of street frontage is exempt from the requirements in Paragraph (1) above.
- (3) The building official may issue a waiver to the requirement in Paragraph (1) above if building official finds that the spirit and intent of this subsection has been met and:
- (A) the property shares a property line with a cemetery, Dallas Area Rapid Transit right-of-way, a railroad, a levee, or a natural feature such as floodplain, escarpment, waterways, or similar features; or
- (B) the location and size of an existing building prevents the property from being developed in accordance with Paragraph (1) above.

(b) Street Cross-Sections.

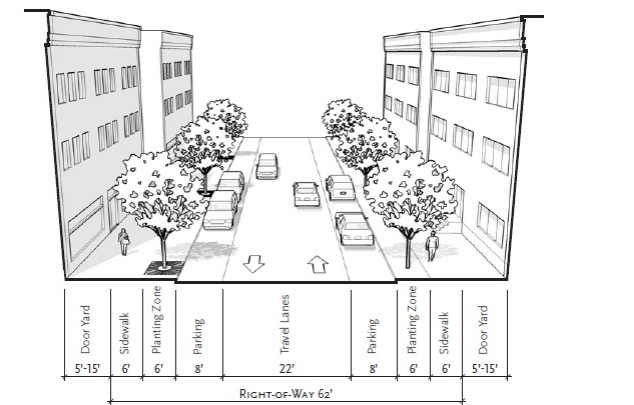
(1) General.

Alternative on-street parking configuration other than those shown (including reverse angle parking) and travel lane increases, up to 10 percent, may be approved by the director of public works and transportation.

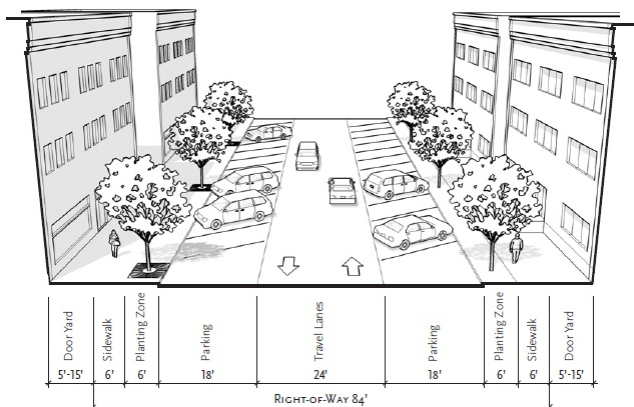
(2) New Streets.

The following requirements apply to the construction of new streets within a WMU, WR, or RTN district. All streets must be two-way and be constructed with a maximum design speed of 35 mph.

(A) Parallel Parking (MS-1A).



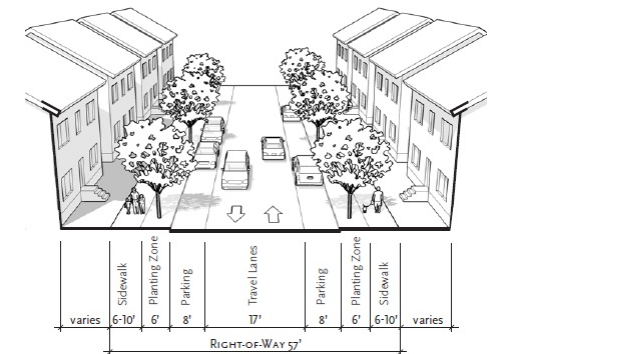
(B) Angle (60°) Parking (MS-1B).



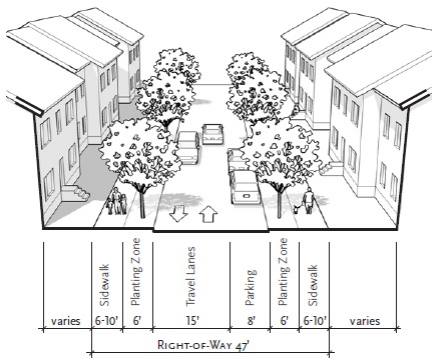
(3) Residential Streets.

The following requirements apply to the construction of new residential streets within a RTN district. All streets must be two-way and be constructed with a maximum design speed of 30 mph. When RTN applies to either side of a street and the other side of the street is in a WMU or WR district, both sides of the street must use the RTN cross-section.

(A) Parallel Parking (MS-2A).



(B) Yield with Parallel Parking (MS-2B).

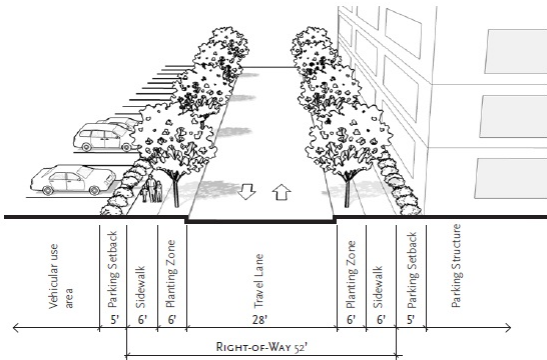


(4) Service Street (MS-3A).

(A) The following requirements apply to the construction of new service streets within a WMU and WR district.

(B) All service streets must be two-way and be constructed with a maximum design speed of 30 mph.

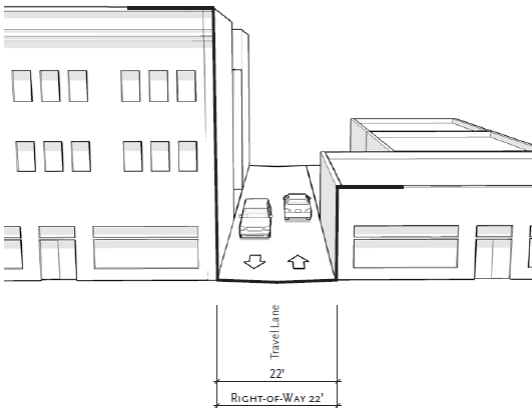
(C) A hedge or low wall not less than 30 inches in height at the time of installation must be provided within the parking setback area to screen the edge of the vehicular use area or parking structure.



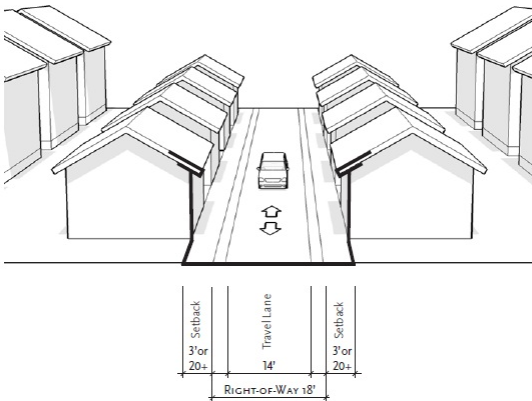
(5) Alley.

The following requirements apply to the construction of new alleys within a WMU, WR, and RTN district. When a residential use abuts both sides of an alley, the cross-section for a residential alley (MS-4B) is required, otherwise the cross-section for a commercial alley (MS-4A) is required.

(A) Commercial Alley (MS-4A).

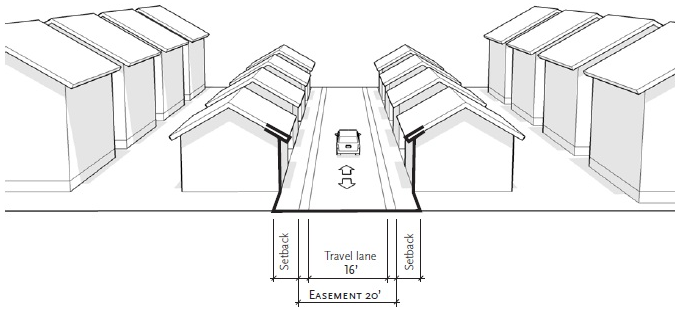


(B) Residential Alley (MS-4B).

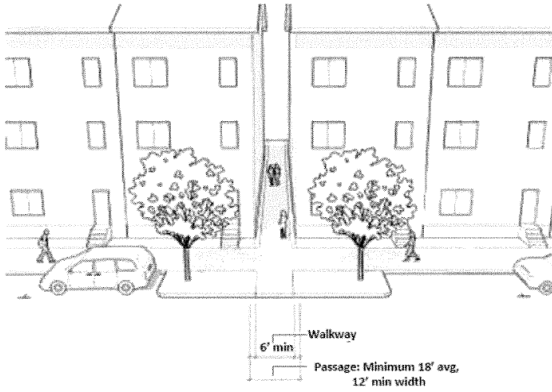


(6) Shared Access Area.

The following requirements apply to the construction of a shared access area.



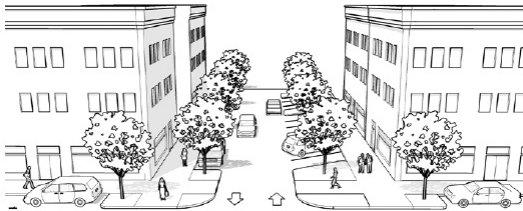
(7) Pedestrian Passage.



The following requirements apply to the construction of a pedestrian passage. Except as provided in this paragraph, the passage must connect from a street a pedestrian passage, an alley, or another street. If a pedestrian passage, alley, or another street does not exist, the pedestrian passage must connect to a rear property line. Required building side setbacks may be used to accommodate the pedestrian passage. If located on private property, a pedestrian passage must be accessible to the public, dedicated as an easement, and must be maintained by the property owner.

(c) Bump-Outs Required.

- (1) Except for MS-2B and MS-3A streets, all streets must include bump-outs at intersections to shorten the distance that pedestrians are required to cross. No bump-outs are required on alleys.
- (2) The width and depth of the bump-out will be determined by the director of public works and transportation by balancing the needs for vehicular access with those of pedestrian accessibility.



(d) Modification of Standards.

Modifications to the street standards may be allowed by the director of public works and transportation where necessary to address specific conditions. The modifications must be the minimum necessary to address specific conditions, while preserving the integrity of the street and minimizing impacts on the pedestrian experience, and are limited to the following:

- (A) adding turn lanes to respond to critical traffic needs;
- (B) adding medians when such medians enhance pedestrian safety, or address critical traffic needs;
- (C) prohibiting on-street parking during peak periods;
- (D) adding or deleting lanes adjacent to public open spaces to enhance access or encourage pedestrian usage; or
- (E) eliminating bump-outs when adding needed turn lanes or prohibiting on-street parking during peak hours to respond to critical traffic needs.

(Am. Ord. 29827, passed 8-15-15)

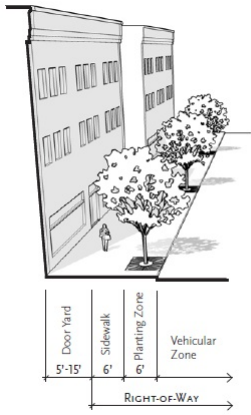
SEC. 51A-13.503. EXISTING STREETS.

(a) Applicability.

- (1) The streetscape requirements of this section apply to all new development and to the addition of any floor area or pervious cover to the site.
- (2) Where the proposed addition of floor area or pervious cover is associated with only one specific tenant space, only the portion of the streetscape associated with that tenant space must be constructed.
- (3) These standards apply to the maximum extent feasible on streets regulated by the Texas Department of Transportation (TXDOT), as determined by TXDOT.

(b) Mixed Use Streetscape (ST-1).

The following streetscape standard applies to property within a WMU or WR district that abuts an existing street.



(c) Indented Parking.

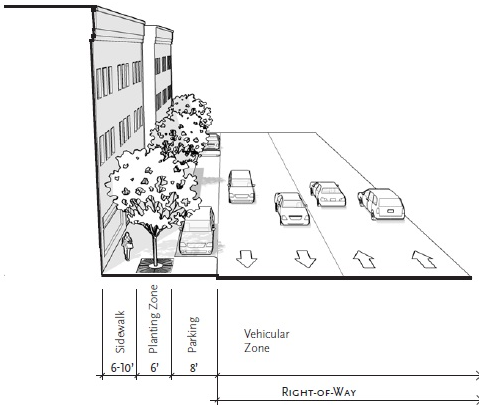
(1) In General.

(A) The following streetscape standards may apply to property within a WMU, WR, or RTN district that abuts an existing thoroughfare.

(B) Alternative angles other than those shown (including reverse angle) may be approved by the director of public works and transportation.

(C) When indented parking is used, the front setback area and parking setback, as set forth in Section 51A-13.304, "Development Types," may be adjusted to accommodate the parking as specified below. Trees along a multi-way boulevard are considered street trees and are not counted as site trees.

(2) Indented Parking (ST-2).



(d) Multi-Way Boulevards.

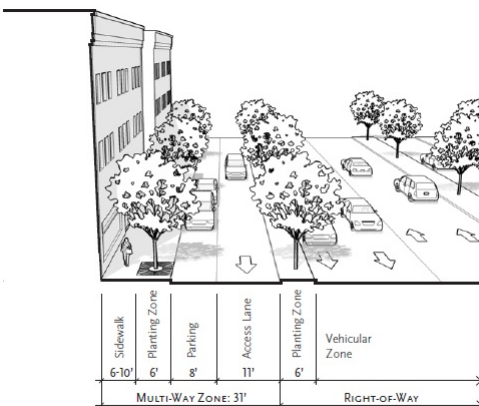
(1) In General.

(A) The following streetscape standards may apply to property within a WMU or WR district when the property abuts an existing thoroughfare or a street on which on-street or indented parking is prohibited by the city.

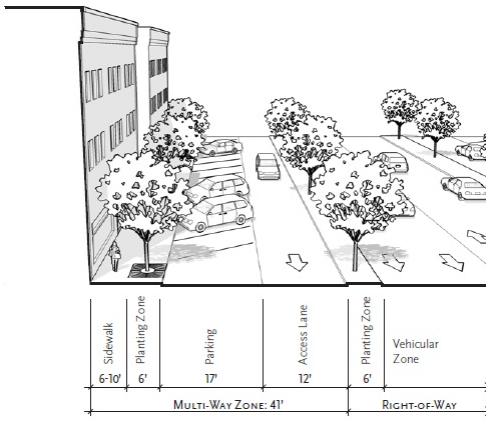
(B) Alternative angles other than shown (including reverse angle) may be approved by the director of public works and transportation.

(C) When a multi-way boulevard streetscape is used, the front setback area and parking setback, as set forth in Section 51A-13.304, "Development Types," may be adjusted to accommodate the multi-way zone as specified below. Trees along a multi-way boulevard are considered street trees and are not counted as site trees.

(2) Parallel Parking (ST-3).

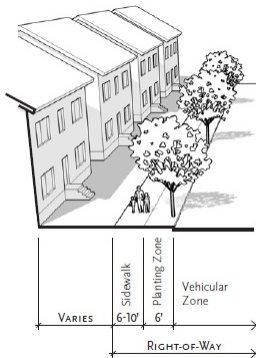


(3) Angle (60°) Parking (ST-4).



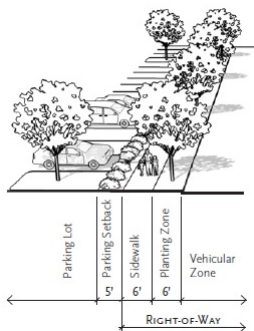
(e) Residential Streetscape (ST-5).

The following streetscape standards apply to property within a RTN district that abuts an existing street.



(f) Parking Buffer (ST-6).

- (1) The following streetscape standards apply when a parking lot abuts a public street (not including an alley).
- (2) A hedge or low wall at least 30 inches in height at the time of installation must be provided within the parking setback area to screen the edge of the vehicular use area/parking structure.



(g) Nonconforming Streetscapes.

(1) Reductions.

- (A) If a streetscape along an existing street is constrained by an existing building, the building official may modify the streetscape standards to the minimum extent necessary to accommodate the existing area between the face of the building and back of curb.
- (B) The standards shall be modified in the following order:
 - (i) Reduce the door yard as necessary.
 - (ii) Reduce or eliminate the planting zone.
 - (iii) If necessary, replace large canopy trees with small trees that are more appropriate for the reduced area. If the planting zone is eliminated, create a bump-out to provide for tree planting.
 - (iv) Reduce the sidewalk to the minimum width to accommodate ADA accessibility.

(2) Encroachments.

If a streetscape along an existing street is constrained by an existing building, the following encroachments may be permitted over the sidewalk subject to approval of a license for use of public right-of-way issued in accordance with Article VI of Chapter 43 of the Dallas City Code.

- (i) Awnings, balconies, stoops, and front porches in accordance with Section 51A-13.305, "Building Elements."
- (ii) Outdoor display in accordance with Section 51A-13.602, "Outdoor Storage and Display."
- (iii) Signs in accordance with Section 51A-13.603, "Signs."

Division 51A-13.600.

Site Development Regulations.

SEC. 51A-13.601. SITE LIGHTING.

(a) Prohibited Light Sources.

The following light fixtures and sources may not be used if the direct light emitted is visible from adjacent areas:

- (A) Low-pressure sodium and mercury vapor light sources.
- (B) Cobra-head-type fixtures having dished or drop lenses or refractors which house other than incandescent sources.
- (C) Searchlights and other high-intensity narrow-beam fixtures.

(b) Lighting Design Requirements.

(1) In General.

Outdoor lighting must primarily be used to provide safety, accent key architectural elements, or emphasize public art or landscape features. All lighting fixtures must meet the requirements of this section.

(2) Fixture (Luminaire).

- (A) The light source must be concealed and must not be visible from any public right-of-way or adjacent properties.
- (B) In order to direct light downward and minimize the amount of light spillage into the night sky and onto adjacent property, all lighting fixtures must be full cutoff fixtures.
- (C) Fixtures must be mounted in such a manner that the cone of light is contained on-site and does not cross any property line of the site.
- (D) Lighting fixtures may not exceed 30 feet in height above the parking.
- (E) Lighting fixtures may not be less than nine feet or more than 15 feet in height above the sidewalk in pedestrian areas. All light fixtures located within 50 feet of a residential district may not extend more than 15 feet in height.

(3) Light Source (Lamp).

- (A) Only incandescent, fluorescent, metal halide, or color-corrected high-pressure sodium may be used.
- (B) The same light source type must be used for the same or similar types of lighting throughout the development.

(c) Specific Lighting Standards.

(1) Security Lighting.

- (A) Building-mounted security light fixtures such as wall packs may not project above the roof line of the building and must be shielded.
- (B) No security fixtures may face residential uses.
- (C) Security fixtures may not be substituted for parking area or walkway lighting and are restricted to loading, storage, service, and similar locations.

(2) Accent Lighting.

Only lighting used to accent architectural elements, landscaping, or art may be directed upward, provided that the fixture is located, aimed, or shielded to minimize light spill into the night sky.

(3) Canopy Area Lighting.

A canopy area over fuel sales, automated teller machines, or similar installations must have a recessed lens cover flush with the bottom surface of the canopy that provides a cutoff or shielded light distribution.

(4) Entrances and Exits.

To ensure the safety of persons and the security of the building, lighting is required for all entrances and exits to buildings containing nonresidential uses and open to the general public or to multifamily residential uses.

(5) Parking Area Lighting.

The provisions of Section 51A-4.301(e) apply to all off-street parking areas except as expressly modified in this section.

(6) Excessive Illumination.

- (A) Lighting that substantially interferes with the use or enjoyment of any other property is prohibited.
- (B) Lighting may not be oriented so as to direct glare or excessive illumination onto streets in a manner that may distract or interfere with the vision of drivers.

SEC. 51A-13.602. OUTDOOR STORAGE DISPLAY.

(a) Outdoor Display.

- (1) Outdoor display is the outdoor display of products actively available for sale. The outdoor location of soft drink or similar vending machines is considered outdoor display.
- (2) Outdoor display is permitted in association with any permitted nonresidential use in a WMU or WR district in accordance with the following provisions:
 - (A) Outdoor display may only be located within the door yard.
 - (B) Outdoor display may occupy no more than 30 percent of the horizontal length of the building facade.
 - (C) Outdoor display must be removed and placed inside a fully-enclosed building at the end of each business day.

(b) Outdoor Storage.

- (1) Outdoor storage is the overnight storage of products or materials outside of a building.
- (2) Outdoor storage includes merchandise or material in boxes, in crates, on pallets, or in shipping containers.
- (3) Outdoor storage includes the overnight outdoor storage of vehicles awaiting repair, RV's and boats, shopping carts, garden supplies, building supplies, plants, fleet vehicles, and other similar merchandise, material, vehicles, or equipment.
- (4) Outdoor storage also includes salvage yards, vehicle storage yards, and overnight outdoor storage of shipping containers, lumber, pipe, steel, junk and other similar merchandise, material, or equipment.
- (5) Outdoor storage is not permitted in the WMU, WR, or RTN districts.

SEC. 51A-13.603. SIGNS.

(a) Definitions.

The sign definitions of Section 51A-7.102 apply, with the following additions:

- (A) ARCADE SIGN means an attached sign suspended below an arcade, gallery, or awning.
- (B) AWNING SIGN means any sign on the sides or top of an awning (excluding awnings over gas pumps).

(b) All Districts.

- (1) Except as provided in this section, the provisions of Division 51A-7.200, "Provisions for All Zoning Districts," apply.
- (2) The use of neon is permitted, except in the RTN district.
- (3) No portion of a sign other than the words themselves may be illuminated by back-lighting (for example, channel letters may be back lit).
- (4) No sign may be illuminated by an independent, external light source (such as an external floodlight).

(c) WMU Districts.

(1) In General.

The WMU districts are considered business zoning districts for purposes of regulating signs.

(2) Detached Signs.

- (A) Except as provided in this paragraph, the provisions of Section 51A-7.304, "Detached Signs," apply.
- (B) Except for expressway signs, all signs must be monument signs. The maximum height of a monument sign is six feet.
- (C) The maximum height of a monument sign is six feet.
- (D) The maximum effective area of a monument sign is 20 square feet.

(3) Attached Signs.

(A) Arcade Signs.

- (i) No arcade sign may exceed six square feet in effective area.
- (ii) The minimum linear distance between any two arcade signs is 15 feet.
- (iii) An arcade sign must be at least 10 feet above the sidewalk.

- (iv) No arcade sign may project above the arcade, gallery, or awning to which it is attached.
- (v) Arcade signs may only identify the premise or occupant of the premise and provide an address.

(B) Awning Signs.

- (i) The maximum size of an awning sign is 18 square feet.
- (ii) The maximum combined effective area for all awning signs on a building facade is 150 square feet.
- (iii) No signs are permitted on awnings located above the second story.

(d) WR and RTN Districts.

(1) In General.

WR and RTN districts are considered non-business zoning districts for purposes of regulating signs.

(2) Detached Signs.

- (A) Except as provided in this paragraph, the provisions of Section 51A-7.403, "Detached Signs," apply.
- (B) All signs must be monument signs.
- (C) The maximum height of a monument sign is six feet.
- (D) The maximum effective area of a monument sign is 20 square feet.

(E) For the purpose of this subsection, MONUMENT SIGN means a detached sign applied directly to a ground-level support structure (instead of a pole support) with no separation between the sign and the ground, or mounted on a fence.

(3) Attached Signs.

(A) In General.

Except as provided in this subsection, the provisions of Section 51A-7.404, "Attached Signs," apply.

(B) All Attached Signs.

- (i) No attached sign on the ground story may exceed 10 percent of the total area of the ground-story building facade.
- (ii) The total effective area of all attached signs on upper stories may not exceed five percent of the total area of the ground-story building facade.

(C) Arcade Signs.

- (i) No arcade sign may exceed six square feet in effective area.
- (ii) The minimum linear distance between any two arcade signs is 15 feet.
- (iii) No arcade sign may be lower than 10 feet above the sidewalk.
- (iv) No arcade sign may project above the arcade, gallery, or awning to which it is attached.
- (v) Arcade signs may only identify the premise or occupant of the premise and provide an address.

(D) Awning signs.

- (i) No awning sign may exceed six square feet in effective area.
- (ii) The maximum combined effective area for all awning signs on a building facade is 150 square feet.
- (iii) No sign is permitted on an awning which is located above the second story.

SEC. 51A-13.604. DUMPSTERS.

(a) RTN District.

No dumpsters are permitted for residential uses in the RTN district.

Division 51A-13.700.

Administration.

SEC. 51A-13.701. APPLICATION FOR ZONING.

- (a) Any change in zoning district classification must follow the zoning amendment procedure in 51A-4.701.
- (b) There are two options for application of these form districts:
 - (1) change in zoning district classification to an WMU, WR, or RTN district; or
 - (2) creation of a planned form district.

SEC. 51A-13.702. PLANNED FORM DISTRICT.

(a) Purpose.

The purpose of the planned form district is to provide additional certainty in the development of a form district through the adoption of a regulating plan that specifies the location and type of streets, open spaces, and development types.

(b) Conformity to Article XIII.

The regulating plan must comply with the requirements of Article XIII. Unlike a planned development district established under Article IV, an ordinance adopting a planned form district may not waive or modify the standards of Article XIII.

(c) Regulating Plan.

- (1) An ordinance establishing a planned form district must include a regulating plan for the entire proposed area with the following elements:
 - (A) District Boundaries.
 - (B) Specific location of existing overlays, if any. For purposes of this provision, existing overlay means an overlay adopted before or on the date of passage of the planned form district ordinance.
 - (C) Specific location and dimensions of existing thoroughfares and general location and dimensions of proposed thoroughfares, if any. If a proposed thoroughfare differs from the thoroughfare plan, an amendment to the thoroughfare plan is required.
 - (D) Specific location and dimensions of existing minor streets and general location and dimension of proposed minor streets, if any.
 - (E) Specific location and dimensions of existing service streets and general location and dimension of proposed service streets, if any.
 - (F) Specific location of any existing public open space, if any, including any off-site open space used for credit, and general location of any proposed open space.
 - (G) Specific location of any existing rail transit station and general location of any proposed rail transit station.
 - (H) Streetscape standards for all streets not considered minor streets, if city council determines them necessary.
 - (I) A chart describing the proportion of development types within the district.
 - (J) Any additional elements determined by the city council to be necessary.
- (2) A regulating plan is not a site plan, as required for all development (see Section 51A-13.703, "Site Plan Review").

(d) Modification of a Regulating Plan.

Any change to a regulating plan is a change in zoning district classification and must follow the zoning amendment procedure in Section 51A-4.701.

(e) Compliance with Regulating Plan.

The requirements of the regulating plan are conditions that must be complied with before a certificate of occupancy may be granted.

SEC. 51A-13.703. SITE PLAN REVIEW.

(a) Site Plan Required.

(1) Except as provided in Paragraph (2), all development must receive site plan approval by the building official in accordance with Section 51A-4.803 before issuance of a building permit. A certificate of occupancy will not be issued unless all aspects of the development fully conform to the approved site plan.

(2) A site plan is not required if the permit is only needed for:

- (A) restoration of a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind; or
- (B) construction work that does not change the use or increase the existing building height, floor area ratio, or nonpermeable coverage of the lot.

(b) Additional Site Plan Requirements.

The following site plan elements are required in addition to any requirements in Section 51A-4.803.

- (A) Designated primary, side, and service streets.
- (B) Development types designated on specific lots.
- (C) Location and description of pedestrian amenities.
- (D) Location and specifications of minor and existing streets.
- (E) Location and specifications of open space.
- (F) Location of all setback lines.
- (G) Building elevations showing compliance with building facade requirements.
- (H) Location and specifications of landscaping.
- (I) Locations and specifications of site lighting, outdoor storage and display, and signs.

(c) Primary Street Designation.

(1) In this section:

- (A) CONSIDERATION means a measured comparison of a blockface to the adjacent blockfaces at each of its endpoints.
- (B) CORRIDOR means the blockfaces on the same side of the street as the subject blockface separated by a street, alley, or other right-of-way.

(2) The street designation for each lot frontage is determined by the classification of the subject blockface. The classification of each blockface must be determined by the following method:

- (A) The longest blockface in each consideration is designated as a primary street.
- (B) If a blockface fails to be designated as a primary street after all considerations, then that blockface is designated as a side street.
- (C) If the longest blockface is equal in length to another blockface in the same consideration, then both blockfaces are primary streets.
- (D) If all blockfaces are equal in length, then the street designation is determined by the following rule:
 - (i) If a block contains an alley, any blockface parallel to the alley will be designated as a primary street and any blockface not parallel to the alley will be designated as a side street.
 - (ii) If there is no alley, then the subject blockface will match the street designation of the corridor.
 - (iii) If the corridor consists of multiple street designations, then the subject blockface must match the street designation of the blockface across the street.
 - (iv) If the blockface across the street is unable to be identified through this process, then the subject blockface will be classified as a side street.

(d) Service Street Designation.

- (1) The building official shall determine whether a service street is appropriate based on the criteria contained in this subsection.
- (2) The applicant must control the land along an entire block face of a service street, and the service street must be designated from one street intersection to another street intersection.
- (3) A site with a service street must have at least two frontages and one frontage must be a primary street.
- (4) Only one service street may be designated abutting any block.

(e) Multiple Development Types on a Single Lot or Parcel.

(1) Calculation of Lot Coverage.

(A) Where multiple development types are located on a single building site, the calculation of lot coverage is based on the proportion of total coverage required for each development type in relation to the proposed building footprints.

(B) As an example, a building site with one proposed mixed use shopfront building (allowed 100 percent coverage) with a lot coverage of 10,000 square feet and two proposed general commercial buildings (allowed 80 percent coverage) with a combined lot coverage of 20,000 square feet would have a lot coverage of 86 percent.

10,000 SF x 1.00	+	20,000 SF x 0.80	= 86% Lot Coverage
30,000 SF		30,000 SF	

(C) Where the lot coverage for all proposed development types is the same, no calculation is necessary.

(2) Calculation of Required Frontage.

(A) In order to ensure the pedestrian frontage remains as consistent as possible, if multiple development types are located on a single building site, the building official shall calculate required street frontage on a building-by-building basis.

(B) As an example, a site with a mixed use shopfront building with 180 linear feet of street frontage (required 90 percent street frontage) must be located on an artificial lot with a width no greater than 200 feet. A proposed general commercial building with 200 linear feet of street frontage (required 70 percent street frontage) must be located on an artificial lot with a width no greater than 286 feet in width.

(f) Consistency With Regulating Plan.

The building official shall determine that the site plan is consistent with any adopted regulating plan prior to approval.

(g) Site Plan Modifications and Waivers.

The building official may authorize minor modifications to approved site plans and waive the requirement of a site plan for minor construction or site improvements (for example: limited parking lot modifications, accessory structures, fences, and similar projects) provided that:

- (A) the basic relationship of the development to adjacent property is not affected;
- (B) there is no conflict with the requirements of this article; and
- (C) the fundamental character of the development as a whole is not changed.

(Am. Ord. 31470, passed 2-24-20)