

First Reading: _____
Second Reading: _____

Ordinance A(2)

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, TO ADD A NEW ARTICLE XVI, DOWNTOWN FORM-BASED CODE; TO PROVIDE FOR SUNSETTING OF ARTICLE V, DIVISION 18, C-7 NORTH SHORE COMMERCIAL/MIXED USE ZONE AND ALL PROVISIONS REFERENCING SUCH ZONE WITHIN CHAPTER 38 AFTER SIX MONTHS; AND TO ADD NEW SECTIONS 38-530 AND 38-568(24).

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Article XVI, Downtown Form-Based Code is hereby added as amended to add the language set forth in the attached exhibit as a part of the City's Zoning Ordinance.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article V, Zone Regulations, is hereby amended by sunseting Division 18, C-7 North Shore Commercial/Mixed Use Zone in its entirety and all provisions referencing such zone within Chapter 38 shall no longer be operative six months after the effective date of this Ordinance.

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article III, Section 38-568, Powers, etc., of board; hearings, is hereby amended by adding a new Item (24) concerning Special Exception Permits to be granted by the Board of Appeals for Variances and Special Permits as follows:

(24) For Special Exceptions as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table:

Special Exception	Zone Permitted
Assisted living facility	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Boarding House	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Dormitory	D-RM, R-RF
Fraternity/sorority	D-RM, R-RF
Medically assisted living facility	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Nursing home	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Social Services	D-RM, D-CX, R-RF, R-RV, U-RM, U-CX, U-IX, E-RM, E-CX, E-IX
Wireless Communications	D-RA, D-RM, D-CX, D-SH, D-CIV, R-RF, R-RV, R-CIV, U-RD, U-RA, U-RM, U-CX, U-SH, U-IX, U-CC, U-IN, U-CIV, E-RD, E-RA, E-RM, E-CX, E-SH, E-IX, E-IN, E-CIV
Adult-Oriented Business	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Animal care, outdoor	E-IX
Day Care	D-RA, D-RM, R-RF, R-RV, U-RD, U-RA, U-RM, E-RD, E-RA, E-RM
Hospital	D-CX, U-CX, U-CC, E-CX
Outdoor Recreation	U-CC
Bed and breakfast	U-RD, U-RA, E-RD, E-RA
Short-term vacation rental	D-RA, D-RM, R-RF, R-RV, U-RD, U-RD, U-RM, E-RD, E-RA, E-RM
Commercial Parking	D-CX, D-SH, R-RV
Remote (off-site) parking	D-CIV, R-CIV, E-CIV
Open air market	D-CX, D-CIV, D-PK, R-RV, R-CIV, R-PK, U-CX, U-IX, U-CC, U-CIV, U-PK, E-CX, E-IX, E-CIV, E-PK
Heavy industrial	U-IN, E-IN
Waste-Related Service, except not including recycling processing center	U-IN, E-IN

Outdoor storage, major	U-IN, E-IN
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SECTION 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article VI, Division 2, Other Special Exceptions is hereby amended by adding Section 38-530 as follows:

Sec. 38-530. For Special Exceptions after approval by the City Council as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table.

The following uses shall only be permitted as Special Exceptions after public hearing and approval by the City Council as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table:

Special Exception	Zone Permitted
Residential home for the handicapped or aged persons, commercial	D-RM, D-CX, R-RF, R-RV, U-RD, U-RA, U-RM, U-CX, U-IX, E-RD, E-RA, E-RM, E-CX, E-IX
Non-profit heritage educational facility	D-RA, D-RM, D-CX, D-CIV, R-RF, R-RV, R-CIV, U-RD, U-RA, U-RM, U-CX, U-IX, U-CIV, E-RD, E-RA, E-RM, E-CX, E-IX, E-CIV
Cemetery	U-RD, U-RA, U-RM, U-CX, U-IX, U-CC, U-CIV, U-PK, E-RD, E-RA, E-RM, E-CX, E-IX, E-CIV, E-PK
Alternative financial services	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Liquor Stores	D-CX, D-SH, R-RF, R-RV, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Wineries, including vineyards, processing, bottling and sales facilities	U-IX, U-IN, E-IX, E-IN
Alcohol Distillery, Small	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, U-IN, E-CX, E-SH, E-IX, E-IN
Alcohol Distillery, Large	U-IX, U-IN, E-IX, E-IN

SECTION 5. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two
(2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/kjr/mem/Ordinance A(2)

First Reading: _____
Second Reading: _____

Ordinance A(2)(As Amended)
(Including language from A(3), A(4) & A(5))

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, TO ADD A NEW ARTICLE XVI, DOWNTOWN FORM-BASED CODE; TO PROVIDE FOR SUNSETTING OF ARTICLE V, DIVISION 18, C-7 NORTH SHORE COMMERCIAL/MIXED USE ZONE AND ALL PROVISIONS REFERENCING SUCH ZONE WITHIN CHAPTER 38 AFTER SIX MONTHS; AND TO ADD NEW SECTIONS 38-530 AND 38-568(24).

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Article XVI, Downtown Form-Based Code is hereby added as amended to add the language set forth in the attached exhibit as a part of the City’s Zoning Ordinance with the following amendments:

(a) Section 38-696(4) Code Modifications is amended to delete subsection (5) which allows the Director of the Land Development Office to increase building height up to five (5) feet of the maximum building height in this zone.

(b) Section 38-696(5) Form-Based Code Committee is amended to delete subsection (B)(1) entitled, “Appointment Procedure” and to substitute the following language in lieu thereof:

(1) Each City Council representative whose district is located in the Form-Based Code Area shall submit up to three (3) candidates that are resident, property owner, or business owner that meet the qualifications noted above for the Mayor’s consideration. The Mayor will pick a member selected by each Council Member in developing the Committee appointments or request additional names from the affected Council Member before submitting all members of this Committee to the City Council for final approval.

(c) Section 38-741(1)(C) entitled, “Vehicle Parking” (C) Discounts and the following language under Property provides long-term bike parking is substituted in lieu thereof:

Receive one vehicle parking space credit for every two long-term bike parking spaces provided on-site for up to twenty-five (25%) of total required minimum parking. Long-term bicycle parking must be located in an enclosed area providing protection from weather and must be accessible to intended users.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article V, Zone Regulations, is hereby amended by sunseting Division 18, C-7 North Shore Commercial/Mixed Use Zone in its entirety and all provisions referencing such zone within Chapter 38 shall no longer be operative six months after the effective date of this Ordinance.

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article III, Section 38-568, Powers, etc., of board; hearings, is hereby amended by adding a new Item (24) concerning Special Exception Permits to be granted by the Board of Appeals for Variances and Special Permits as follows:

(24) For Special Exceptions as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table:

Special Exception	Zone Permitted
Assisted living facility	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Boarding House	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Dormitory	D-RM, R-RF
Fraternity/sorority	D-RM, R-RF
Medically assisted living facility	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Nursing home	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX

Social Services	D-RM, D-CX, R-RF, R-RV, U-RM, U-CX, U-IX, E-RM, E-CX, E-IX
Wireless Communications	D-RA, D-RM, D-CX, D-SH, D-CIV, R-RF, R-RV, R-CIV, U-RD, U-RA, U-RM, U-CX, U-SH, U-IX, U-CC, U-IN, U-CIV, E-RD, E-RA, E-RM, E-CX, E-SH, E-IX, E-IN, E-CIV
Adult-Oriented Business	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Animal care, outdoor	E-IX
Day Care	D-RA, D-RM, R-RF, R-RV, U-RD, U-RA, U-RM, E-RD, E-RA, E-RM
Hospital	D-CX, U-CX, U-CC, E-CX
Outdoor Recreation	U-CC
Bed and breakfast	U-RD, U-RA, E-RD, E-RA
Short-term vacation rental	D-RA, D-RM, R-RF, R-RV, U-RD, U-RD, U-RM, E-RD, E-RA, E-RM
Commercial Parking	D-CX, D-SH, R-RV
Remote (off-site) parking	D-CIV, R-CIV, E-CIV
Open air market	D-CX, D-CIV, D-PK, R-RV, R-CIV, R-PK, U-CX, U-IX, U-CC, U-CIV, U-PK, E-CX, E-IX, E-CIV, E-PK
Heavy industrial	U-IN, E-IN
Waste-Related Service, except not including recycling processing center	U-IN, E-IN
Outdoor storage, major	U-IN, E-IN

SECTION 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article VI, Division 2, Other Special Exceptions is hereby amended by adding Section 38-530 as follows:

Sec. 38-530. For Special Exceptions after approval by the City Council as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table.

The following uses shall only be permitted as Special Exceptions after public hearing and approval by the City Council as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table:

Special Exception	Zone Permitted
Residential home for the handicapped or aged persons, commercial	D-RM, D-CX, R-RF, R-RV, U-RD, U-RA, U-RM, U-CX, U-IX, E-RD, E-RA, E-RM, E-CX, E-IX
Non-profit heritage educational facility	D-RA, D-RM, D-CX, D-CIV, R-RF, R-RV, R-CIV, U-RD, U-RA, U-RM, U-CX, U-IX, U-CIV, E-RD, E-RA, E-RM, E-CX, E-IX, E-CIV
Cemetery	U-RD, U-RA, U-RM, U-CX, U-IX, U-CC, U-CIV, U-PK, E-RD, E-RA, E-RM, E-CX, E-IX, E-CIV, E-PK
Alternative financial services	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Liquor Stores	D-CX, D-SH, R-RF, R-RV, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Wineries, including vineyards, processing, bottling and sales facilities	U-IX, U-IN, E-IX, E-IN
Alcohol Distillery, Small	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, U-IN, E-CX, E-SH, E-IX, E-IN
Alcohol Distillery, Large	U-IX, U-IN, E-IX, E-IN

SECTION 5. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/kjr/mem/Ordinance A(2)(Amended)

First Reading: _____
Second Reading: _____

Ordinance A(3)

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, TO ADD A NEW ARTICLE XVI, DOWNTOWN FORM-BASED CODE; TO PROVIDE FOR SUNSETTING OF ARTICLE V, DIVISION 18, C-7 NORTH SHORE COMMERCIAL/MIXED USE ZONE AND ALL PROVISIONS REFERENCING SUCH ZONE WITHIN CHAPTER 38 AFTER SIX MONTHS; AND TO ADD NEW SECTIONS 38-530 AND 38-568(24).

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Article XVI, Downtown Form-Based Code is hereby added as amended to add the language set forth in the attached exhibit as a part of the City’s Zoning Ordinance, with the exception of Section 38-696(4) Code Modifications which is amended to delete subsection (5) which allows the Director of the Land Development Office to increase building height up to five (5) feet of the maximum building height in this zone.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article V, Zone Regulations, is hereby amended by sunseting Division 18, C-7 North Shore Commercial/Mixed Use Zone in its entirety and all provisions referencing such zone within Chapter 38 shall no longer be operative six months after the effective date of this Ordinance.

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adding a new Item (24) concerning Special Exception Permits to be granted by the Board of Appeals for Variances and Special Permits as follows:

(24) For Special Exceptions as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table:

Special Exception	Zone Permitted
Assisted living facility	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Boarding House	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Dormitory	D-RM, R-RF
Fraternity/sorority	D-RM, R-RF
Medically assisted living facility	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Nursing home	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Social Services	D-RM, D-CX, R-RF, R-RV, U-RM, U-CX, U-IX, E-RM, E-CX, E-IX
Wireless Communications	D-RA, D-RM, D-CX, D-SH, D-CIV, R-RF, R-RV, R-CIV, U-RD, U-RA, U-RM, U-CX, U-SH, U-IX, U-CC, U-IN, U-CIV, E-RD, E-RA, E-RM, E-CX, E-SH, E-IX, E-IN, E-CIV
Adult-Oriented Business	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Animal care, outdoor	E-IX
Day Care	D-RA, D-RM, R-RF, R-RV, U-RD, U-RA, U-RM, E-RD, E-RA, E-RM
Hospital	D-CX, U-CX, U-CC, E-CX
Outdoor Recreation	U-CC
Bed and breakfast	U-RD, U-RA, E-RD, E-RA
Short-term vacation rental	D-RA, D-RM, R-RF, R-RV, U-RD, U-RD, U-RM, E-RD, E-RA, E-RM
Commercial Parking	D-CX, D-SH, R-RV
Remote (off-site) parking	D-CIV, R-CIV, E-CIV

Open air market	D-CX, D-CIV, D-PK, R-RV, R-CIV, R-PK, U-CX, U-IX, U-CC, U-CIV, U-PK, E-CX, E-IX, E-CIV, E-PK
Heavy industrial	U-IN, E-IN
Waste-Related Service, except not including recycling processing center	U-IN, E-IN
Outdoor storage, major	U-IN, E-IN

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Non-profit heritage educational facility	D-RA, D-RM, D-CX, D-CIV, R-RF, R-RV, R-CIV, U-RD, U-RA, U-RM, U-CX, U-IX, U-CIV, E-RD, E-RA, E-RM, E-CX, E-IX, E-CIV
Cemetery	U-RD, U-RA, U-RM, U-CX, U-IX, U-CC, U-CIV, U-PK, E-RD, E-RA, E-RM, E-CX, E-IX, E-CIV, E-PK
Alternative financial services	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Liquor Stores	D-CX, D-SH, R-RF, R-RV, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX

Wineries, including vineyards, processing, bottling and sales facilities	U-IX, U-IN, E-IX, E-IN
Alcohol Distillery, Small	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, U-IN, E-CX, E-SH, E-IX, E-IN
Alcohol Distillery, Large	U-IX, U-IN, E-IX, E-IN

SECTION 5. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two

(2) weeks from and after its passage.

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/kjr/mem/Ordinance A(3)

First Reading: _____
Second Reading: _____

Ordinance A(4)

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, TO ADD A NEW ARTICLE XVI, DOWNTOWN FORM-BASED CODE; TO PROVIDE FOR SUNSETTING OF ARTICLE V, DIVISION 18, C-7 NORTH SHORE COMMERCIAL/MIXED USE ZONE AND ALL PROVISIONS REFERENCING SUCH ZONE WITHIN CHAPTER 38 AFTER SIX MONTHS; AND TO ADD NEW SECTIONS 38-530 AND 38-568(24).

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- (1) Each City Council representative whose district is located in the Form-Based Code Area shall submit up to three (3) candidates that are resident, property owner, or business owner that meet the qualifications noted above for the Mayor’s consideration. The Mayor will pick a member selected by each Council Member in developing the Committee appointments or request additional names from the affected Council Member before submitting all members of this Committee to the City Council for final approval.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article V, Zone Regulations, is hereby amended by sunsetting Division 18, C-7 North Shore Commercial/Mixed Use Zone in its entirety and all provisions referencing such zone within Chapter 38 shall no longer be operative six months after the effective date of this Ordinance.

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article III, Section 38-568, Powers, etc., of board; hearings, is hereby amended by adding a new Item (24) concerning Special Exception Permits to be granted by the Board of Appeals for Variances and Special Permits as follows:

(24) For Special Exceptions as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table:

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Assisted living facility	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Boarding House	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Dormitory	D-RM, R-RF
Fraternity/sorority	D-RM, R-RF
Medically assisted living facility	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Nursing home	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Social Services	D-RM, D-CX, R-RF, R-RV, U-RM, U-CX, U-IX, E-RM, E-CX, E-IX
Wireless Communications	D-RA, D-RM, D-CX, D-SH, D-CIV, R-RF, R-RV, R-CIV, U-RD, U-RA, U-RM, U-CX, U-SH, U-IX, U-CC, U-IN, U-CIV, E-RD, E-RA, E-RM, E-CX, E-SH, E-IX, E-IN, E-CIV
Adult-Oriented Business	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Animal care, outdoor	E-IX
Day Care	D-RA, D-RM, R-RF, R-RV, U-RD, U-RA, U-RM, E-RD, E-RA, E-RM
Hospital	D-CX, U-CX, U-CC, E-CX
Outdoor Recreation	U-CC
Bed and breakfast	U-RD, U-RA, E-RD, E-RA
Short-term vacation rental	D-RA, D-RM, R-RF, R-RV, U-

	RD, U-RD, U-RM, E-RD, E-RA, E-RM
Commercial Parking	D-CX, D-SH, R-RV
Remote (off-site) parking	D-CIV, R-CIV, E-CIV
Open air market	D-CX, D-CIV, D-PK, R-RV, R-CIV, R-PK, U-CX, U-IX, U-CC, U-CIV, U-PK, E-CX, E-IX, E-CIV, E-PK
Heavy industrial	U-IN, E-IN
Waste-Related Service, except not including recycling processing center	U-IN, E-IN
Outdoor storage, major	U-IN, E-IN

SECTION 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article VI, Division 2, Other Special Exceptions is hereby amended by adding Section 38-530 as follows:

Sec. 38-530. For Special Exceptions after approval by the City Council as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table.

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Non-profit heritage educational facility	D-RA, D-RM, D-CX, D-CIV, R-RF, R-RV, R-CIV, U-RD, U-RA, U-RM, U-CX, U-IX, U-CIV, E-RD, E-RA, E-RM, E-CX, E-IX, E-CIV
Cemetery	U-RD, U-RA, U-RM, U-CX, U-IX, U-CC, U-CIV, U-PK, E-RD, E-RA, E-RM, E-CX, E-IX, E-CIV, E-PK
Alternative financial services	D-CX, D-SH, U-CX, U-SH, U-

	IX, U-CC, E-CX, E-SH, E-IX
Liquor Stores	D-CX, D-SH, R-RF, R-RV, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Wineries, including vineyards, processing, bottling and sales facilities	U-IX, U-IN, E-IX, E-IN
Alcohol Distillery, Small	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, U-IN, E-CX, E-SH, E-IX, E-IN
Alcohol Distillery, Large	U-IX, U-IN, E-IX, E-IN

SECTION 5. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two

(2) weeks from and after its passage.

Passed on second and final reading:_____

CHAIRPERSON

APPROVED:_____ DISAPPROVED:_____

MAYOR

/kjr/mem/Ordinance A(4)

First Reading: _____
Second Reading: _____

Ordinance A(5)

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, TO ADD A NEW ARTICLE XVI, DOWNTOWN FORM-BASED CODE; TO PROVIDE FOR SUNSETTING OF ARTICLE V, DIVISION 18, C-7 NORTH SHORE COMMERCIAL/MIXED USE ZONE AND ALL PROVISIONS REFERENCING SUCH ZONE WITHIN CHAPTER 38 AFTER SIX MONTHS; AND TO ADD NEW SECTIONS 38-530 AND 38-568(24).

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Article XVI, Downtown Form-Based Code is hereby added as amended to add the language set forth in the attached exhibit as a part of the City’s Zoning Ordinance, with the exception of Section 38-741(1)(C) entitled, “Vehicle Parking” (C) Discounts and to substitute the following language under Property provides long-term bike parking in lieu thereof:

Receive a two to one credit for every two long-term bike parking spaces to one vehicle space provided on-site for up to twenty-five (25%) of total required minimum parking. Long-term bicycle parking must be located in an enclosed area providing protection from weather and must be accessible to intended users.

SECTION 2. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article V, Zone Regulations, is hereby amended by sunsetting Division 18, C-7 North Shore Commercial/Mixed Use Zone in its entirety and all provisions referencing such zone within Chapter 38 shall no longer be operative six months after the effective date of this Ordinance.

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article III, Section 38-568, Powers, etc., of board; hearings, is hereby amended by

adding a new Item (24) concerning Special Exception Permits to be granted by the Board of Appeals for Variances and Special Permits as follows:

(24) For Special Exceptions as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table:

Special Exception	Zone Permitted
Assisted living facility	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Boarding House	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Dormitory	D-RM, R-RF
Fraternity/sorority	D-RM, R-RF
Medically assisted living facility	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Nursing home	D-RM, D-CX, D-SH, R-RF, R-RV, U-RM, U-CX, U-SH, U-IX, E-RM, E-CX, E-SH, E-IX
Social Services	D-RM, D-CX, R-RF, R-RV, U-RM, U-CX, U-IX, E-RM, E-CX, E-IX
Wireless Communications	D-RA, D-RM, D-CX, D-SH, D-CIV, R-RF, R-RV, R-CIV, U-RD, U-RA, U-RM, U-CX, U-SH, U-IX, U-CC, U-IN, U-CIV, E-RD, E-RA, E-RM, E-CX, E-SH, E-IX, E-IN, E-CIV
Adult-Oriented Business	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Animal care, outdoor	E-IX
Day Care	D-RA, D-RM, R-RF, R-RV, U-RD, U-RA, U-RM, E-RD, E-RA, E-RM
Hospital	D-CX, U-CX, U-CC, E-CX
Outdoor Recreation	U-CC
Bed and breakfast	U-RD, U-RA, E-RD, E-RA
Short-term vacation rental	D-RA, D-RM, R-RF, R-RV, U-RD, U-RD, U-RM, E-RD, E-RA, E-RM
Commercial Parking	D-CX, D-SH, R-RV
Remote (off-site) parking	D-CIV, R-CIV, E-CIV

Open air market	D-CX, D-CIV, D-PK, R-RV, R-CIV, R-PK, U-CX, U-IX, U-CC, U-CIV, U-PK, E-CX, E-IX, E-CIV, E-PK
Heavy industrial	U-IN, E-IN
Waste-Related Service, except not including recycling processing center	U-IN, E-IN
Outdoor storage, major	U-IN, E-IN

SECTION 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 38, Article VI, Division 2, Other Special Exceptions is hereby amended by adding Section 38-530 as follows:

Sec. 38-530. For Special Exceptions after approval by the City Council as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table.

The following uses shall only be permitted as Special Exceptions after public hearing and approval by the City Council as specified in Article XVI, Downtown Form-Based Code in zones as listed in the following table:

Special Exception	Zone Permitted
Residential home for the handicapped or aged persons, commercial	D-RM, D-CX, R-RF, R-RV, U-RD, U-RA, U-RM, U-CX, U-IX, E-RD, E-RA, E-RM, E-CX, E-IX
Non-profit heritage educational facility	D-RA, D-RM, D-CX, D-CIV, R-RF, R-RV, R-CIV, U-RD, U-RA, U-RM, U-CX, U-IX, U-CIV, E-RD, E-RA, E-RM, E-CX, E-IX, E-CIV
Cemetery	U-RD, U-RA, U-RM, U-CX, U-IX, U-CC, U-CIV, U-PK, E-RD, E-RA, E-RM, E-CX, E-IX, E-CIV, E-PK
Alternative financial services	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX
Liquor Stores	D-CX, D-SH, R-RF, R-RV, U-CX, U-SH, U-IX, U-CC, E-CX, E-SH, E-IX

Wineries, including vineyards, processing, bottling and sales facilities	U-IX, U-IN, E-IX, E-IN
Alcohol Distillery, Small	D-CX, D-SH, U-CX, U-SH, U-IX, U-CC, U-IN, E-CX, E-SH, E-IX, E-IN
Alcohol Distillery, Large	U-IX, U-IN, E-IX, E-IN

SECTION 5. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two

(2) weeks from and after its passage.

Passed on second and final reading: _____

_____ CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

_____ MAYOR

/kjr/mem/Ordinance A(5)

ARTICLE XVI.
DOWNTOWN CHATTANOOGA
FORM-BASED CODE



City Council Draft
June 10, 2016



PREPARED FOR:

Chattanooga-Hamilton County Regional Planning Agency

&

City of Chattanooga, Tennessee

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Sec. 38-692. Legal Requirements

(1) Introduction

- A. The following zones and standards were developed to promote urban development form that aligns with the vision and policies set forth by the Downtown, ML King, Southside and North Shore plans. These plans define a vision for growth that is urban, mixed-use, walkable, neighborhood-friendly and contributes to a high quality public realm.
- B. Chattanooga's current zoning districts provide very limited options for urban development. This Downtown Code provides a set of zones and standards that are intended to be applied in several defined "Context Areas" (Sec. 38-693.) where planning policy has defined a clear direction for urban development.

(2) Title

This document is the "The Downtown Chattanooga Form-Based Code for the City of Chattanooga, Tennessee," and is referred to or cited throughout the document as the "Downtown Code."

(3) Effective Date

- A. This Downtown Code was adopted on [insert date] and became effective on [insert date].
- B. Following the effective date, there will be a 6-month grace period, during which time property owners will have the option to develop under either their former zoning or this Downtown Code. At the end of this 6-month grace period, the Director of the Land Development Office will provide a report to the Chattanooga-Hamilton County Regional Planning Commission and the Chattanooga City Council on all cases taken during that time.

(4) Purpose

- A. This Downtown Code provides the means to guide implementation of the citizen-endorsed vision for property within the following five Downtown neighborhoods:
 - 1. North Shore;
 - 2. Riverfront (South Shore);
 - 3. City Center;
 - 4. ML King; and
 - 5. Southside.
- B. This Downtown Code helps to foster predictable results and a high-quality public realm by prescribing the physical form of buildings and other elements and addressing the relationship between building facades and the public realm, the form and mass of buildings in relation to one another and the scale and types of streets and blocks.

(5) Intent

- A. This Downtown Code is intended to balance conservation and development by:
 - 1. Promoting development that maintains Downtown's position as the region's predominant economic, civic, and cultural center.
 - 2. Promoting development along transit corridors that enhances their function as mixed-use, walkable centers that serve surrounding residential neighborhoods.
 - 3. Providing standards for compatible transitions of use, building scale and height between existing and new development.
 - 4. Guiding reinvestment in established neighborhoods that builds upon and reinforces their unique characteristics.
 - 5. Promoting preservation and protection of historic resources.

6. Providing clear and consistent procedures for appropriate and effective public involvement in land use and development decisions.
- B. This Downtown Code is intended to achieve design excellence in the built environment by:
1. Providing building and site design standards that address the public aspects of private development and how building form, placement, and uses contribute to the quality of the public realm.
 2. Providing parking and access standards that appropriately balance pedestrian and vehicular needs and result in safe pedestrian environments of the highest quality.
 3. Promoting high quality innovative landscape design that advances the function and beauty of Downtown.
- C. This Downtown Code is intended to guide Downtown's prosperous and sustainable future by:
1. Providing clear regulations and processes that result in predictable, efficient, and coordinated review processes.
 2. Promoting sustainable building and site design practices.
 3. Promoting diverse housing options.
 4. Providing standards for interconnected streets and development patterns that support all modes of travel (walking, bicycling, public transit, driving).
 5. Promoting conservation of land, energy, and natural resources.

(6) Applicability

The Downtown Code applies to all property within the Downtown Code Context Areas as shown in the City of Chattanooga Official Zoning Map (also known as the Digital Zoning Map or Zoning Map).

(7) Application of Chapter 38

The following sections of Chapter 38 apply within the boundaries of the Downtown Code:

- A. Article II., Definitions, except where such definitions are in conflict with this Downtown Code.
- B. Article III., Zones and Boundaries, Division 2. - Boundaries, except Div. 3. Urban Overlay Zone does not apply.
- C. Article IV., General Regulations.
- D. Article VI., Height and Area Exceptions and Other Special Exceptions, where specifically referenced by a use table in this Downtown Code. The following sections do not apply:
 1. Sec. 38-509. Side yards on corner lots.
- E. Article VIII., Board of Appeals, Special Permits.
- F. Article X., Hazardous Waste Regulations.
- G. Article XI., Plats.
- H. Article XIII., Changes and Amendments.
- I. Article XIV., Enforcement, Violations and Penalties.
- J. Article XV., Validity.
- K. Any other provisions expressly referenced in this Downtown Code.

(8) Conflicting Provisions

- A. Where Chapter 38 conflicts with a standard set out in the Downtown Code, the standard of this Downtown Code controls.
- B. Illustrations, photographs and graphics are included in this Downtown Code to illustrate the intent and requirement of the text. In the case of a conflict between the text of this Downtown Code and any illustrations, photographs and graphics, the text governs.

(9) Annual Review

- A. The Director of the Land Development Office will work with the Form-Based Code Committee to conduct at a minimum, an annual review of the Downtown Code standards and review processes.
- B. This review will include a survey of applicants who participated in the review process and solicit the feedback of neighborhood associations.
- C. The information garnered from the survey information and staff report will be reviewed by the Form-Based Code Committee and presented by the Committee to the City Council with any recommendations for changes to Downtown Code standards and review processes.

Sec. 38-693. Context Areas

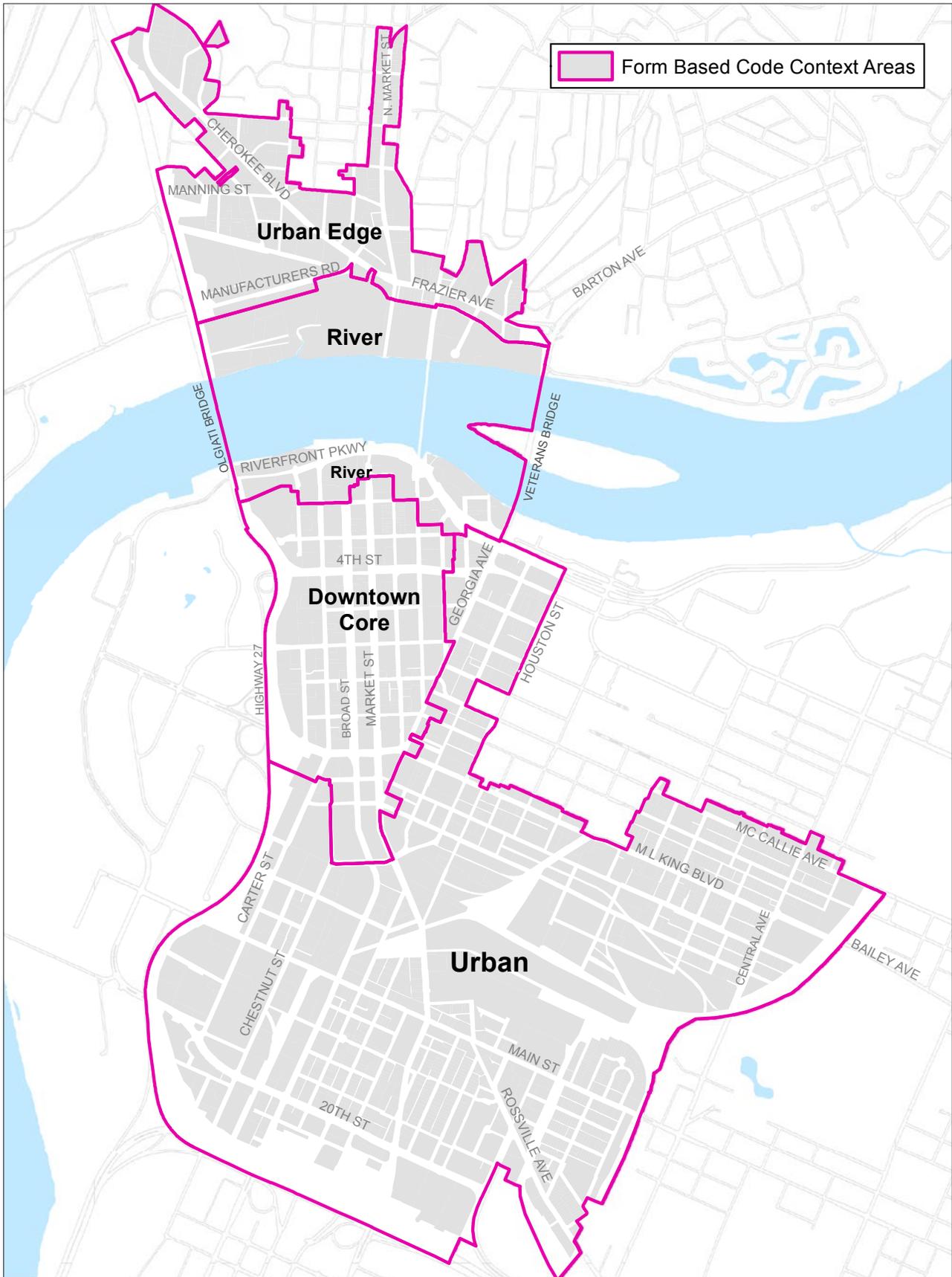
The Downtown Code is organized by Contexts (Sec. 38-693.(1)) derived from existing and future neighborhood characteristics. Contexts are distinguished from one another by their overall physical and functional form, including but not limited to: street and block patterns; building placement and height; diversity, distribution, and intensity of land uses; and diversity of mobility options. This approach provides a range of zoning options that set standards for new development that change based on the established context of a particular neighborhood.

(1) Context Areas Established

The following Downtown Contexts are established below:

<p>DOWNTOWN CORE (D)</p>	<p>RIVER (R)</p>	<p>URBAN (U)</p>	<p>URBAN EDGE (E)</p>
<p>Consists of the greatest intensity and height (up to 12 stories), with the greatest variety of uses.</p>	<p>Consists of medium- to high-intensity residential and tourist development (up to 6 stories) that is oriented towards and maintains views of the river.</p>	<p>Consists of medium-intensity residential and commercial areas (up to 8 stories).</p>	<p>Consists of low- to medium-intensity residential and commercial areas (up to 4 stories).</p>

(2) Downtown Context Map



Sec. 38-694. Zones

(1) Zones Established

The following Downtown zones, organized by Context, are established below.

		Height (in stories)
DOWNTOWN CORE (D)		
D-RA	Residential Attached	-4
D-RM	Residential Multi-Unit	-3, -4
D-CX	Commercial Mixed Use	-5, -6, -8, -12
D-SH	Shopfront Mixed Use	-6, -8
D-CIV	Civic	-4
D-PK	Parks and Open Space	--
RIVER (R)		
R-RF	Riverfront	-3, -4, -6
R-RV	River View	-4, -6
R-CIV	Civic	-3, -6
R-PK	Parks and Open Space	--
URBAN (U)		
U-RD	Residential Detached	-2
U-RA	Residential Attached	-3
U-RM	Residential Multi-Unit	-3
U-CX	Commercial Mixed Use	-3, -4, -6
U-SH	Shopfront Mixed Use	-3, -4, -6
U-IX	Industrial Mixed Use	-3, -4, -6, -8
U-CC	Commercial Corridor	-3
U-IN	Industrial	-3, -4
U-CIV	Civic	-3, -4, -6
U-PK	Parks and Open Space	--
URBAN EDGE (E)		
E-RD	Residential Detached	-2
E-RA	Residential Attached	-2, -3
E-RM	Residential Multi-Unit	-3
E-CX	Commercial Mixed Use	-3, -4
E-SH	Shopfront Mixed Use	-3, -4
E-IX	Industrial Mixed Use	-3, -4
E-IN	Industrial	-3
E-CIV	Civic	-3, -4
E-PK	Parks and Open Space	--

(2) Naming Convention

The name for each zone follows a consistent naming convention, as follows:

First Letter = Context Area

Second Letters = Form and Use

Final Number = Maximum Height in Number of Stories

EXAMPLE: D-RM-3 (Downtown Core - Residential Multi-Unit - 3 stories max height)

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Sec. 38-695. Code Administration

(1) Authority

The Administrator of the Downtown Code is the ~~Director of Codes Administration~~ Director of the Land Development Office. The Administrator is responsible for the day-to-day administration of this Downtown Code.

(2) Delegation of Authority

- A. The ~~Director of Codes Administration~~ Director of the Land Development Office may designate any staff member to represent the Administrator in any function assigned by this Code. The ~~Director of Codes Administration~~ Director of the Land Development Office remains responsible for any final action.
- B. The ~~Director of Codes Administration~~ Director of the Land Development Office (or designee) is authorized to approve applications for Plan Review as defined below.
- C. No Certificate of Occupancy or permit may be issued for development activities described in Sec. 38-695.(2) until the ~~Director of Codes Administration~~ Director of the Land Development Office has approved the plan(s) in accordance with this Division.

Sec. 38-696. Technical Plan Review

(1) Applicability

- A. The construction, reconstruction, extension, repair, renovation or alteration of any building, structure, site, change of use or use of land is subject to the review process as set forth below.
- B. The following do not require Plan Review:
 - 1. Single-unit living detached and two-unit living on individual lots, including associated accessory structures; while no plan review is required, single-unit living detached and two-

unit living on individual lots must comply with the requirements of this Downtown Code.

- 2. Interior alterations/renovations that do not alter the footprint, height or exterior of a structure.
- 3. Routine maintenance and minor repairs (such as painting, replacing roof shingles/lining to match existing, replacement of gutters to match existing) to any part of a building when there is no change in appearance.
- 4. Activities exempt from Technical Plan Review may still require building permit review.

(2) Existing Nonconformities

The lawful use of a structure or site in place at the time of the effective date of this Downtown Code (or any subsequent amendments) is not affected by the passage of this Downtown Code, to the extent that it is a legal nonconforming use, structure or site as referenced by the following sections of Chapter 38, Chattanooga Zoning Ordinance: Article VII, Sections 38-541, 38-542, 38-543, 38-544 and 38-545, or as defined by T.C.A. Section 13-7-208 or as those sections may be amended by the Tennessee General Assembly or the Chattanooga City Council.

(3) Review Process

A. Step 1: Project Consultation

Before submitting an application for Plan Review, an applicant must schedule a meeting with the ~~Director of Codes Administration~~ Director of the Land Development Office to discuss the review procedures and applicable standards for approval. This meeting is not intended as an approval meeting, but to provide the applicant with an overview of the application requirements and to identify issues or opportunities relating to compliance with the requirements of this Downtown Code.

- 1. The ~~Director of Codes Administration~~ Director of the Land Development Office will inform

the applicant of requirements as they apply to the proposed project, provide a preliminary list of issues that will likely be of concern during formal application review, suggest possible modifications to the project, and identify any technical studies that may be necessary for the review process when a formal application is submitted.

2. The ~~Director of Codes Administration~~ Director of the Land Development Office will provide the applicant with a list of required application materials/information in order to submit a complete application for review.

B. Step 2: Neighborhood Review

1. Before submitting an application for Plan Review, an applicant must meet with the neighborhood association (listed with the Economic and Community Development Department), except that the following are exempt:
 - a. Residential development with less than 5 units;
 - b. Nonresidential development less than 4,000 square feet; or
 - c. Any development activity that is not within an existing neighborhood association boundary or within 300 feet of the neighborhood association boundary.
2. The applicant must contact the President of the neighborhood association in which the project is located, and any neighborhood association whose boundary is within 300 feet of the project site, to schedule an informational meeting.
3. The applicant must submit documentation that they conducted the meeting, including a signature page with all attendees, along with the application.

C. Step 3: Application Submittal

Applications must be submitted to the ~~Director of Codes Administration~~ Director of the Land Development Office on forms and in such numbers as required by the Land Development Office.

1. All applications must be sufficient for processing before the ~~Director of Codes Administration~~ Director of the Land Development Office is required to review the application. The ~~Director of Codes Administration~~ Director of the Land Development Office must notify the applicant whether or not the application is complete or whether additional information is required.
2. An application is sufficient for processing when it contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this Downtown Code.

D. Step 4: Application Review

Upon determination of a complete application, the ~~Director of Codes Administration~~ Director of the Land Development Office will promptly distribute the application for review by City departments and external agencies.

1. The ~~Director of Codes Administration~~ Director of the Land Development Office will determine whether the application conforms to all applicable requirements of the Downtown Code.
2. Final action on an application will be based solely on findings as to compliance with all applicable provisions of the Downtown Code and other applicable technical requirements.
3. Where an application is denied, the reasons for denial must be stated in writing, specifying the provisions of the Downtown Code or other applicable technical requirements that are not in compliance. A revised application may be submitted for further consideration.

(4) Code Modifications

A. Purpose

1. The standards established in this Downtown Code are intended to achieve the following principles:
 - a. Maintain a safe, walkable and attractive urban environment along the street;
 - b. Maximize opportunities for redevelopment and investment in the Downtown Core;
 - c. Provide a diversity of housing options;
 - d. Promote development that will support transit and commercial services the community desires;
 - e. Protect established single-family residential areas from incompatible development;
 - f. Protect integrity of established Historic Districts and significant historic/civic landmarks;
 - g. Balance development opportunity and conservation along the riverfront by promoting development scale/form that maintains public accessibility to the river and considers public/private benefits of scenic views along the river;
 - h. Consider impacts of topography, both in terms of reasonableness of the standard when applied to a particular site and the potential impacts on adjoining properties;
 - i. Increase the tree canopy; and
 - j. Support adopted plan policies and recommendations.
2. However, specific site features (topographic changes, lot size or irregular dimension, physical barriers or easements) may create conditions that make compliance with a specific standard impractical or undesirable.

It is also recognized that alternative design solutions may achieve the principles stated above but may not comply with a specific standard. This section establishes the procedures for considering requests for a modification to the standards. These are divided into minor staff approved modifications (see Sec. 38-696.(4)B.) and major modifications approved by the Form-Based Code Committee (See Sec. 38-696.(5)D.).

3. It is the responsibility of the applicant to meet the burden of clearly demonstrating the reason for the requested code exception and to provide sufficient documentation to illustrate how the modification is related to a site constraint and/or how the modification would equal or exceed the existing standard in terms of achieving the principles stated above.

B. Minor Code Modifications

During the Technical Plan Review process, the ~~Director of Codes Administration~~ Director of the Land Development Office is authorized to approve minor code modifications at the request of an applicant, provided the portion of property for the requested modification does not fall within 30 feet of any protected zone. Any code modification request that falls within 30 feet of any protected zone, must be considered by the Form-Based Code Committee following public notification. The Director of the Land Development Office is only authorized to take action on the merits of a specific requested code modification and is not authorized to require the applicant to offset the code modifications with additional development enhancements.

1. Building Coverage

Increase of up to 5% of the maximum building coverage allowance.

2. Building Setbacks

- a. Increase of up to 5 feet of a required maximum primary or side street setback.

- b. Decrease of up to 2 feet of a required minimum primary or side street setback.
- c. Decrease of up to 2 feet of a required common lot line or alley setback. Setbacks abutting a protected zone cannot be reduced by the ~~Director of Codes Administration~~ Director of the Land Development Office.

3. Lot Frontage

Decrease of up to 10% of a primary or side street lot frontage requirement.

4. Parking Setbacks

- a. Decrease of up to 5 feet of a required primary or side street parking setback.
- b. Decrease of up to 2 feet of a required common lot line or alley setback. Setbacks abutting a protected zone cannot be reduced by the ~~Director of Codes Administration~~ Director of the Land Development Office.

5. Building Height

Increase of up to 5 feet of the maximum building height.

6. Building Mass

Increase of up to 10 feet of the maximum length of a street-facing building facade.

7. Transparency

- a. Decrease of up to 5% of the minimum percentage of windows and doors that must cover a street-facing building facade.
- b. Increase of up to 5 feet of a maximum allowed blank wall area on a street-facing building facade.

8. Story Height

- a. Decrease of up to 1 foot of a required minimum ground floor elevation or up to 18 inches for accessibility needs.

- b. Increase of up to 2 feet of a required maximum ground floor elevation.
- c. Increase of up to 5 feet of a required maximum ground floor elevation if there is a slope of 10% or greater (as measured parallel to the street).
- d. Decrease of up to 1 foot of a required minimum ground story floor height.

9. Pedestrian Access

Increase of up to 10 feet of the maximum required distance between street-facing entrances.

10. Pedestrian/Street Tree Furniture Zone

- a. Decrease the minimum Pedestrian or Street Tree zone depth in cases where insufficient right-of-way exists as measured from the street curb to the right-of-way line.
- b. Decrease or increase tree spacing where the existing tree pattern is different.

11. Landscape

- a. A reduction of up to 50% in the width of a buffer abutting a public utility easement may be granted, provided that all of the originally required landscape material is included in the reduced-width buffer.
- b. Where conflicts arise, perimeter plantings or other required landscape abutting a street edge may be substituted for streetscape planting within the public right-of-way.

C. Major Modifications

- 1. The Form-Based Code Committee is responsible for reviewing major modification requests that do not qualify for staff approval, and to review appeals of staff decisions/interpretations.

ADMINISTRATION

2. Any applicant or citizen aggrieved with the decision of the staff may appeal to the Form-Based Code Committee for further consideration within 30 days of the staff's decision. A signed, written request must be received by the Director of the Land Development Office from the aggrieved party.
 3. When reviewing requests for modifications, the Form-Based Code Committee must consider the principles stated in Sec. 38-696. (4)A.
 4. The Form-Based Code Committee's decision to approve or deny a request for a modification is based on the following considerations:
 - a. The physical conditions of the property, such as steep slopes, flood plain, drainage, or small or irregular lot shape, make compliance to the specific standard physically impossible, and this hardship is not created by the applicant; or
 - b. The applicant meets the burden of presenting an alternative means of compliance that clearly demonstrates how the code exception would equal or exceed the existing standard in terms of achieving the stated principles above; and
 - c. The modification will not significantly impact adjacent property owners, the character of the area, traffic conditions, parking, public infrastructure, water quality management, and other matters affecting the public health, safety and general welfare; and
 - d. The modification will not result in a substantial departure from the basic urban principle that buildings should directly front streets (as opposed to being set back from the right-of-way) and add value to the animation and pedestrian walkability of the street edge.
 - e. For any request to increase maximum building height, may grant up to one additional story in height. Requests for more than one additional story require rezoning.
- ### (5) Form-Based Code Committee
- #### A. Membership
1. ~~The Form-Based Code Committee is appointed by the Mayor, and approved by a majority of the City Council.~~ The Form-Based Code Committee must be composed of 9 rotating members set forth as follows:
 - a. Architect/Urban Designer/Landscape Architect.
 - b. Architect/Urban Designer/Landscape Architect.
 - c. Architect/Urban Designer/Landscape Architect who resides, or whose office is located, in the Downtown Form-Based Code Area.
 - d. Developer/Realtor/Banker/Civil Engineer/Contractor.
 - e. Developer/Realtor/Banker/Civil Engineer/Contractor.
 - f. Developer/Realtor/Banker/Civil Engineer/Contractor who resides, or whose office is located, in the Downtown Form-Based Code Area.
 - g. Property Owner/Resident/Business Owner from within Downtown Form-Based Code Area.
 - h. Property Owner/Resident/Business Owner from within Downtown Form-Based Code Area.
 - i. Property Owner/Resident/Business Owner from within Downtown Form-Based Code Area.

B. Appointment Procedure

1. Each City Council representative whose district is located in the Form-Based Code Area must submit for the Mayor's consideration, up to 3 candidates that are a resident, property owner or business owner that meet the qualifications noted above. The Mayor will consider this list in developing the Committee appointments to the City Council for final approval.
2. At least one resident from each City Council district located within the Form-Based Code area must be represented on the Form-Based Code Committee.

C. Membership Terms

1. Members serve 3 year terms, staggered. Initial terms will be 1, 2 and 3 years as determined by the appointing body.
2. Members may remain on the Form-Based Code Committee after their term has expired until a new appointment is made to fill their position.
3. A chair and vice-chair must be elected annually by the Form-Based Code Committee members.

D. Committee Governance

1. The Committee must adopt and have available for public access, by-laws that address attendance requirements, minimum quorum, meeting deliberation rules, procedure for case review, and board member conduct requirements.
2. All Committee members are required to attend at least two continuing education sessions each year, to be scheduled by the Staff.
3. Meetings must be held once a month (if cases are pending) at a day and time to be determined by the Committee.

E. Public Notification of Meetings

1. Reasonable notice must be given to the general public notice pursuant to the Open Meetings Act of all Form-Based Code Committee meetings including the applications and property to be considered at such meetings which notice must include, but not be limited to, posting of the property.
2. Notification procedures must follow the notification requirements described in Section 38-565 for the Board of Zoning Appeals.

F. Procedures to be followed for Form-Based Code Committee

1. An application and all required information must be submitted to the ~~Director of Codes Administration~~ Director of the Land Development Office at least 30 days prior to the regularly scheduled monthly meeting of the Form-Based Code Committee to be placed on the agenda. The ~~Director of Codes Administration~~ Director of the Land Development Office will present a written recommendation to the Committee.
2. The Committee will consider each request at their regularly scheduled meeting, provided all the required information has been submitted on time.
3. The Committee must establish operating procedures that affords equal time for the applicant and any public opposition for the consideration of requests.
4. The Committee will consider the issues presented to them in the staff report, a presentation from the applicant and any public opposition, and will then approve the request, approve with conditions, or deny based upon guidelines defined by Sec. 38-696.(4)C. The Committee must document the reason for approval or denial of a request.

5. All decisions and the basis for the decisions of the Committee will be documented in writing, and submitted by the ~~Director of Codes Administration~~ Director of the Land Development Office to the applicant and the City Land Development Office for enforcement.

(6) Committee Appeals

- A. Any applicant or citizen aggrieved with the decision of the Form-Based Code Committee may appeal to the Chattanooga City Council for further consideration within 30 days of the Committee's decision. A signed, written request must be received by the ~~Director of Codes Administration~~ Director of the Land Development Office from the aggrieved party.
- B. The City Council will be provided with a report from the ~~Director of Codes Administration~~ Director of the Land Development Office and signed by the Chair of the Form-Based Code Committee documenting the basis for the Committee's decision.
- C. The City Council must conduct a public hearing, providing general public notice pursuant to the Open Meetings Act. At such hearing, the ~~Director of Codes Administration~~ Director of the Land Development Office must present a summary of the submitted report, followed by a presentation of the applicant and any opposition or aggrieved parties.
- D. The City Council must use the guidelines established in Sec. 38-696.(4)A. and Sec. 38-696.(4)C.3. to make a final determination on the request or grievance. Any decision of City Council is appealable to the appropriate court of local jurisdiction.

DIVISION 3. RULES FOR ALL ZONES

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Sec. 38-697. Lot Types

(1) Purpose

- A. Lot types establish a common vocabulary for the built environment and are used primarily to establish broad intensity and use options for each lot. For example, the Two-Unit Lot Type allows a maximum of two residential units on a single lot, while, the Multi-Unit Lot Type (5+ units), allows any number of residential units provided they fit within the constraints of the zone.
- B. Alternative configurations for each lot type are shown to encourage creative building design and to help expand housing options Downtown. The configurations shown are not an exhaustive list, additional configurations that fit within the rules of the zone are encouraged.
- C. Lot types are allowed by zone. Some zones allow multiple lot types.
- D. The primary constraint for each lot type is minimum lot size, which applies based on the respective zone.

(2) Descriptions

A. Single-Unit Detached

A lot that allows a detached dwelling unit plus one detached or attached accessory dwelling unit. Except for home occupations, no commercial activity is allowed,

B. Two-Unit

A lot that allows up to two detached or attached dwelling units. Except for home occupations, no commercial activity is allowed,

C. Single-Unit Attached

A lot that allows one dwelling unit, attached on one or more sides to a single unit on an abutting lot. No commercial activity is allowed, except live/work is allowed in certain zones subject to standards that limit the scale and extent of the commercial activity.

D. Multi-Unit (Up to 4 units)

A lot that allows up to four detached or attached dwelling units. No commercial activity is allowed, except live/work is allowed in certain zones subject to standards that limit the scale and extent of the commercial activity.

E. Multi-Unit (5+ units)

A lot that allows five or more attached or detached dwelling units. No commercial activity is allowed, except live/work is allowed in certain zones subject to standards that limit the scale and extent of the commercial activity.

F. Hybrid

A lot that allows a variety of permitted residential and commercial uses.

G. Commercial

A lot that allows a variety of permitted commercial uses. No residential uses are allowed.

H. Production

A lot that allows a variety of permitted industrial uses. No residential uses are allowed.

I. Public

A lot that allows a specific set of public and institutional uses. No residential uses are allowed.

(3) Single-Unit Detached

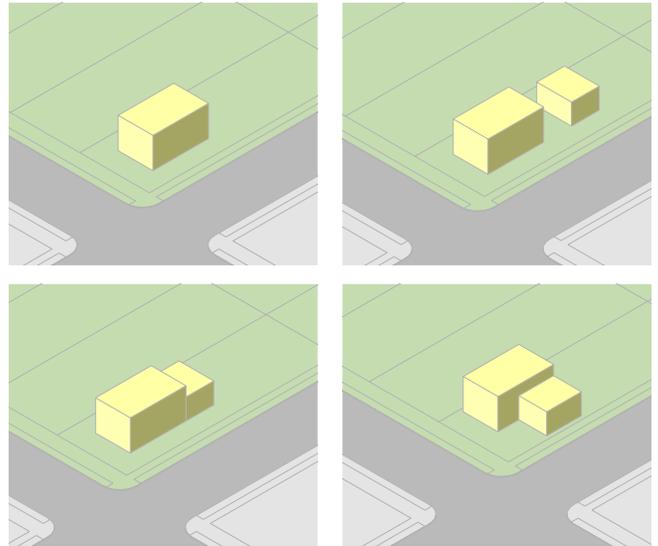
A. Description

A lot that allows a detached dwelling unit plus one detached or attached accessory dwelling unit. Except for home occupations, no commercial activity is allowed.

B. Character Examples



C. Configuration Options



D. Zones Allowed

1. Downtown Core: None
2. Riverfront: None
3. Urban: U-RD, U-RA, U-RM
4. Urban Edge: E-RD, E-RA, E-RM

(4) Two-Unit

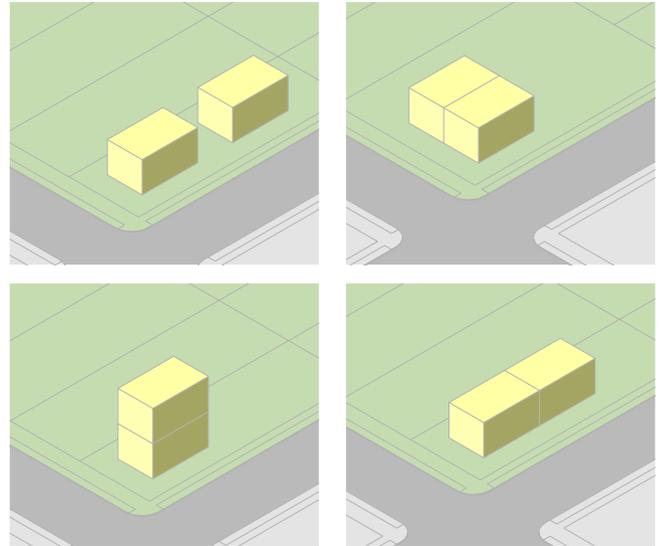
A. Description

A lot that allows up to two detached or attached dwelling units. Except for home occupations, no commercial activity is allowed.

B. Character Examples



C. Configuration Options



D. Zones Allowed

- 1. Downtown Core: None
- 2. Riverfront: None
- 3. Urban: U-RA, U-RM
- 4. Urban Edge: E-RA, E-RM

(5) Single-Unit Attached

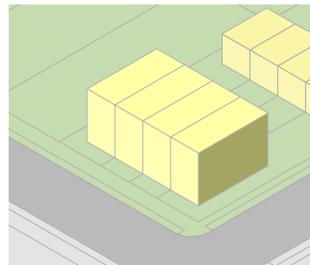
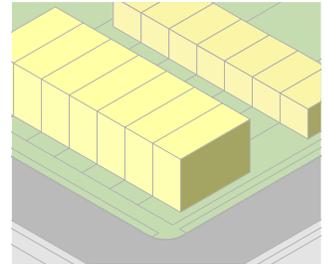
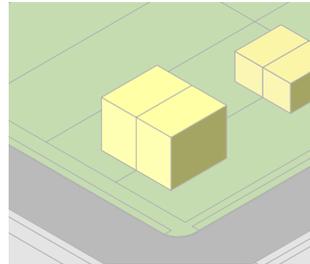
A. Description

A lot that allows one dwelling unit, attached on one or more sides to a single unit on an abutting lot. Also allows one detached or attached accessory dwelling unit per lot. No commercial activity is allowed, except live/work is allowed in certain zones subject to standards that limit the scale and extent of the commercial activity.

B. Character Examples



C. Configuration Options



D. Zones Allowed

1. Downtown Core: D-RA, D-RM
2. Riverfront: None
3. Urban: U-RA, U-RM
4. Urban Edge: E-RA, E-RM

(6) Multi-Unit (Up to 4 units)

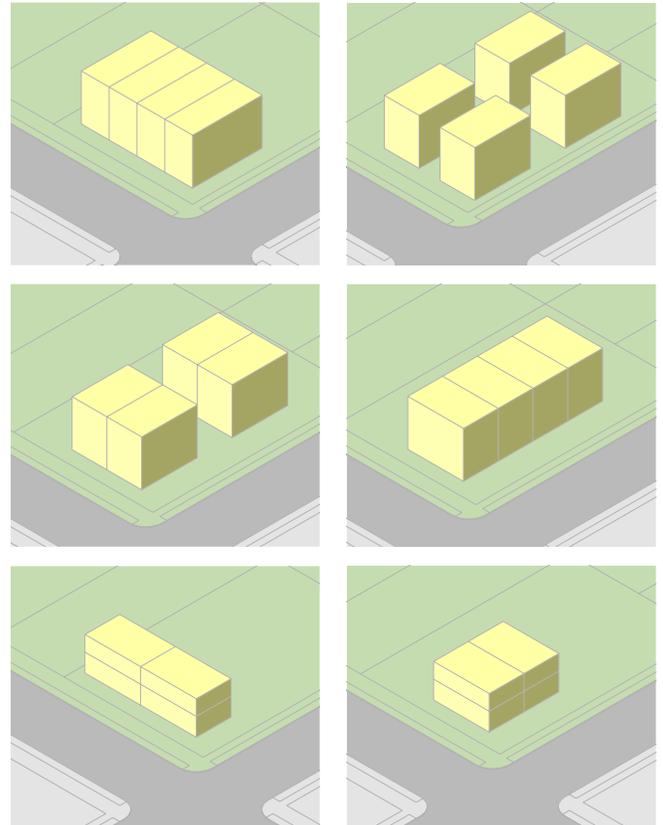
A. Description

A lot that allows up to four detached or attached dwelling units. No commercial activity is allowed, except live/work is allowed in certain zones subject to standards that limit the scale and extent of the commercial activity.

B. Character Examples



C. Configuration Options



D. Zones Allowed

1. Downtown Core: D-RA, D-RM
2. Riverfront: None
3. Urban: U-RA, U-RM
4. Urban Edge: E-RA, E-RM

(7) Multi-Unit (5+ units)

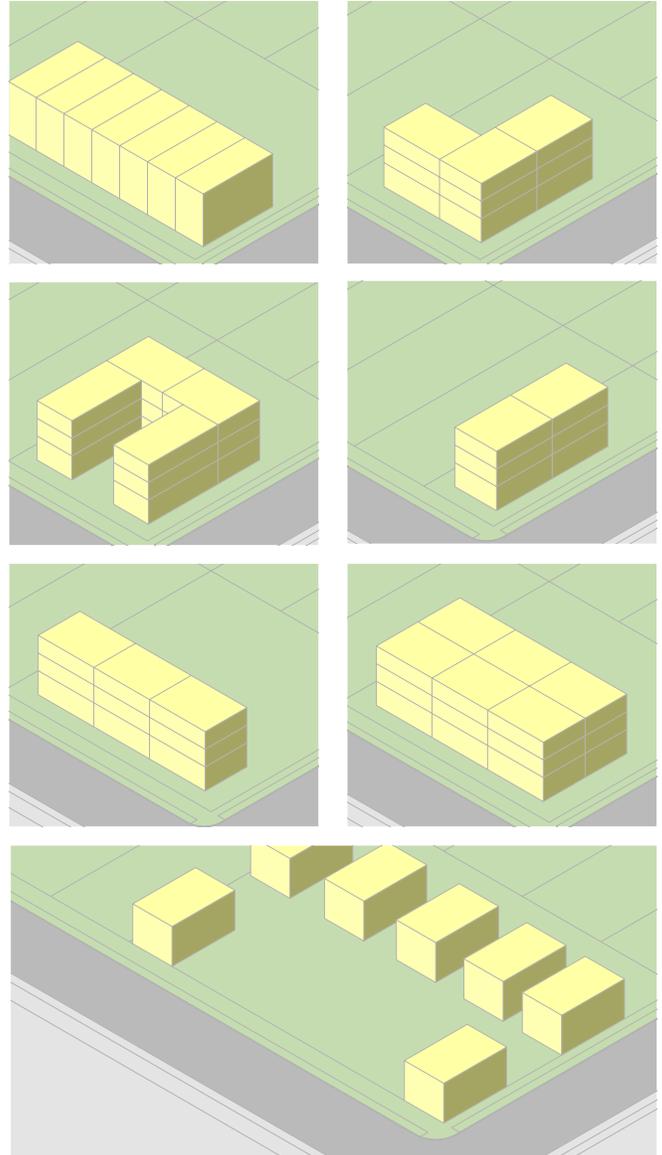
A. Description

A lot that allows five or more attached or detached dwelling units. No commercial activity is allowed, except live/work is allowed in certain zones subject to standards that limit the scale and extent of the commercial activity.

B. Character Examples



C. Configuration Options



D. Zones Allowed

1. Downtown Core: D-RA, D-RM
2. Riverfront: None
3. Urban: U-RM
4. Urban Edge: E-RM

(8) Hybrid

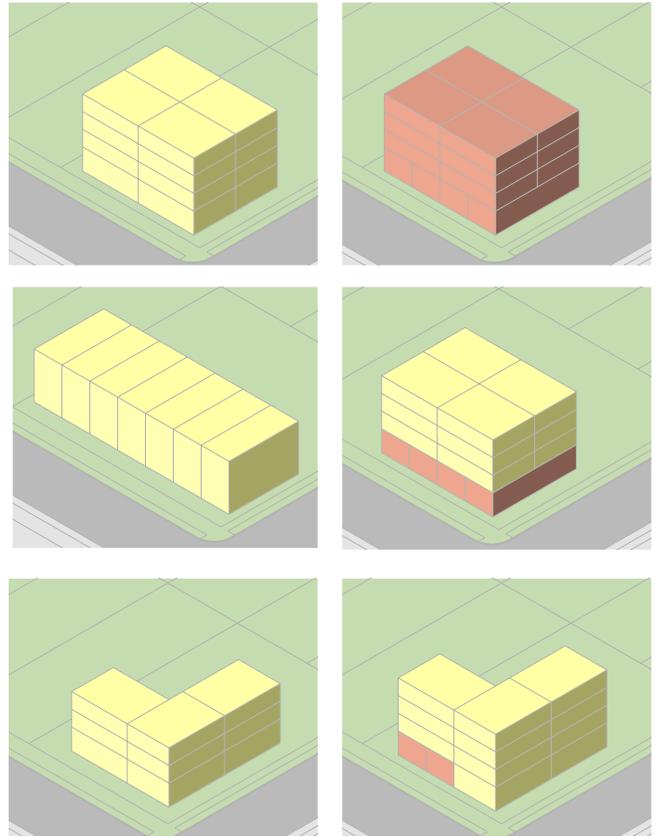
A. Description

A lot that allows a variety of permitted residential and commercial uses.

B. Character Examples



C. Configuration Option



D. Zones Allowed

1. **Downtown Core:** D-CX, D-SH
2. **Riverfront:** R-RF, R-RV
3. **Urban:** U-CX, U-SH, U-IX
4. **Urban Edge:** E-CX, E-SH, E-IX

(9) Commercial

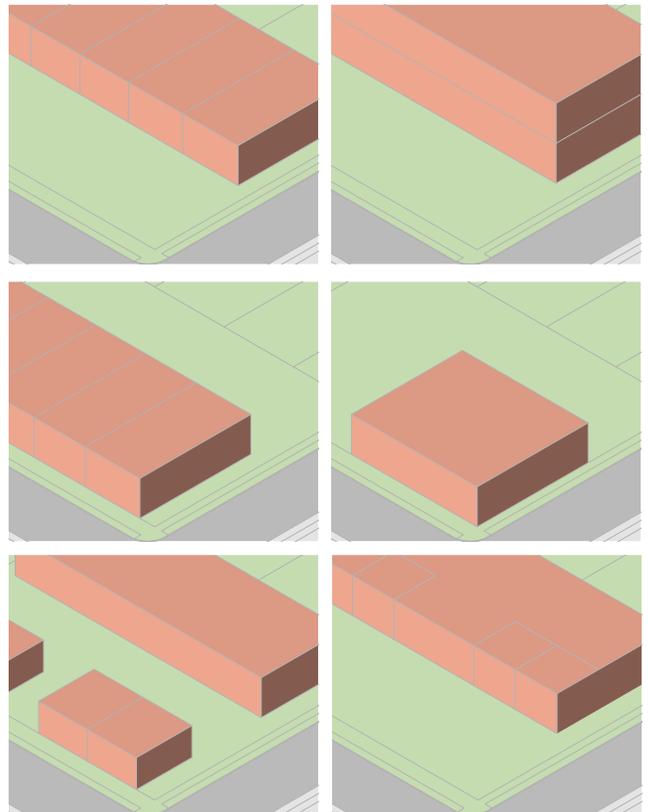
A. Description

A lot that allows a variety of permitted commercial uses. No residential uses are allowed.

B. Character Examples



C. Configuration Options



D. Zones Allowed

1. Downtown Core: None
2. Riverfront: None
3. Urban: U-CC
4. Urban Edge: None

(10) Production

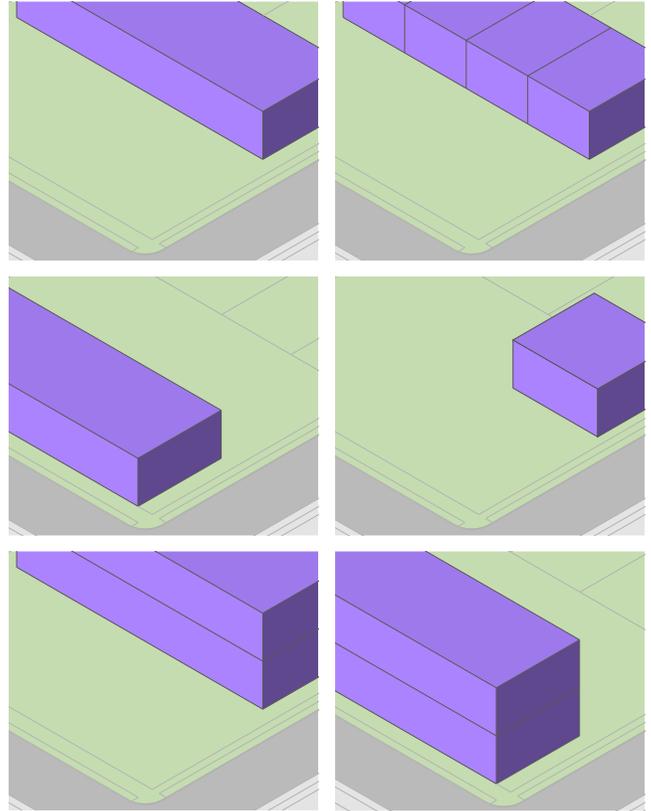
A. Description

A lot that allows a variety of permitted industrial uses. No residential uses are allowed.

B. Character Examples



C. Configuration Options



D. Zones Allowed

1. Downtown Core: None
2. Riverfront: None
3. Urban: U-IX, U-IN
4. Urban Edge: E-IX, E-IN

(11) Public

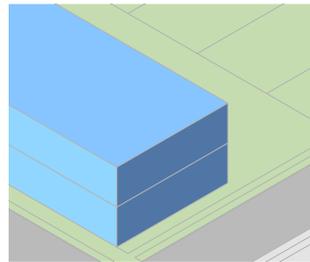
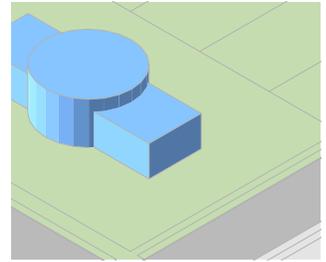
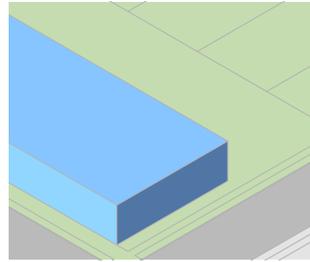
A. Description

A lot that allows a specific set of public and civic uses. No residential uses are allowed.

B. Character Examples



C. Configuration Options



D. Zones Allowed

1. Downtown Core: D-CIV
2. Riverfront: R-CIV
3. Urban: U-RD, U-RA, U-RM, U-CX, U-IX, U-CC, U-CIV
4. Urban Edge: E-RD, E-RA, E-RM, E-CX, E-IX, E-CIV

E. Uses Allowed

Only the following civic uses are allowed on a civic lot type:

1. Church or other place of worship;
2. College, university;
3. Fraternal, professional or hobby club;
4. Community-owned not-for-profit building;
5. Fire/police station;
6. Governmental agencies and buildings;
7. Kindergarten, governmental or religious;

RULES OF ALL ZONES | Lot Types

8. Kindergarten, private;
9. Library, museum, aquarium;
10. Non-profit heritage educational facility;
11. Post office;
12. Publicly-owned building;
13. School; and
14. Social service agency (without residential services).

F. Zone Standards

The civic lot type is exempt from the following zoning requirements:

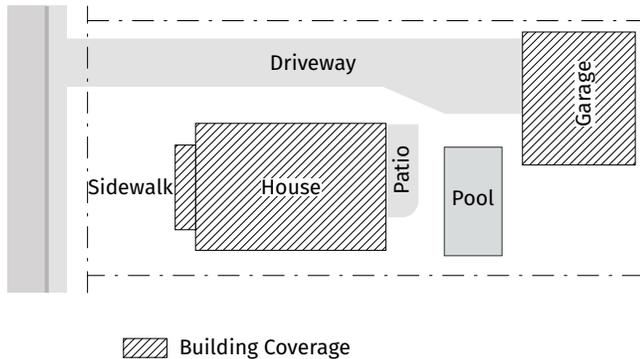
1. Building mass;
2. Transparency;
3. Story height;
4. Entrance spacing; and
5. Building elements allowed.

Sec. 38-698. Measurements and Exceptions

(1) Lot Parameters

A. Building Coverage

1. The area of a lot covered by roofed buildings and structures measured from the outside of the exterior wall at the ground floor, includes covered porches and patios and detached and attached accessory structures.
2. For covered porches and patios, the entire area under the roof is calculated as building coverage.
3. Building coverage does not include uncovered paved parking areas, driveways, walkways, roof overhangs, swimming pools, uncovered steps, terraces, decks, porches, pergolas and architectural projections not intended for shelter or occupancy.



(2) Building Placement

A. Primary and Side Streets

1. Where only one street abuts a lot, that street is considered a primary street.
2. A multiple street frontage lot must designate at least one primary street. A lot may have more than one primary street. The [Director of Codes Administration](#) [Director of the Land Development Office](#) will determine which streets are primary streets based on the following:

- a. An A Street is always considered a primary street.
- b. The pedestrian orientation of the street, existing or proposed;
- c. The established orientation of the block;
- d. The street or streets abutting the longest face of the block;
- e. The street or streets parallel to an alley within the block;
- f. The street that the lot takes its address from; and
- g. The street with the highest classification or highest traffic counts.

B. A and B Streets

A Streets have been mapped on Figure 38-698.(2)
 B. Streets not mapped are considered B Streets.

C. Setbacks

1. Building setbacks apply to both principal and accessory buildings or structures except where it explicitly states otherwise.
2. [Except for single-unit living detached and attached developments](#), any setback greater than 5 feet must provide an intentional public or pedestrian activity space between the building and the right-of-way, such as a park, plaza, outdoor dining, or landscaped area including shrubs and trees.

Figure 38-698.(2)B.: Designated A Streets

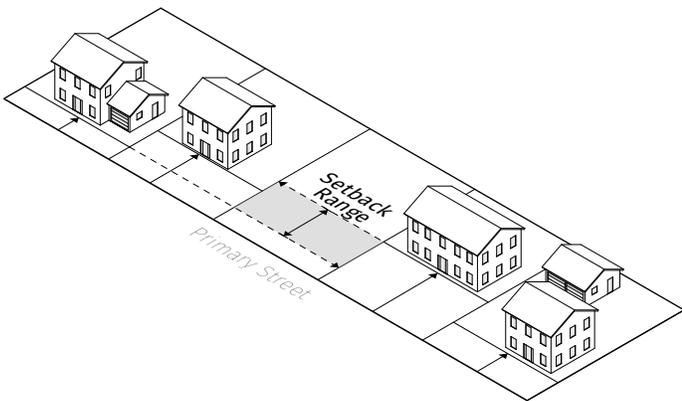
— "A" Street



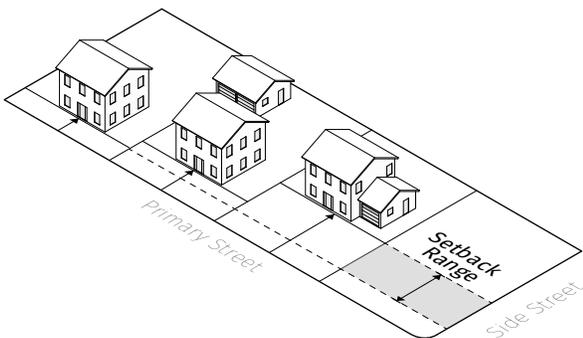
D. Setback Averaging

The average primary street setback for a principal building in U-RD and E-RD must meet the following:

1. The proposed building must be located within the range of existing primary street setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range.
2. On an interior lot, the range of setbacks is measured on the basis of the two closest lots in either direction along the block face.



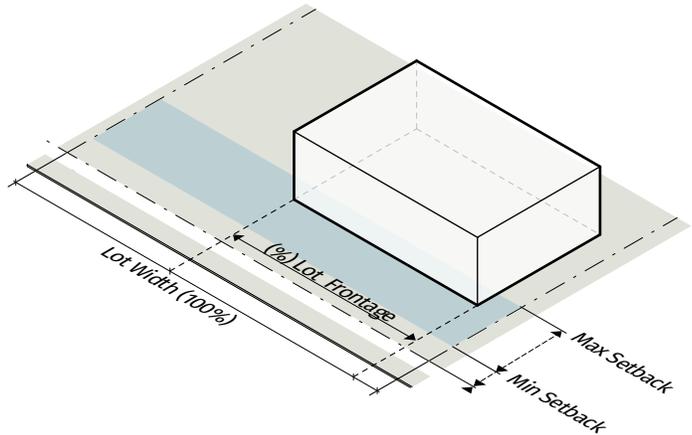
3. On a corner lot, the range of setbacks is measured on the basis of the 3 closest lots along the block face.



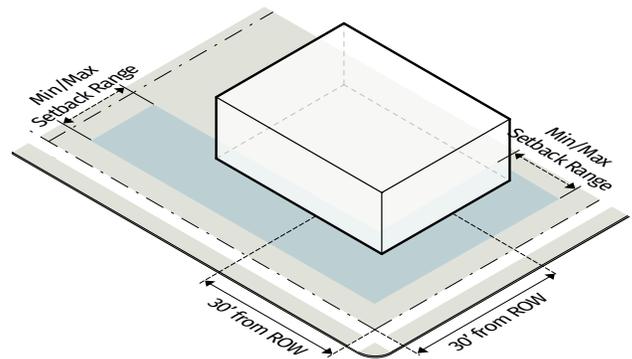
4. Where the calculation cannot be applied to at least four lots on an interior lot or three lots on a corner lot, the building must meet the zone standards.

E. Lot Frontage

1. Lot frontage is the required percentage of lot width that must be occupied by building facade between the minimum and maximum setback range.



2. On a corner lot, a building facade must be placed within the minimum and maximum setback range for the first 30 feet along the street extending from the block corner, measured from the intersection of the two right-of-way lines.



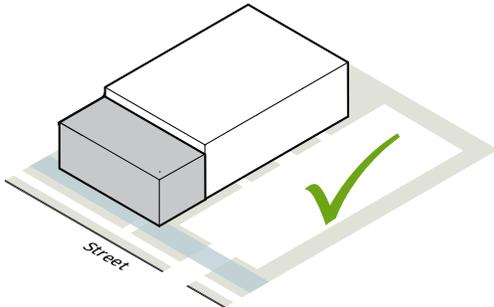
3. With the exception of parking spaces, all structures and uses allowed on the lot are allowed within the minimum and maximum setback range. Vehicle drive-thru lanes or facilities are not permitted within the minimum and maximum setback range.

F. Lot Frontage Requirement on Lots with Existing Buildings

When an existing building is being expanded or a new building is being constructed, and the building or lot doesn't meet the lot frontage requirement, the following provisions apply.

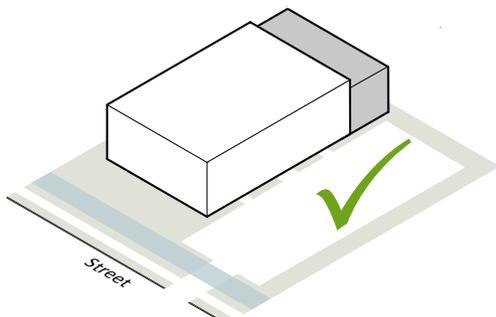
1. Front Additions

Any addition to the front must be placed between the minimum and maximum setback range. The addition does not have to meet the minimum lot frontage percentage for the entire lot.



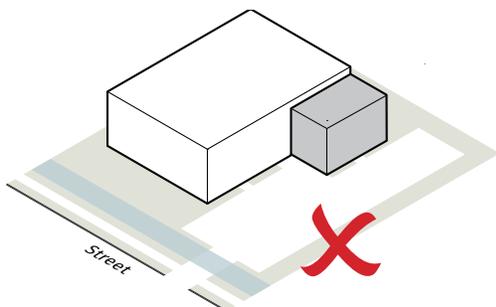
2. Rear Additions

Rear additions are allowed because the addition does not increase the degree of the nonconformity.



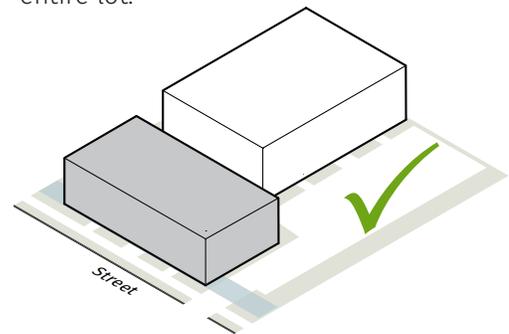
3. Side Additions

Side additions are not allowed because the extension increases the width of the building not located between the minimum and maximum setback range.



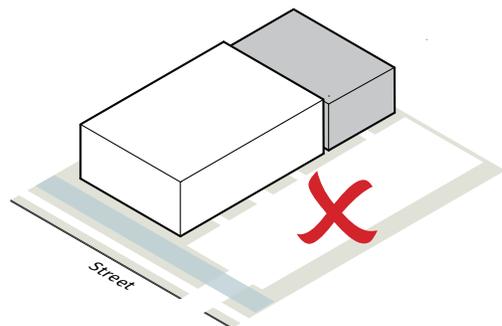
4. Front: New Building

All new buildings must be placed between the minimum and maximum setback range until the percentage for the lot has been met. The new building does not have to meet the minimum lot frontage percentage for the entire lot.



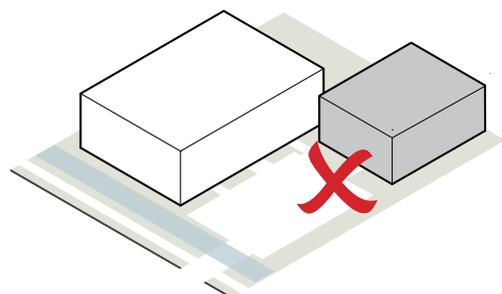
5. Rear: New Building

New buildings located outside of the minimum and maximum setback range are not allowed until the percentage for the lot has been met.



6. Side: New Building

New buildings located outside of the minimum and maximum setback range are not allowed until the percentage for the lot has been met.



(3) Access and Parking Location

A. Vehicular Access

1. New curb-cuts are not permitted on A Streets or primary streets, except where there is no alley or side street to provide access.
2. Vehicular access must be provided via an alley when the alley is determined to be open or accessible by the ~~Director of Codes Administration~~ Director of the Land Development Office, based on the following factors:
 - a. Classification on the City’s GIS maps; and
 - b. Field inspection to determine potential usability.
3. In the absence of alleys, the side street, must be used as the principal vehicular access.

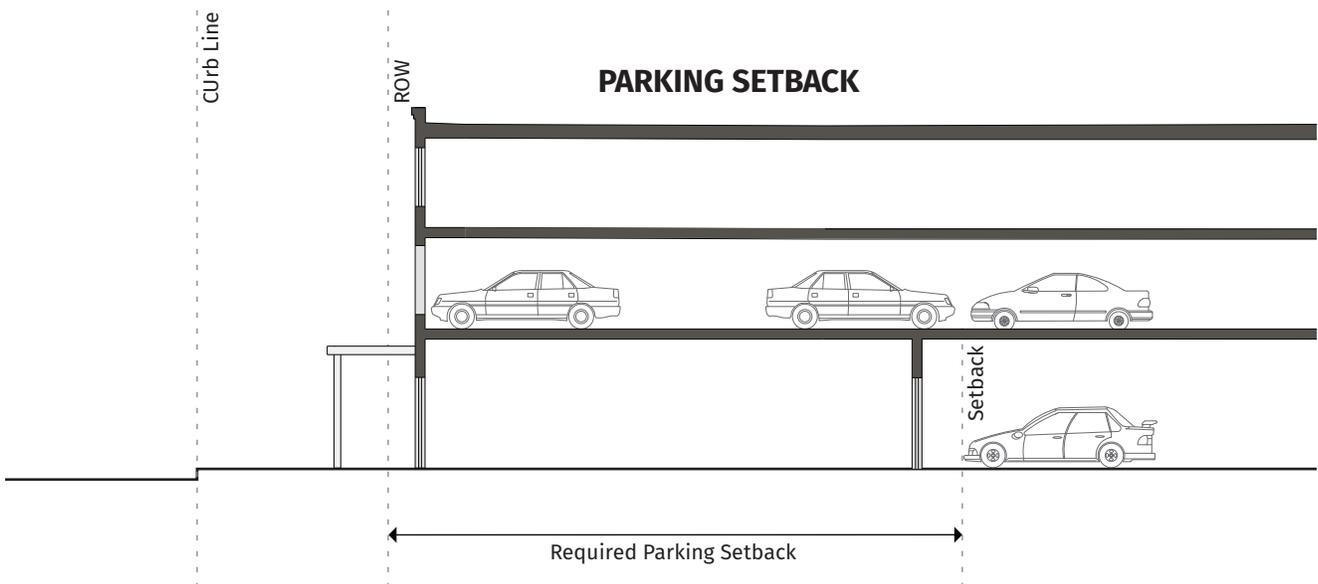
B. Parking Setbacks

1. All parking spaces must be located behind the parking setback line (surface and structured). In almost all cases, this will prohibit parking between the building and the street. Parking below and covered by the ground may encroach into a required parking setback but cannot extend into a required easement or the right-of-way.

2. The parking setback applies to the ground story only.
3. Parking setbacks are measured from the right-of-way.

C. Parking Structures

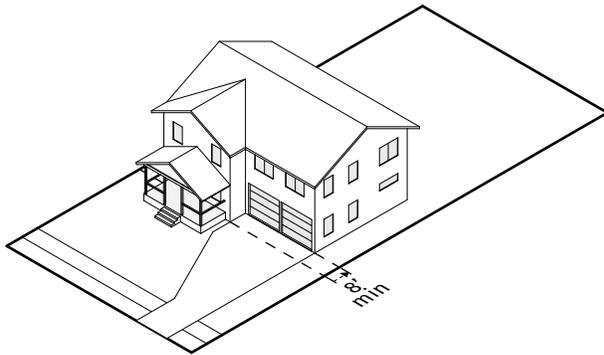
1. Parking structures must meet all the requirements for a principal structure as specified in each zone.
2. Required parking setbacks apply only to the first floor of the parking structure.
3. The ground story of a structured parking garage facing any public street (not including an alley) must have active uses (such as, but not limited to, residential, commercial, office or civic space, where permitted) within the parking setback.
4. Upper stories of structured parking must be screened so that cars are not visible from ground level view from adjacent property or from adjacent public rights-of way (not including alleys) and other public property.



RULES OF ALL ZONES | Measurements and Exceptions

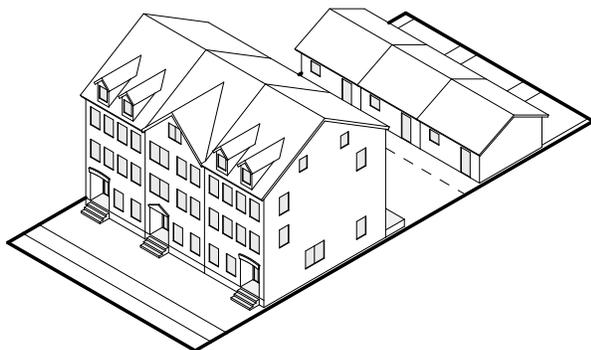
D. Parking for Single-Unit Detached /Two-Unit Dwellings

Garage doors that face the street must be located at least 8 feet behind the front wall plane of the house.



E. Single-Unit Attached

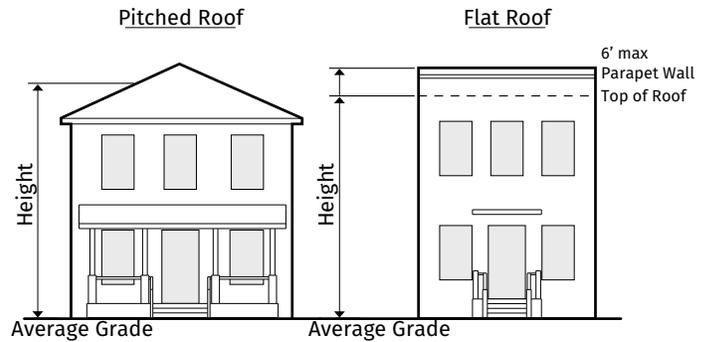
1. The garage must be placed entirely to the rear of the unit and be rear-accessed. The garage can be attached or detached.
2. The garage doors must face the rear alley or easement.



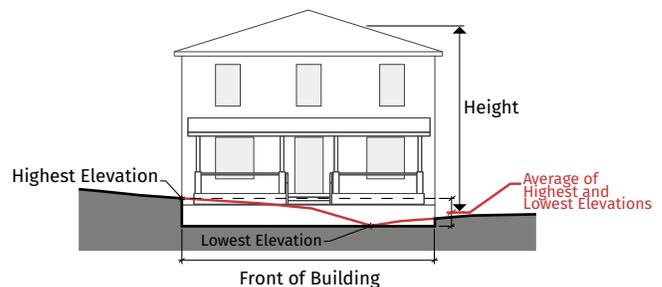
(4) Height and Mass

A. Building Height

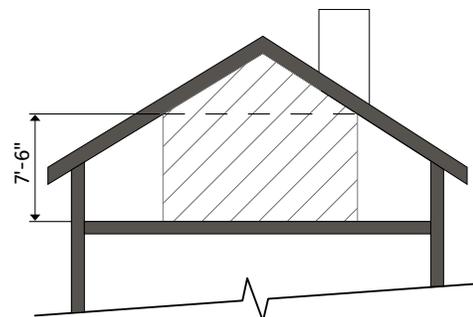
1. Building height is measured from average grade in both number of stories and feet to the mean height level between the eaves and ridge of a pitched, or to the highest point of a flat roof, not including a maximum parapet wall encroachment. The maximum height encroachment for a parapet wall is 6 feet.



2. Average grade is determined by calculating the average of the highest and lowest elevation along finished pre-development grade or improved grade (whichever is more restrictive) measured along the front of the building parallel to the primary street setback.

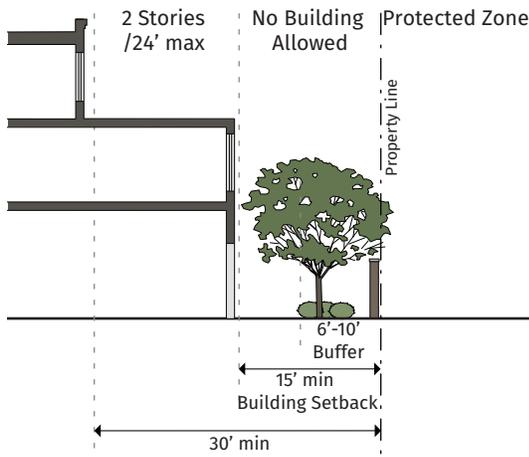


3. An attic does not count as a story where 50% or more of the attic floor area has a clear height of less than 7.5 feet; measured from the finished floor to the finished ceiling.



B. Height Abutting a Protected Zone

The maximum height of any portion of a building or structure within 30 feet of a common lot line abutting a protected zone is 2 stories or 24 feet. Property separated by a street or alley is not considered abutting (see Sec. 38-748.(1)).



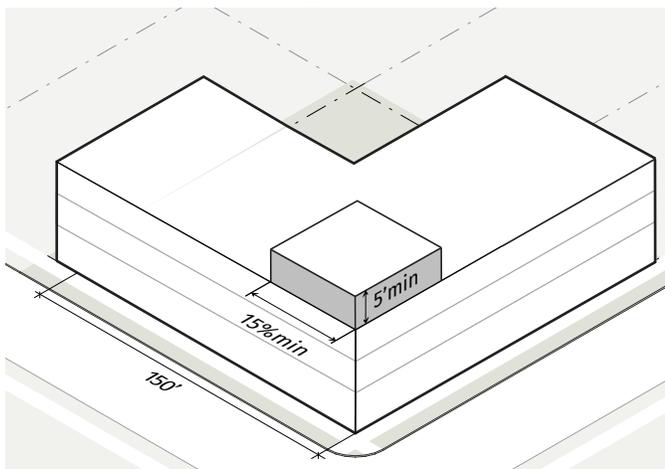
C. Building Mass

1. Street-Facing Building Length

Street-facing building length is the maximum length of a building or structure.

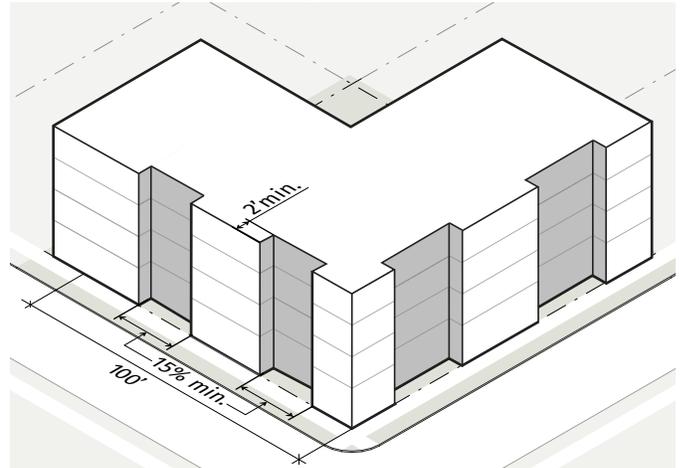
2. Articulation in Building Height

For buildings 150 feet or more in length, at least 15% of the street-facing roof line must have a variation in height of at least 5 feet. On a corner lot, the variation in height must be located at the corner of the building that addresses both street fronts.



3. Articulation in Building Facade

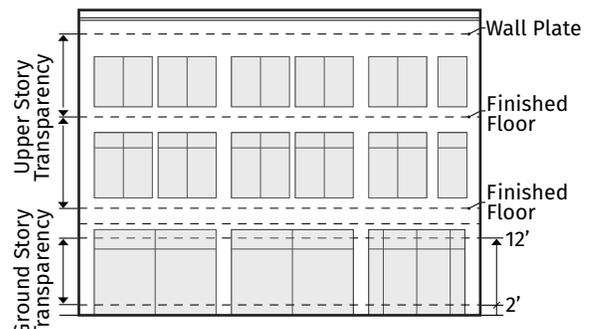
For buildings 100 feet or more in length, at least 2 portions of the street-facing building facade must have a variation in setback of at least 2 feet. The combination of the required variations in setback must total no less than 15% of the length of the building.



(5) Public Realm

A. Transparency

1. Transparency is the minimum percentage of windows and doors that must cover a ground or upper story facade.
2. Transparency applies to primary and side street-facing building facades only.

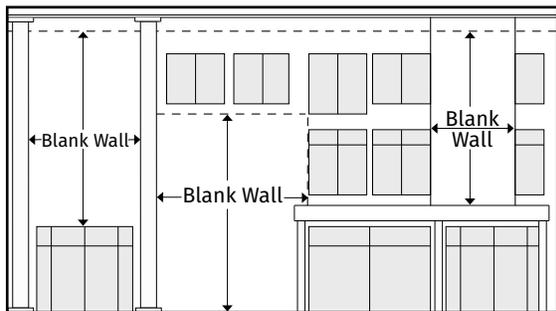


3. Glass is considered transparent where it has a transparency higher than 80% and external reflectance of less than 15%.
4. Ground story transparency is measured between 2 and 12 feet above the abutting sidewalk.

- Upper story transparency is measured from top of the finished floor to the top of the finished floor above. When there is no floor above, upper story transparency is measured from the top of the finished floor to the top of the wall plate above.

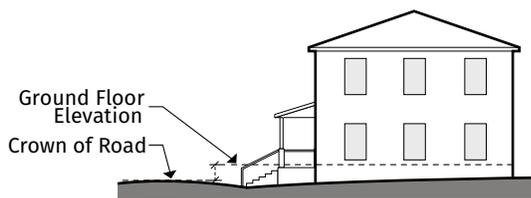
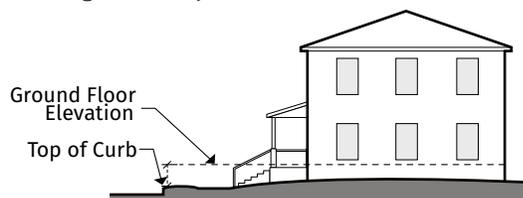
B. Blank Wall Length

- Blank wall length means a portion of the exterior facade of the building that does not include: windows or doors; columns, pilasters or other articulation greater than 12 inches in depth; or a substantial material change (paint color is not considered a substantial change).
- Blank wall length applies in both a vertical and horizontal direction.
- Blank wall length applies to ground and upper story primary and side street-facing facades.



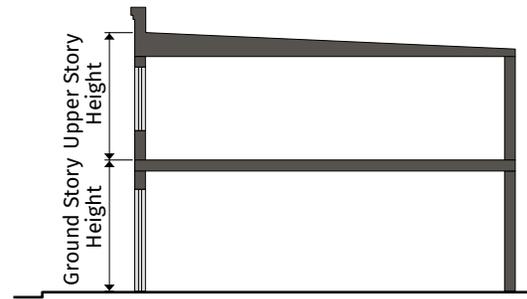
C. Ground Floor Elevation

- Ground floor elevation is measured from top of the adjacent curb, or from the crown of the road where no curb exists, to the top of the finished ground floor.
- Minimum ground floor elevation applies to the first 30 feet of the lot measured from the right-of-way.



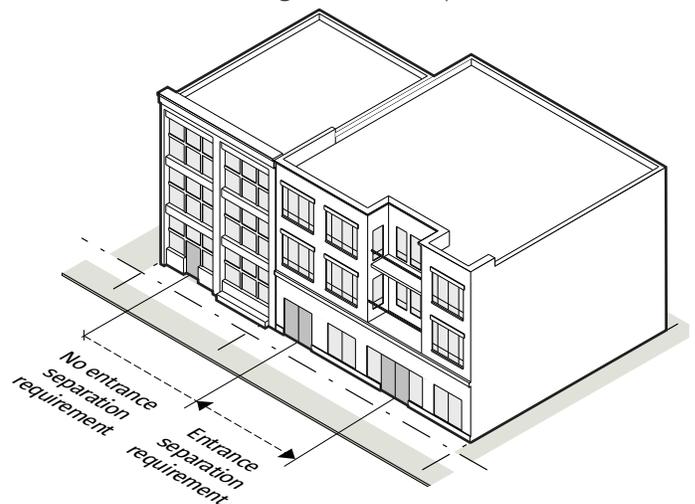
D. Story Height

Story height is the height of each story of building and it is measured from the top of the finished floor to the top of the finished floor above. When there is no floor above, upper story height is measured from the top of the finished floor to the top of the wall plate above.



E. Pedestrian Access

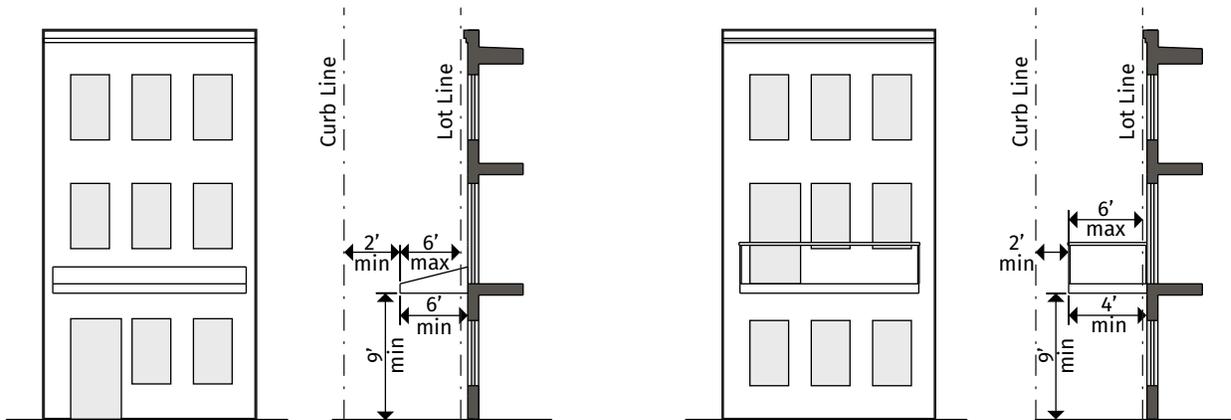
- An entrance providing both ingress and egress, operable to residents at all times and customers during regular business hours, is required to meet the street-facing entrance requirements. Additional entrances off another street, pedestrian area or internal parking area are allowed.
- The entrance spacing requirements must be met for each building, but are not applicable to adjacent or abutting buildings. Entrance spacing is measured from the edge of door to the edge of the next door.
- An angled entrance may be provided at either corner of a building along the street to meet the street-facing entrance requirements.



(6) Building Elements

A. Intent

The following standards are intended to ensure that certain building elements when added to a building frontage are of sufficient size to be both usable and functional and be architecturally compatible with the frontage they are attached to. These standards do not apply to RD- zones.



B. Awning/Canopy

A wall-mounted, cantilevered structure providing shade and cover from the weather for a sidewalk.

1. An awning/canopy must be a minimum of 9 feet clear height above the sidewalk and must have a minimum depth of 6 feet.
2. An awning/canopy may extend into a primary or side street setback.
3. Subject to the issuance of a Temporary Use Permit, an awning/canopy may encroach up to 6 feet over the right-of-way but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.

C. Balcony

A platform projecting from the wall of an upper-story of a building with a railing along its outer edge, often with access from a door or window.

1. A balcony must be at least 4 feet deep.
2. A balcony must have a clear height above the sidewalk of at least 9 feet.
3. A balcony may be covered and screened, but cannot be fully enclosed.
4. An balcony may extend into a primary or side street setback.
5. Subject to the issuance of a Temporary Use Permit, a balcony may encroach up to 6 feet over the right-of-way but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.



D. Forecourt

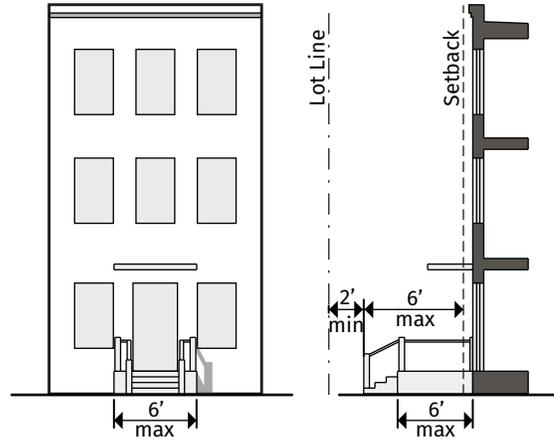
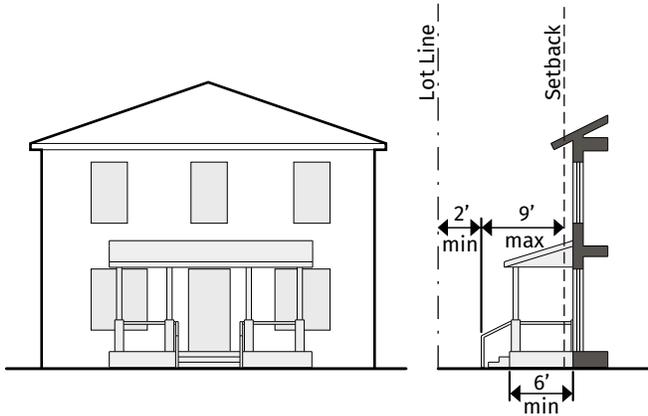
An open area at grade, or within 30 inches of grade, that serves as an open space, plaza or outdoor dining area.

1. A forecourt must be no more than one-third of the length of the building face, and in no case longer than 35 feet in width.
2. A maximum of one forecourt is permitted per lot.

E. Gallery

A covered passage extending along the outside wall of a building supported by arches or columns that is open on three sides.

1. A gallery must have a clear depth from the support columns to the building's facade of at least 8 feet and a clear height above the sidewalk of at least 9 feet.
2. A gallery may extend into a primary or side street setback.
3. Subject to the issuance of a Temporary Use Permit, a gallery may encroach up 9 feet into the right-of-way but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.



F. Porch

A raised structure attached to a building, forming a covered entrance to a doorway.

1. A porch must be at least 6 feet deep (not including the steps).
2. A porch must be roofed and may be screened, but cannot be fully enclosed.
3. A porch may extend up to 9 feet, including the steps, into a primary or side street setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
4. The porch and steps may not encroach into the right-of-way.

G. Stoop

A small raised platform that serves as an entrance to a building.

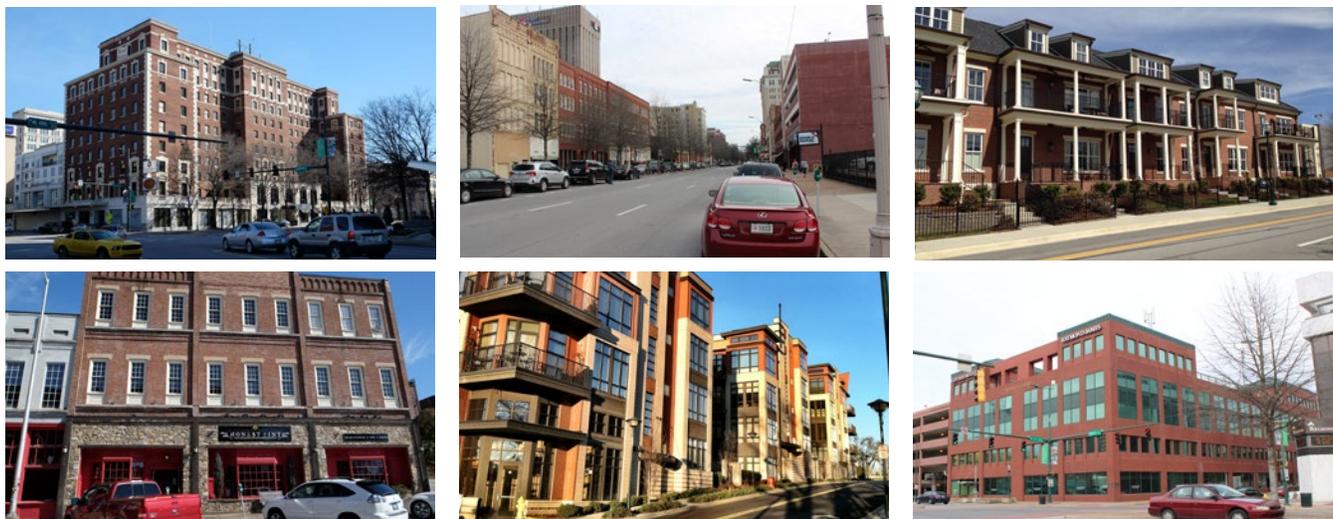
1. A stoop must be no more than 6 feet deep (not including the steps) and 6 feet wide.
2. A stoop may be covered but cannot be fully enclosed.
3. A stoop may extend up to 6 feet, including the steps, into a primary or side street setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
4. The stoop and steps may not encroach into the right-of-way.



DIVISION 4. DOWNTOWN CORE (D)

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Sec. 38-699. Downtown Core Context



(1) General Character

The Downtown Core Context is the highest intensity area in the City. Office and employment activity are predominant, with opportunities for multi-family residences and retail. Retail is concentrated along key roadways. Vertical mixed use with upper-story multi-family or office is encouraged. In the Downtown Core Context priority is given to pedestrians and bicyclists.

(2) Built Environment

Residential zones can be up to 4 stories in height and are typically built to the edge of the sidewalk. Mixed use and commercial zones can be as high as 12 stories, with parking to the rear of buildings. Building coverage is high.

(3) Streets and Blocks

Streets and rights-of-way are typically wide in order to accommodate the traffic associated with higher intensities. A rectilinear grid of streets frames a regular pattern of mid-sized, walkable blocks. Alleys are not often present. Block shapes and sizes are relatively consistent. The typical block pattern includes detached and attached sidewalks, street trees, on-street and surface parking, and open space and landscaping. Residential and commercial access is typically via secondary streets and shared service drives to a surface parking lot or structured parking.

(4) Parking and Mobility

Parking is primarily provided on-street, in surface lots, and in structures. Parking is primarily located to the rear of buildings. In street design, priority is given to pedestrians and bicyclists. There is access to multiple modes of transportation and frequent pedestrian activity.

Sec. 38-700. D-RA: Residential Attached Zone

(1) SUMMARY



Intent

The Residential Attached (D-RA) zone is intended to accommodate a mix of lower intensity multi-family housing options in a pedestrian-friendly environment. Live/work is allowed subject to standards that limit the extent of the use.

D-RA Zones

D-RA-4

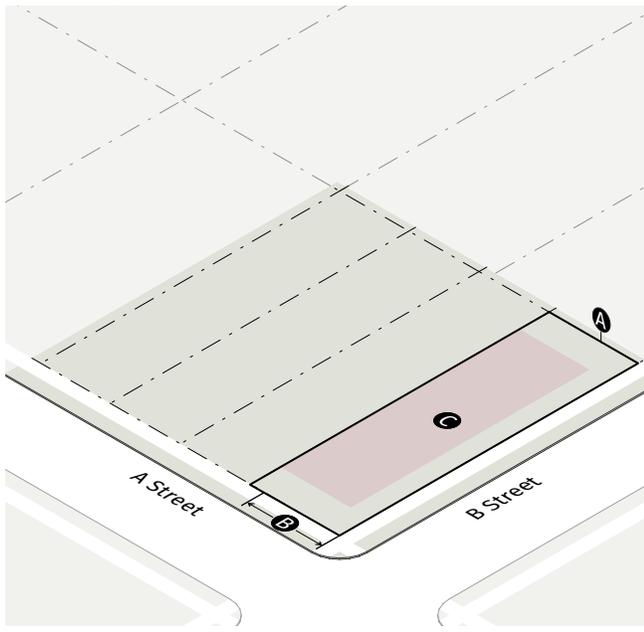
Lot Types

Single-unit attached	see Sec. 38-697.(5)
Multi-unit (up to 4 units)	see Sec. 38-697.(6)
Multi-unit (5+ units)	see Sec. 38-697.(7)

Use

Allowed Uses	see Sec. 38-706.
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(2) LOT PARAMETERS

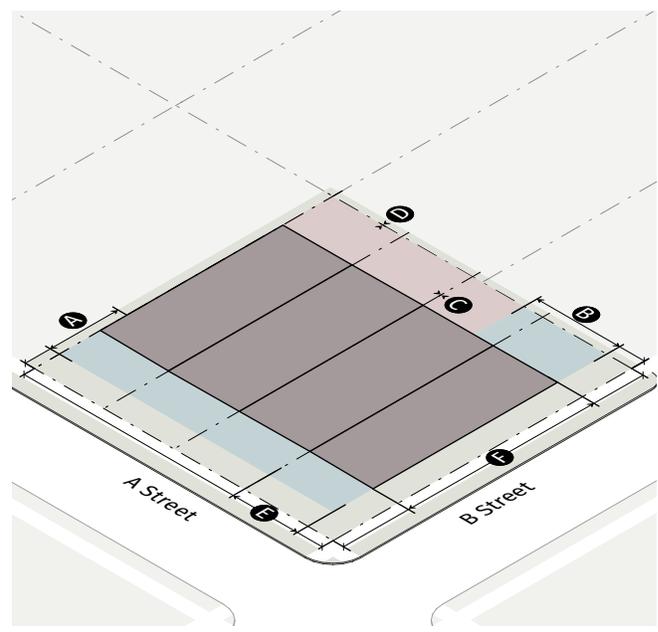


Lot	A Area	B Width
Single-unit attached	1,350 SF min	16' min
Multi-unit (up to 4 units)	5,000 SF min	50' min
Multi-unit (5+ units)	5,000 SF min	50' min

Specifications

C Building coverage	90% max
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(3) BUILDING PLACEMENT



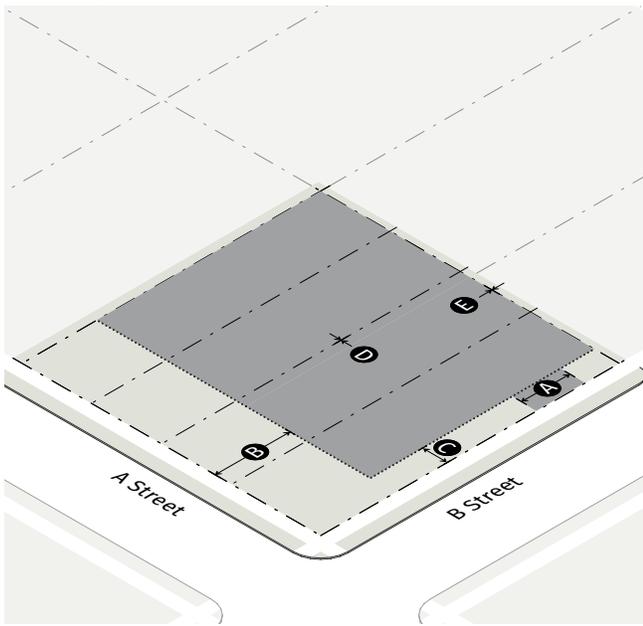
Building Setbacks

A A Street	5' min/30' max
B B Street	5' min/30' max
C Side: common lot line	0' min
D Rear: common lot line	0' min

Lot Frontage

E A Street	80% min
F B Street	70% min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

A Street: new curb-cuts allowed per lot None

B Street: distance between curbs-cuts on same lot 100' min

A Driveway width in setback 20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

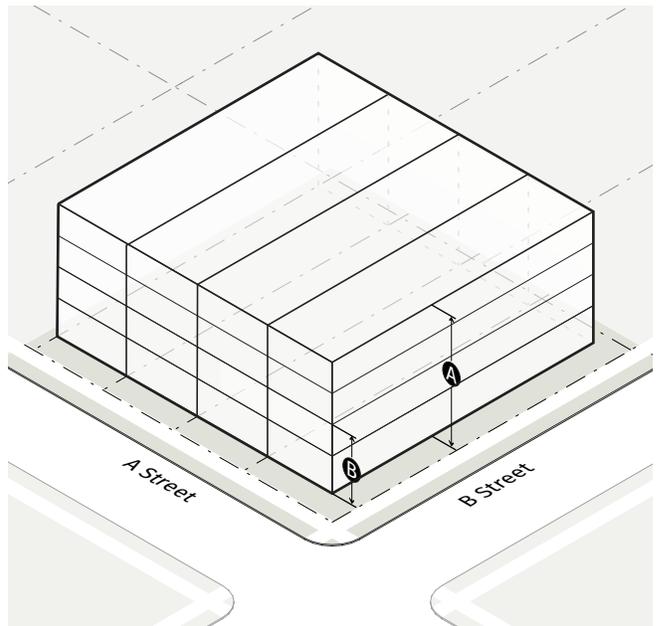
B A Street 30' min

C B Street 10' min

D Side: common lot line 0' min

E Rear: common lot line 0' min

(5) HEIGHT AND MASS



Building Height

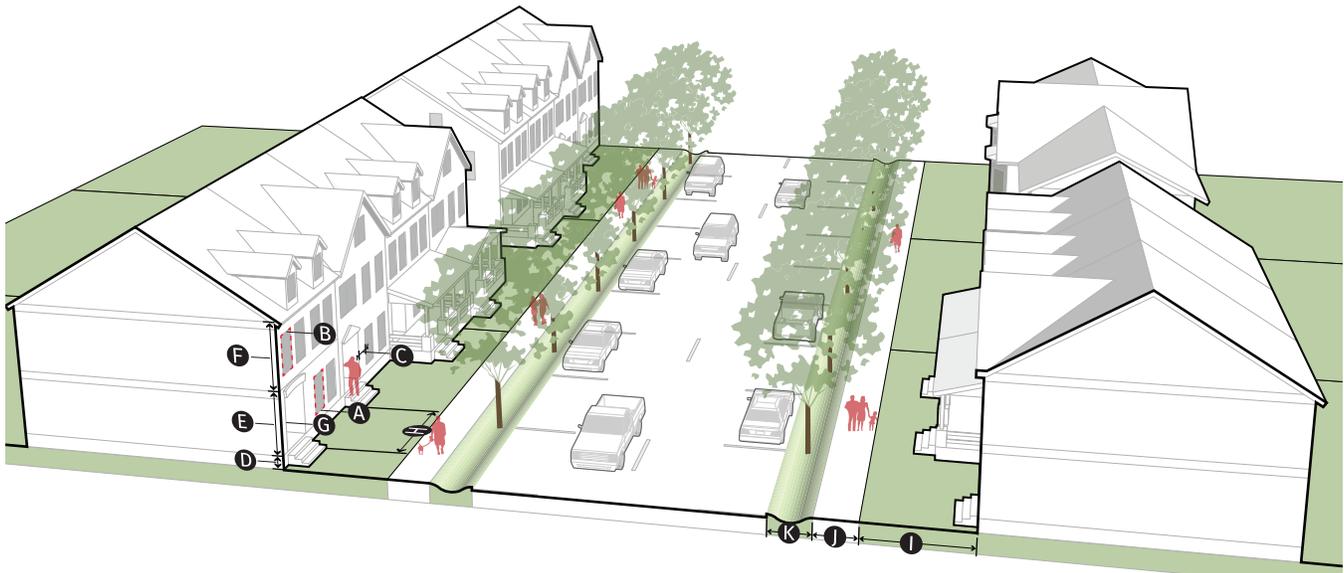
A Maximum height 4 stories/50' max

B Minimum height 2 stories min

Building Mass

C Street-facing building length n/a

(6) PUBLIC REALM



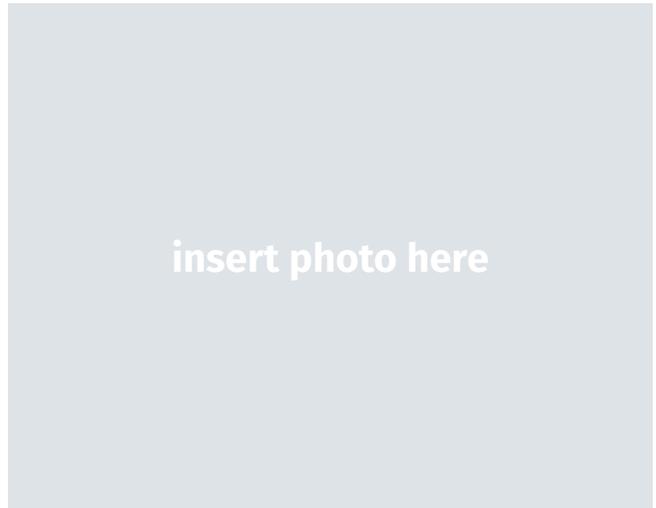
The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setback	
A Ground story	n/a	I A/B Street	5' min/30' max
B Upper story	n/a	Sidewalk*	
C Blank wall length	30' max	J Clear pedestrian zone	
Story Height		A Street	10' min
D Ground floor elevation	16" min/5' max	B Street	6' min
E Ground story, floor to floor	10' min	Street Tree/Furniture Zone*	
F Upper story, floor to floor	9' min	K Street tree/furniture zone depth	6' min
Pedestrian Access		Street tree planting type	Verge/tree pit
G Entrance facing primary street	Required	Tree spacing	30' avg. on-center
H Entrance spacing along primary street	50' max		

*Where there is insufficient ROW to meet the minimum requirements, the [Director of Codes-Administration](#) [Director of the Land Development Office](#) may approve modifications (see Sec. 38-696.(4)).

Sec. 38-701. D-RM: Residential Multi-Unit Zone

(1) SUMMARY



Intent

The Residential Multi-Unit (D-RM) zone is intended to accommodate a mix of higher intensity multi-family housing options in a pedestrian-friendly environment. Live/work is allowed subject to standards that limit the extent of the use.

D-RM Zones

D-RM-3, D-RM-4

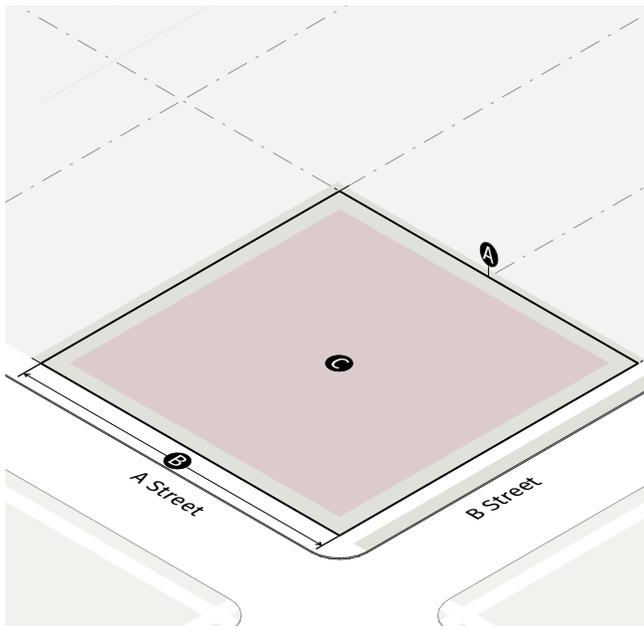
Lot Types

Single-unit attached	see Sec. 38-697.(5)
Multi-unit (up to 4 units)	see Sec. 38-697.(6)
Multi-unit (5+ units)	see Sec. 38-697.(7)

Use

Allowed Uses	see Sec. 38-706.
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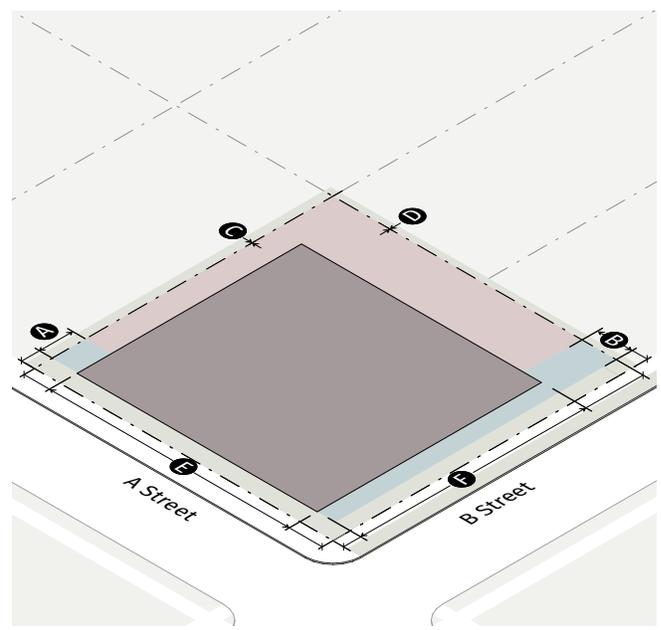
(2) LOT PARAMETERS



Lot	A Area	B Width
Single-unit attached	1,350 SF min	16' min
Multi-unit (up to 4 units)	n/a	n/a
Multi-unit (5+ units)	n/a	n/a

Specifications	
C Building coverage	90% max

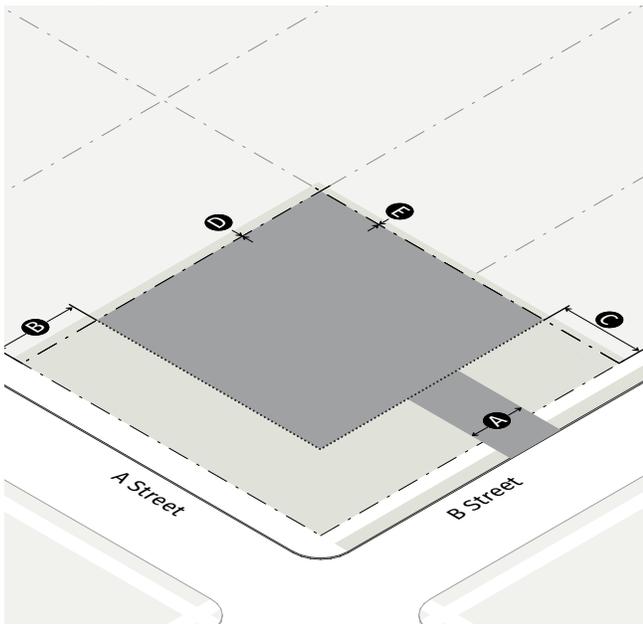
(3) BUILDING PLACEMENT



Building Setbacks	
A A Street	5' min/15' max
B B Street	5' min/15' max
C Side: common lot line	0' min
D Rear: common lot line	0' min

Lot Frontage	
E A Street	80% min
F B Street	70% min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

A Street: new curb-cuts allowed per lot None

B Street: distance between curb-cuts on same lot 100' min

A Driveway width in setback 20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

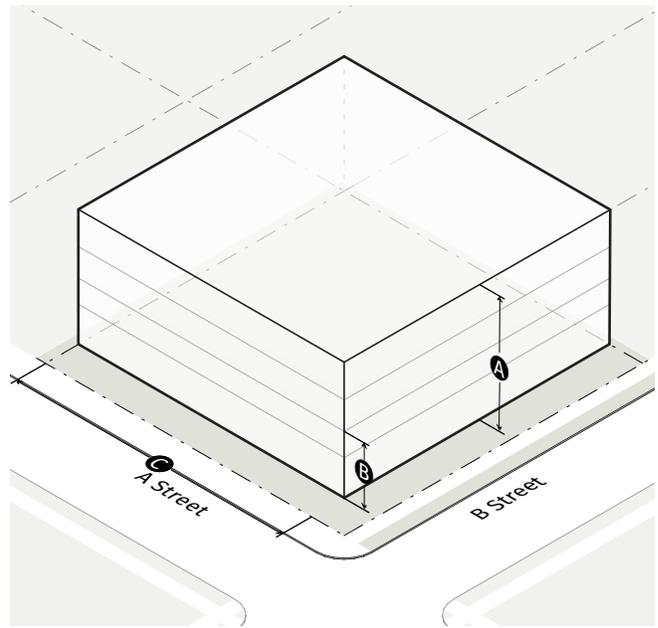
B A Street 30' min

C B Street 30' min

D Side: common lot line 0' min

E Rear: common lot line 0' min

(5) HEIGHT AND MASS



Building Height

A Maximum height

D-RM-3 3 stories/40' max

D-RM-4 4 stories/50' max

B Minimum height 2 stories min

Building Mass

C Street-facing building length 200' max

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks			
A	Ground story	30% min	I A/B Street	5' min/15' max	
B	Upper story	25% min	Sidewalk*		
C	Blank wall length	30' max	J	Clear pedestrian zone	
Story Height			A Street	10' min	
D	Residential ground floor elevation	16" min/ 5' max	B Street	6' min	
D	Live/work ground floor elevation	0' min/5' max	Street Tree/Furniture Zone*		
E	Ground story, floor to floor	12' min	K	Street tree/furniture zone depth	6' min
F	Upper story, floor to floor	9' min	Street tree planting type		
Pedestrian Access			A street	Tree pit	
G	Entrance facing primary street	Required	B street	Verge/tree pit	
H	Entrance spacing along primary street	75' max	Tree spacing	30' avg. on-center	
Building Elements Allowed			*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696. (4)).		
	Awning/canopy	◆			
	Balcony	◆			
	Forecourt	◆			
	Gallery				
	Porch	◆			
	Stoop	◆			

Sec. 38-702. D-CX: Commercial Mixed Use Zone

(1) SUMMARY



Intent

The Commercial Mixed Use (D-CX) zone is intended to accommodate a variety of residential, retail, service and commercial building forms and uses in a pedestrian-friendly environment. Although buildings are allowed to be exclusively residential or nonresidential in use, the vertical mixing of uses is strongly encouraged.

D-CX Zones

D-CX-5, D-CX-6, D-CX-8, D-CX-12

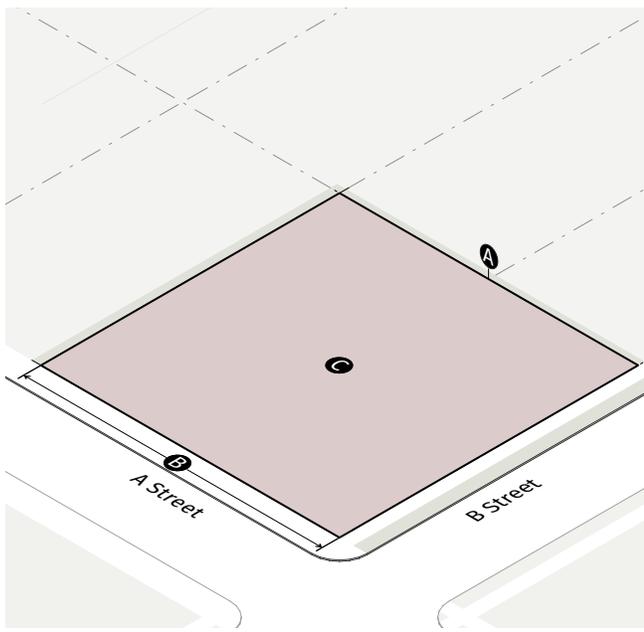
Lot Types

Hybrid see Sec. 38-697.(8)

Use

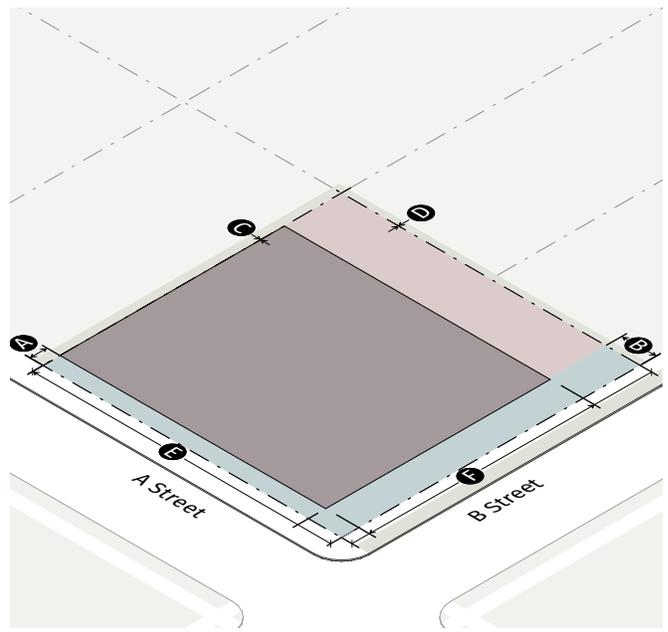
Allowed Uses see Sec. 38-706.

(2) LOT PARAMETERS



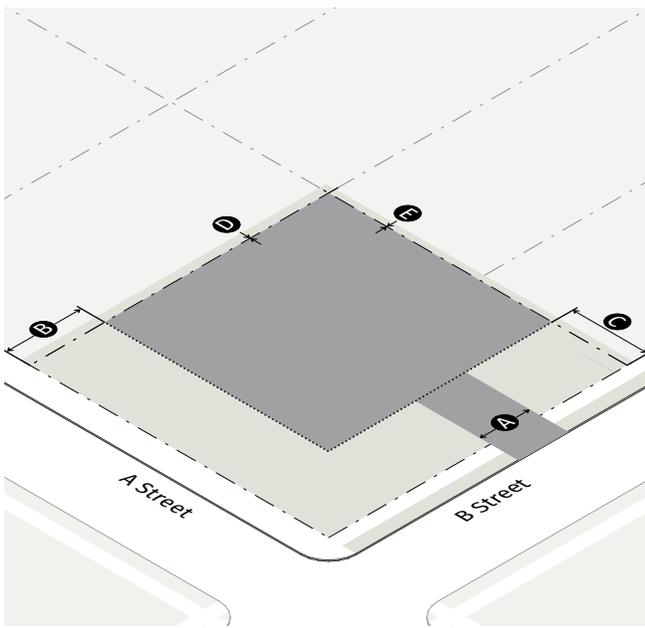
Lot	A Area	B Width
Hybrid	n/a	n/a
Specifications		
C Building coverage	100% max	

(3) BUILDING PLACEMENT



Building Setbacks		
A A Street	0' min/5' max	
B B Street	0' min/10' max	
C Side: common lot line	0' min	
D Rear: common lot line	0' min	
Lot Frontage		
E A Street	90% min	
F B Street	80% min	

(4) ACCESS/PARKING LOCATION



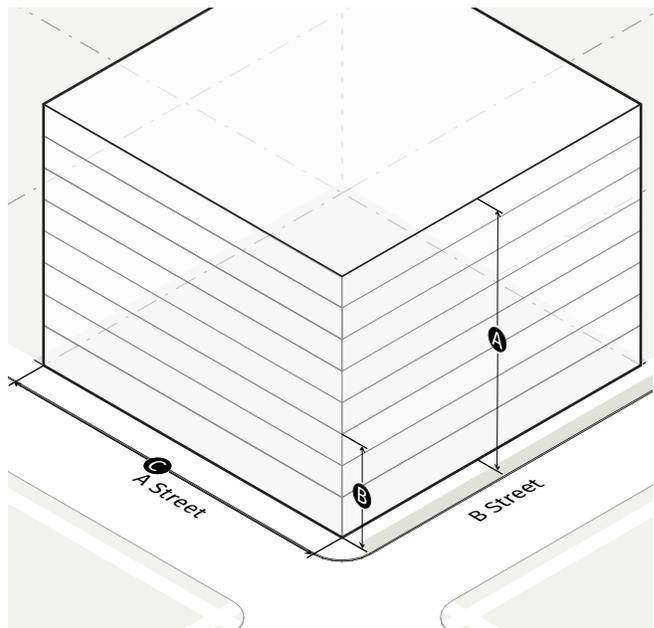
Access (see Sec. 38-698.(3)A.)

A Street: new curb-cuts allowed per lot	None
B Street: distance between curb-cuts on same lot	100' min
A Driveway width in setback	20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

B A Street	30' min
C B Street	30' min
D Side: common lot line	0' min
E Rear: common lot line	0' min

(5) HEIGHT AND MASS



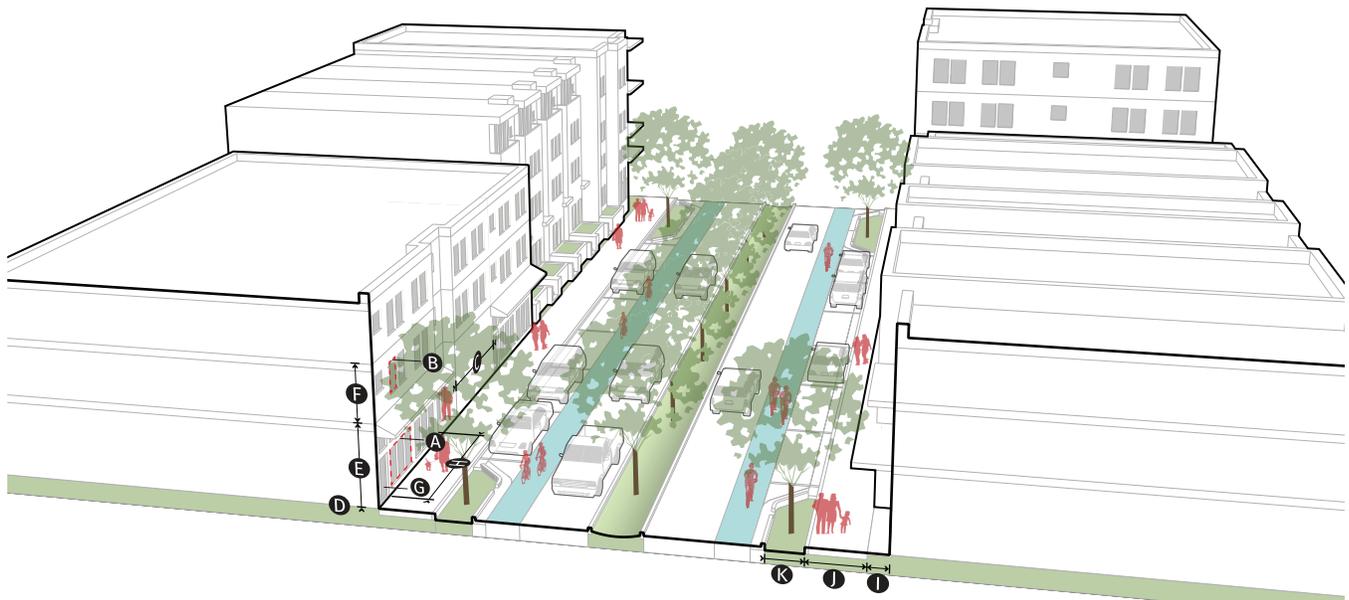
Building Height

A Maximum height	
D-CX-5	5 stories/60' max
D-CX-6	6 stories/75' max
D-CX-8	8 stories/100' max
D-CX-12	12 stories/150' max
B Minimum height	
D-CX-5, D-CX-6	2 stories min
D-CX-8	3 stories min
D-CX-12	4 stories min

Building Mass

C Street-facing building length	300' max
--	----------

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

	Residential Ground Floor	Nonresidential Ground Floor
Transparency		
A Ground story	30% min	50% min
B Upper story	25% min	25% min
C Blank wall length	30' max	30' max
Story Height		
D Ground floor elevation	16" min/ 5' max	0' min/ 2' max
E Ground story: floor to floor	12' min	15' min
F Upper story: floor to floor	9' min	9' min
Pedestrian Access		
G Entrance facing primary street	Required	Required
H Entrance spacing along primary street	75' max	100' max
Building Elements Allowed		
Awning/canopy	◆	◆
Balcony	◆	◆
Forecourt	◆	◆
Gallery		◆
Porch	◆	
Stoop	◆	

Setbacks		
I A Street		0' min/5' max
J B Street		0' min/10' max
Sidewalk*		
K Clear pedestrian zone		
A Street		10' min
B Street		6' min
Street Tree/Furniture Zone*		
K Street tree/furniture zone depth		6' min
Street tree planting type		
A street		Tree pit
B street		Verge/tree pit
Tree spacing		30' avg. on-center

*Where there is insufficient ROW to meet the minimum requirements, the [Director of Codes-Administration](#) [Director of the Land Development Office](#) may approve modifications (see Sec. 38-696. (4)).

Sec. 38-703. D-SH: Shopfront Mixed Use Zone

(1) SUMMARY



Intent

The Shopfront Mixed Use (D-SH) zone is intended to accommodate a variety of residential, retail, service and commercial building uses in a storefront environment. Uses are flexible but tall ground floors with large areas of transparent glazing are required to accommodate retail uses in the future.

D-SH Zones

D-SH-6, D-SH-8

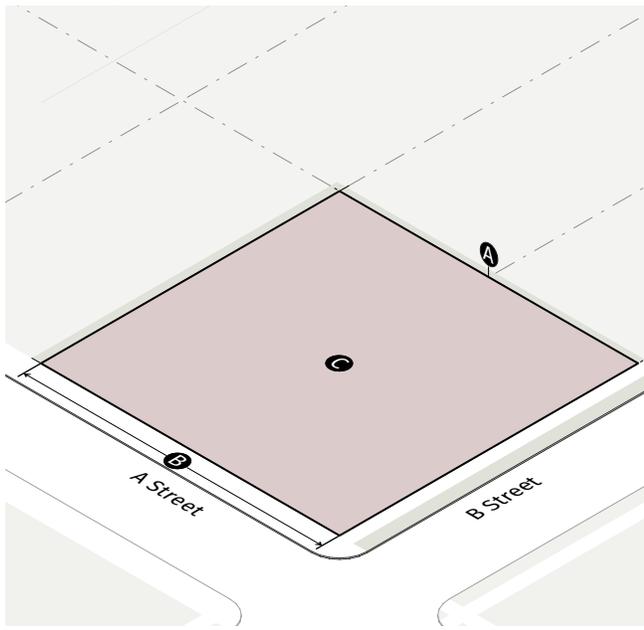
Lot Types

Hybrid see Sec. 38-697.(8)

Use

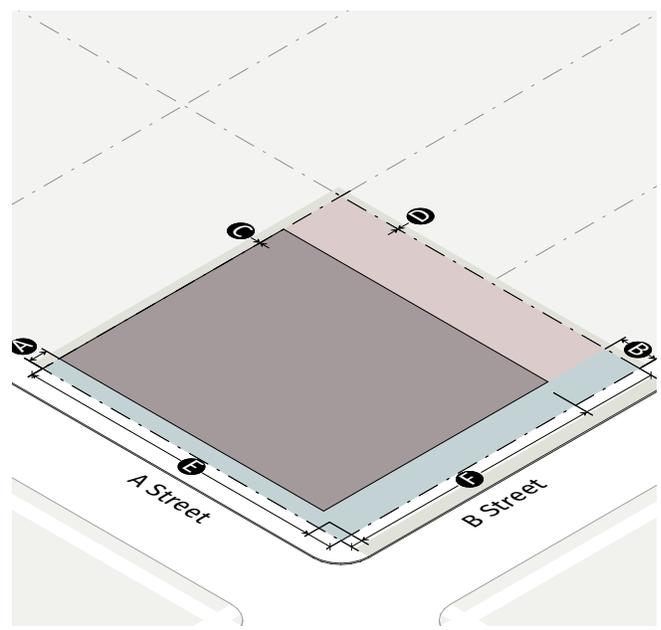
Allowed Uses see Sec. 38-706.

(2) LOT PARAMETERS



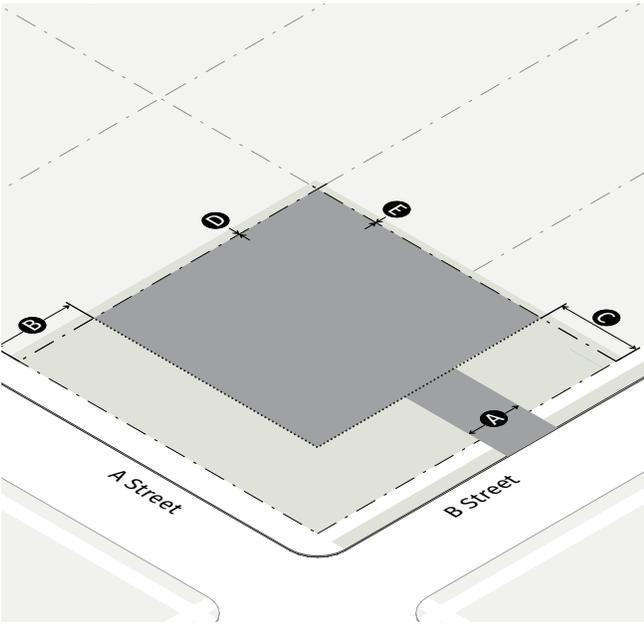
Lot	A Area	B Width
Hybrid	n/a	n/a
Specifications		
C Building coverage	100% max	

(3) BUILDING PLACEMENT



Building Setbacks		
A A Street	0' min/5' max	
B B Street	0' min/10' max	
C Side: common lot line	0' min	
D Rear: common lot line	0' min	
Lot Frontage		
E A Street	90% min	
F B Street	80% min	

(4) ACCESS/PARKING LOCATION



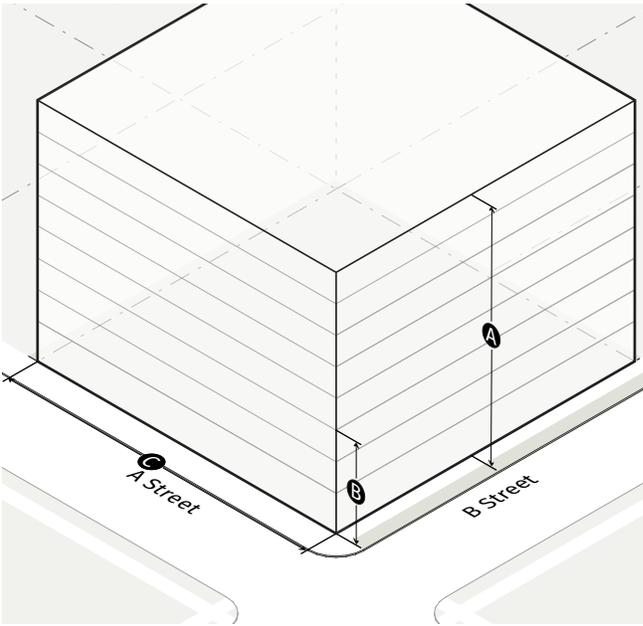
Access (see Sec. 38-698.(3)A.)

A Street: new curb-cuts allowed per lot	None
B Street: distance between curb-cuts on same lot	100' min
A Driveway width in setback	20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

B A Street	30' min
C B Street	30' min
D Side: common lot line	0' min
E Rear: common lot line	0' min

(5) HEIGHT AND MASS



Building Height

A Maximum height	
D-SH-6	6 stories/75' max
D-SH-8	8 stories/100' max
B Minimum height	
D-SH-6	2 stories min
D-SH-8	3 stories min

Building Mass

C Street-facing building length	300' max
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(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks	
A Ground story	70% min	I A Street	0' min/5' max
B Upper story	25% min	J B Street	0' min/10' max
C Blank wall length	20' max	Sidewalk*	
Story Height		J Clear pedestrian zone	
D Ground floor elevation	0' min/2' max	A Street	10' min
E Ground story, floor to floor	15' min	B Street	6' min
F Upper story, floor to floor	9' min	Street Tree/Furniture Zone*	
Pedestrian Access		K Street tree/furniture zone depth	6' min
G Entrance facing primary street	Required	Street tree planting type	
H Entrance spacing along primary street	50' max	A street	Tree pit
Building Elements Allowed		B street	Verge/tree pit
Awning/canopy	◆	Tree spacing	30' avg. on-center
Balcony	◆	*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696. (4)).	
Forecourt	◆		
Gallery	◆		
Porch			
Stoop			

Sec. 38-704. D-CIV: Civic Zone

(1) SUMMARY

insert photos here

Intent

The Civic (D-CIV) zone is intended to accommodate a variety of civic and public uses. The zone allows a reduced level of building form control in recognition of the special character of many civic buildings.

D-CIV Zones

D-CIV-4

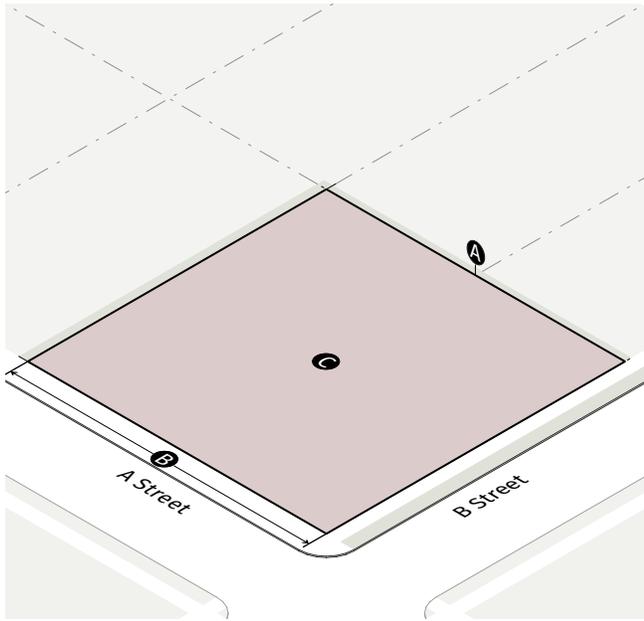
Lot Types

Public see Sec. 38-697.(11)

Use

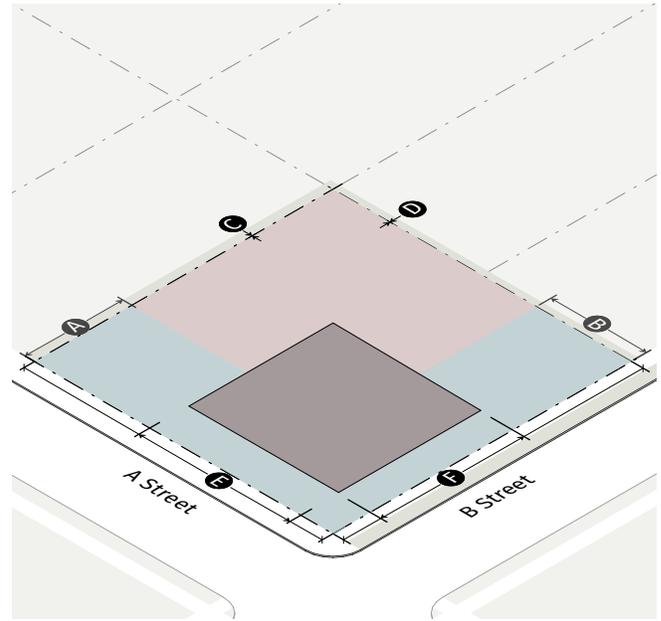
Allowed Uses see Sec. 38-706.

(2) LOT PARAMETERS



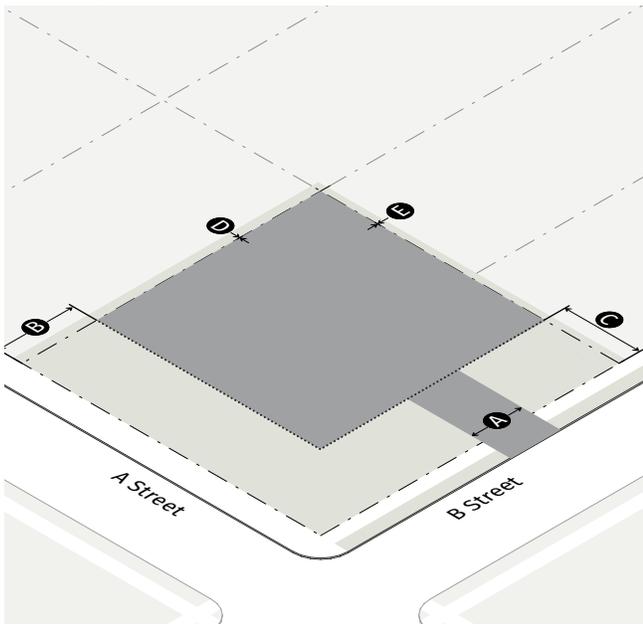
Lot	A Area	B Width
Public	n/a	n/a
Specifications		
C Building coverage	100% max	

(3) BUILDING PLACEMENT



Building Setbacks		
A A Street	0' min/30' max	
B B Street	0' min/30' max	
C Side: common lot line	0' min	
D Rear: common lot line	0' min	
Lot Frontage		
E A Street	50% min	
F B Street	50% min	

(4) ACCESS/PARKING LOCATION



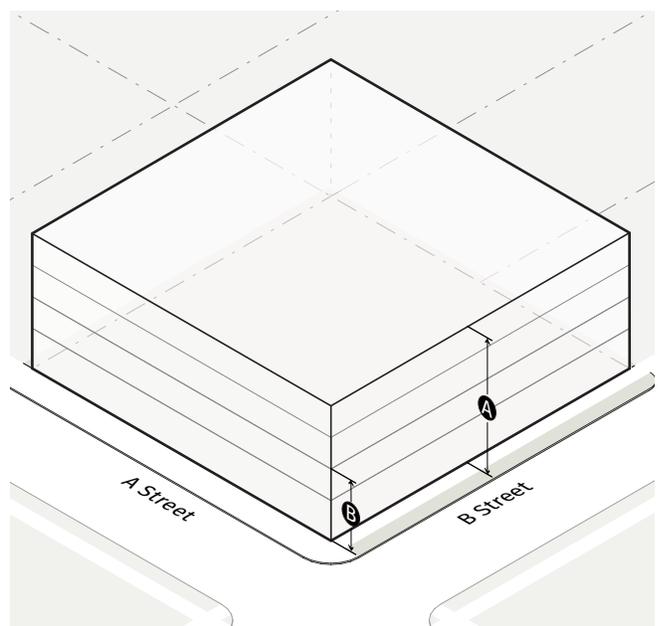
Access (see Sec. 38-698.(3)A.)

A Street: new curb-cuts allowed per lot	None
B Street: distance between curb-cuts on same lot	100' min
A Driveway width in setback	20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

B A Street	30' min
C B Street	30' min
D Side: common lot line	0' min
E Rear: common lot line	0' min

(5) HEIGHT AND MASS



Building Height

A Maximum height	4 stories/60' max
B Minimum height	2 stories min

Building Mass

C Street-facing building length	n/a
--	-----

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks	
A Ground story	n/a	I A/B Street	0' min/30' max
B Upper story	n/a	Sidewalk*	
C Blank wall length	n/a	J Clear pedestrian zone	
Story Height		A Street	10' min
D Ground floor elevation	n/a	B Street	6' min
E Ground story, floor to floor	n/a	Street Tree/Furniture Zone*	
F Upper story, floor to floor	n/a	K Street tree/furniture zone depth	6' min
Pedestrian Access		Street tree planting type	
G Entrance facing primary street	Required	A Street	Tree pit
H Entrance spacing along primary street	n/a	B Street	Verge/tree pit
Building Elements Allowed		Tree spacing	30' avg. on-center
Awning/canopy	n/a	*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696. (4)).	
Balcony	n/a		
Forecourt	◆		
Gallery	n/a		
Porch	n/a		
Stoop	n/a		

Sec. 38-705. D-PK: Parks and Open Space Zone

(1) SUMMARY



Intent

The Parks and Open Space (D-PK) zone is intended to preserve and enhance land as permanent outdoor open space. All land is intended to be unoccupied or predominately unoccupied by buildings or other impervious surfaces.

D-PK Zones

D-PK

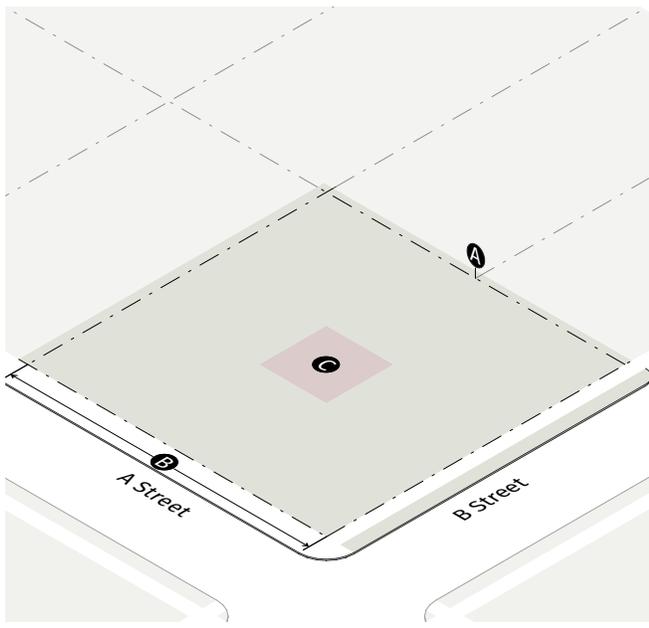
Lot Types

n/a

Use

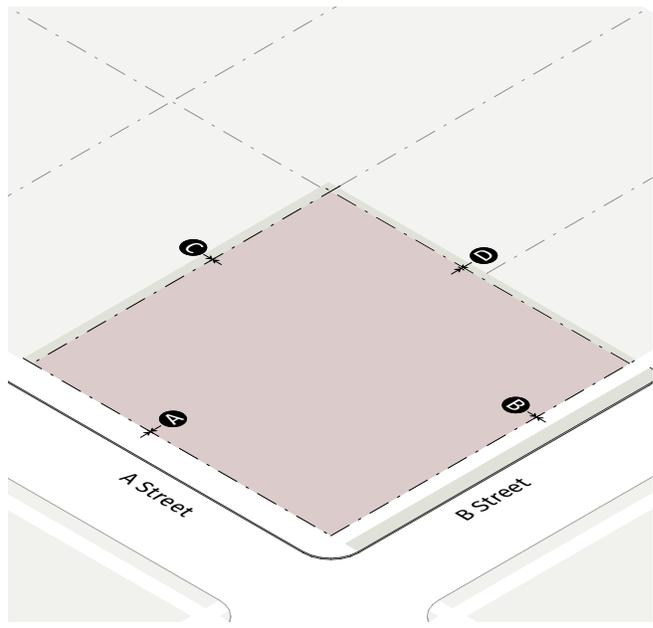
Allowed Uses see Sec. 38-706.

(2) LOT PARAMETERS



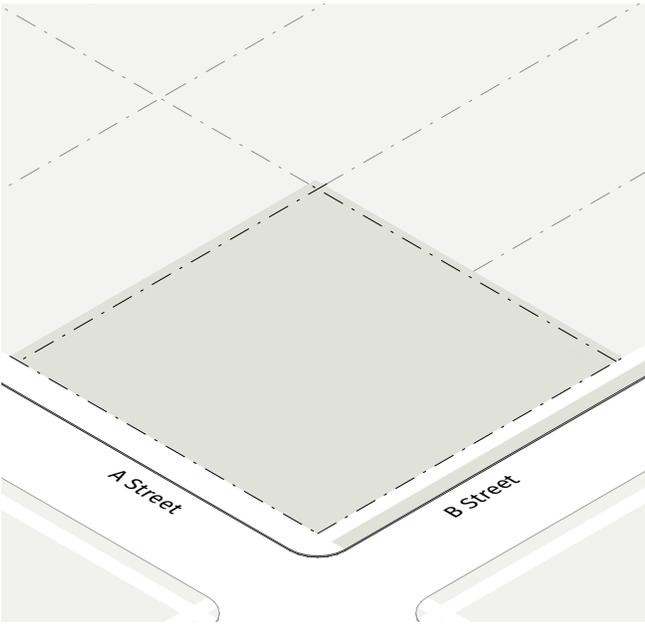
Lot	A Area	B Width
n/a	n/a	n/a
Specifications		
C Building coverage	20% max	

(3) BUILDING PLACEMENT



Building Setbacks	
A A Street	0' min
B B Street	0' min
C Side: common lot line	0' min
D Rear: common lot line	0' min

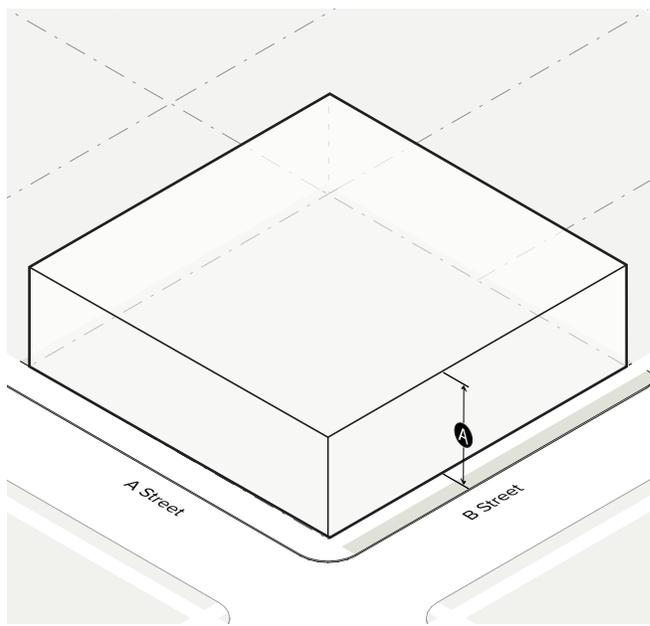
(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

A Street: new curb-cuts allowed per lot	None
B Street: new curb-cuts allowed per lot	None

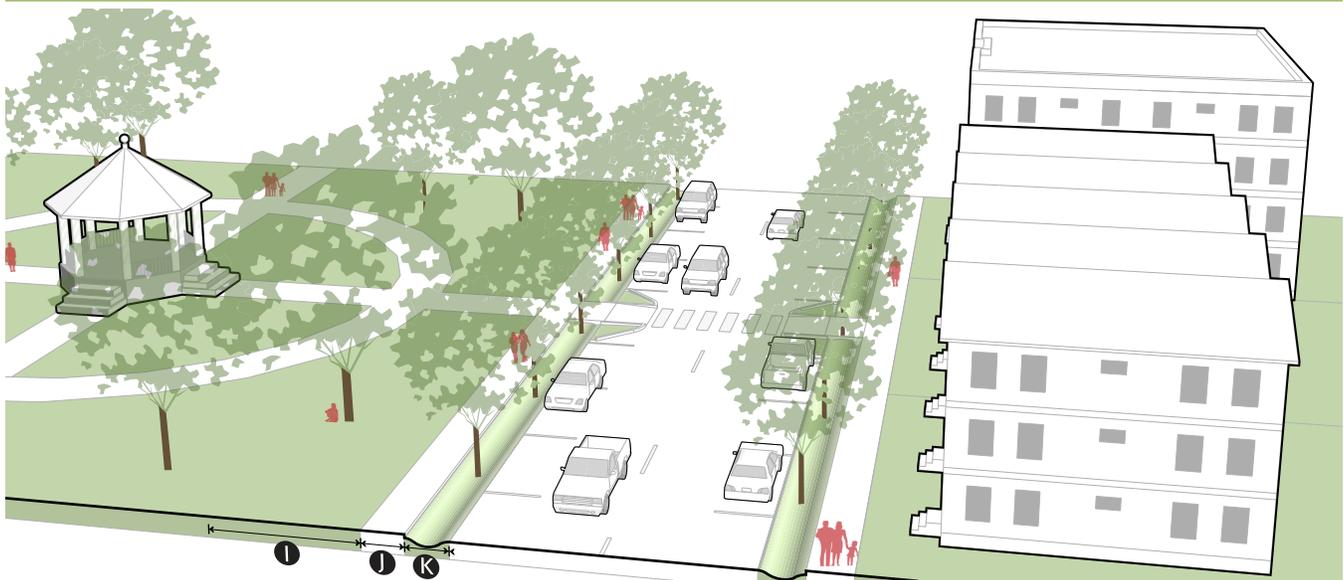
(5) HEIGHT AND MASS



Building Height

A Maximum height	35' max
-------------------------	---------

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks	
A Ground story	n/a	I A/B Street	0' min
B Upper story	n/a	Sidewalk*	
C Blank wall length	n/a	J Clear pedestrian zone	
Story Height		A Street	10' min
D Ground floor elevation	n/a	B Street	6' min
E Ground story, floor to floor	n/a	Street Tree/Furniture Zone*	
F Upper story, floor to floor	n/a	K Street tree/furniture zone depth	6' min
Pedestrian Access		Street tree planting type	
G Entrance facing primary street	n/a	A Street	Tree pit
H Entrance spacing along primary street	n/a	B Street	Verge/tree pit
Building Elements Allowed		Tree spacing	30' avg. on-center
Awning/canopy	n/a	*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696. (4)).	
Balcony	n/a		
Forecourt	n/a		
Gallery	n/a		
Porch	n/a		
Stoop	n/a		

Sec. 38-706. Allowed Uses

(1) Classification of Uses

- A. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use categories provide a systematic basis for assigning uses to appropriate categories with other, similar uses. Use categories classify principal uses and activities based on common functional, product or physical characteristics.
- B. Where a use category contains a list of included uses, the list is to be considered example uses, and not all-inclusive. The ~~Director of Codes Administration~~ Director of the Land Development Office has the responsibility for categorizing all uses (see Sec. 38-737.(3)).
- C. A full list of uses and use categories are specified in Sec. 38-738.

(2) Allowed Use Table

A. Permitted Use (P)

Indicates a use is permitted in the respective zone. The use is also subject to all other applicable requirements of the Downtown Code.

B. Limited Use (L)

Indicates a use is permitted in the respective zone, subject to a use standard found in the right-hand column of the use table. The use is also subject to all other applicable requirements of the Downtown Code.

C. Special Exception from the BZA Required (SZ)

Indicates a use may be permitted in the respective zone, subject to the approval of a Special Exceptions Permit issued by the Board of Zoning Appeals under the terms specified in Article VIII (§§ 38-561 - 38-573) of Chapter 38.

D. Special Exception from City Council Required (SC)

Indicates a use may be permitted in the respective zone, subject to the approval of a Special Exceptions Permit issued by the City Council.

E. Use Not Permitted (--)

Indicates that a use is not permitted in the respective zone.

DOWNTOWN CORE | Allowed Uses

SEE SEC. 38-738 FOR ADDITIONAL USE PROVISIONS

Use Category: Specific Use	Downtown Core						Definition/ Standards
	D-RA	D-RM	D-CX	D-SH	D-CIV	D-PK	
Residential Uses							
Household Living							38-738.(1)A.1.
Single-unit living detached	--	--	--	--	--	--	
Single-unit living detached with accessory dwelling unit	--	--	--	--	--	--	
Two-unit living	--	--	--	--	--	--	
Single-unit living attached	P	P	P	--	--	--	
<u>Single-unit living attached with accessory dwelling unit</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>38-738.(6)C.</u>
Multi-unit living (up to 4 units)	P	P	--	--	--	--	
Multi-unit living (5+ units)	P	P	P	P	--	--	
Manufactured home, single-wide	--	--	--	--	--	--	
Manufactured home park	--	--	--	--	--	--	
Live/work unit	L	L	P	P	--	--	38-738.(1)A.2.
Group Living							38-738.(1)B.
Assisted living facility	--	SZ	SZ	SZ	--	--	38-568.(19)
Boarding house	--	SZ	SZ	SZ			38-568.(19)
Dormitory	--	SZ	P	P	--	--	38-568
Fraternity/sorority	--	SZ	P	P			38-568
Medically assisted living facility	--	SZ	SZ	SZ	--	--	38-568.(19)
Nursing home	--	SZ	SZ	SZ	--	--	38-568.(19)
Residential home for handicapped or aged persons, commercial	--	SC	SC	--	--	--	38-523
Social Services	--	SZ	SZ	--	--	--	38-738.(1)C.
Public/Institutional Uses							
Civic, except as listed below:	--	--	P	P	P	--	38-738.(2)A.
Church or other place of worship	P	P	P	P	P	--	
Fire/police station	P	P	P	P	P	--	
Kindergarten, governmental or religious	P	P	P	P	P	--	
Non-profit heritage educational facility	SC	SC	SC	--	SC	--	38-525
Publicly-owned building	P	P	P	P	P	P	
School	P	P	P	P	P	--	

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required
SC = Special Exception from City Council Required -- = Not Permitted

SEE SEC. 38-738 FOR ADDITIONAL USE PROVISIONS

Use Category: Specific Use	Downtown Core						Definition/ Standards
	D-RA	D-RM	D-CX	D-SH	D-CIV	D-PK	
Public/Institutional Uses							
Parks and Open Space, except as listed below:	P	P	P	P	P	P	38-738.(2)B.
Cemetery	--	--	--	--	SC	SC	38-521/522
Golf course	--	--	--	--	--	--	
Utilities							38-738.(2)C.
Minor utilities	P	P	P	P	P	P	
Major utilities	--	--	--	--	--	--	
Wireless Communications	SZ	SZ	SZ	SZ	SZ	--	38-568.(16)
Commercial Uses							
Adult-Oriented Business	--	--	SZ	SZ	--	--	38-738.(3)A. 38-568.(18)
Animal Care							38-738.(3)B.
Animal care, indoor	--	--	P	P	--	--	
Animal care, outdoor	--	--	--	--	--	--	
Day Care	SZ	SZ	P	P	P	--	38-738.(3)C.
Indoor Recreation	--	--	P	P	--	--	38-738.(3)D.
Medical, except as listed below:	--	--	P	P	--	--	38-738.(3)E.
Hospital	--	--	SZ	--	--	--	38-568.(19)
Office	--	--	P	P	--	--	38-738.(3)F.
Outdoor Recreation	--	--	--	--	--	--	38-738.(3)G.
Overnight Lodging							38-738.(3)H.
Bed and breakfast	P	P	P	P	--	--	
Hotel, motel	--	--	P	P	--	--	
Short-term vacation rental	SZ	SZ	P	P	--	--	38-568
Travel trailer camp or other camping facility	--	--	--	--	--	--	
Parking							38-738.(3)I.
Commercial parking	--	--	SZ	SZ	--	--	38-568
Remote (off-site) parking	--	P	P	P	SZ	--	38-568
Passenger Terminal	--	--	P	P	--	--	38-738.(3)J.
Personal Service	--	--	P	P	--	--	38-738.(3)K.
Restaurant, except as listed below:	--	--	P	P	--	--	38-738.(3)L.
Late night entertainment/event facility, nightclub	--	--	SC	SC	--	--	38-527

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required
SC = Special Exception from City Council Required -- = Not Permitted

DOWNTOWN CORE | Allowed Uses

SEE SEC. 38-738 FOR ADDITIONAL USE PROVISIONS

Use Category: Specific Use	Downtown Core						Definition/ Standards
	D-RA	D-RM	D-CX	D-SH	D-CIV	D-PK	
Commercial Uses							
Retail, except as listed below:	--	--	P	P	--	--	38-738.(3)M.
Alternative financial services establishment	--	--	SC	SC	--	--	38-529
Gas station	--	--	--	--	--	--	
Liquor store	--	--	SC	SC	--	--	City Code 5-108
Open air market	--	--	SZ	--	SZ	SZ	38-568.(17)
Vehicle Sales and Rental							38-738.(3)N.
Minor sales and rental	--	--	P	P	--	--	
Major sales and rental	--	--	--	--	--	--	
Industrial Uses							
Artisanal	--	--	P	P	--	--	38-738.(4)A.
Heavy Industrial	--	--	--	--	--	--	38-738.(4)B.
Light Industrial/Manufacturing, except as listed below:							38-738.(4)C.
Alcohol distillery, small	--	--	SC	SC	--	--	
Alcohol distillery, small, Micro-brewery	--	--	P	P	--	--	
Research and Development	--	--	P	P	--	--	38-738.(4)D.
Resource Extraction	--	--	--	--	--	--	38-738.(4)E.
Vehicle Service and Repair							38-738.(4)F.
Minor vehicle service and repair	--	--	--	--	--	--	
Major vehicle service and repair	--	--	--	--	--	--	
Warehouse, Storage and Distribution	--	--	--	--	--	--	38-738.(4)G.
Waste-Related Service	--	--	--	--	--	--	38-738.(4)H.
Outdoor Uses							
Agriculture							38-738.(5)A.
Community garden	P	P	P	P	P	P	
Accessory Uses							
Day care home	P	P	P	P	--	--	38-738.(6)A.
Drive-thru facility	--	--	--	--	--	--	38-738.(6)B.
Home occupation	L	L	L	L	--	--	38-738.(6)D.
Outdoor dining	--	--	L	L	--	--	38-738.(6)E.
Outdoor display	--	--	L	L	--	--	38-738.(6)F.
Outdoor storage, minor	--	--	--	--	--	--	38-738.(6)G.
Outdoor storage, major	--	--	--	--	--	--	38-738.(6)H.

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required
SC = Special Exception from City Council Required -- = Not Permitted

DIVISION 5. RIVER (R)

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Sec. 38-707. River Context



(1) General Character

The River Context consists of medium- to high-intensity residential and tourist areas. Multi-family housing is predominant. Commercial activity is limited to mixed use in multi-family residential buildings and hotels. Priority is given to pedestrians and bicyclists.

(2) Built Environment

Zones can be up to 6 stories in height and typically have larger front setbacks than the Downtown Core Context. Riverfront sites have deep riverfront setbacks, and entrances on both adjacent streets and towards the river. Limited mixed use in buildings is allowed to service the tourist and residential community and hotels are allowed. Parking is located to the rear of buildings. Building coverage is moderate to allow for open spaces and views to the river.

(3) Streets and Blocks

Streets and rights-of-way are narrower in width than the Downtown Core Context. Streets that parallel the river frame development sites. Block shapes and sizes are often irregular due to the topography of many sites. The typical block pattern includes detached sidewalks, street trees, on-street parking and landscaping. Access is typically via a shared service drive to a surface parking lot or structured parking.

(4) Parking and Mobility Options

Parking is primarily provided on-street, in surface lots and in structures. Parking is located to the rear of buildings. In street design, priority is given to pedestrians and bicyclists. There is access to multiple modes of transportation and frequent pedestrian activity.

Sec. 38-708. R-RF: Riverfront Zone

(1) SUMMARY



Intent

The Riverfront (R-RF) zone is intended to accommodate a mix of multi-family and commercial activity in a manner that addresses and maintain views to the river.

R-RF Zones

R-RF-3, R-RF-4, R-RF-6

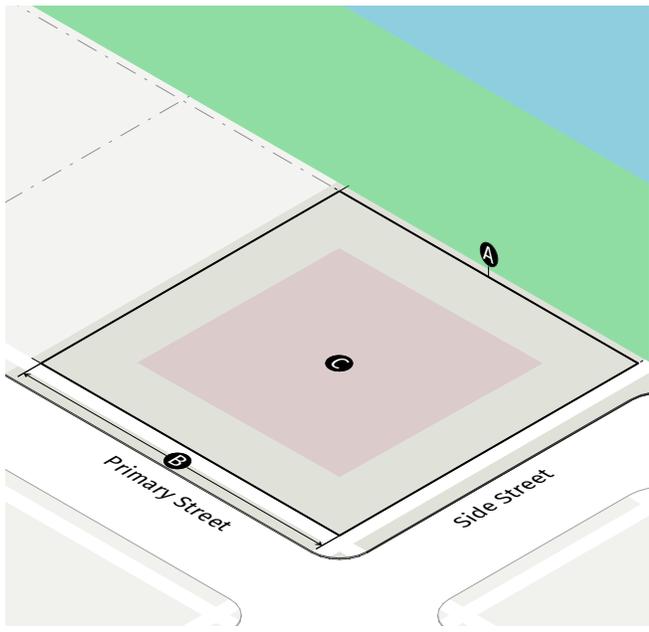
Lot Types

Hybrid see Sec. 38-697.(8)

Use

Allowed Uses see Sec. 38-712.

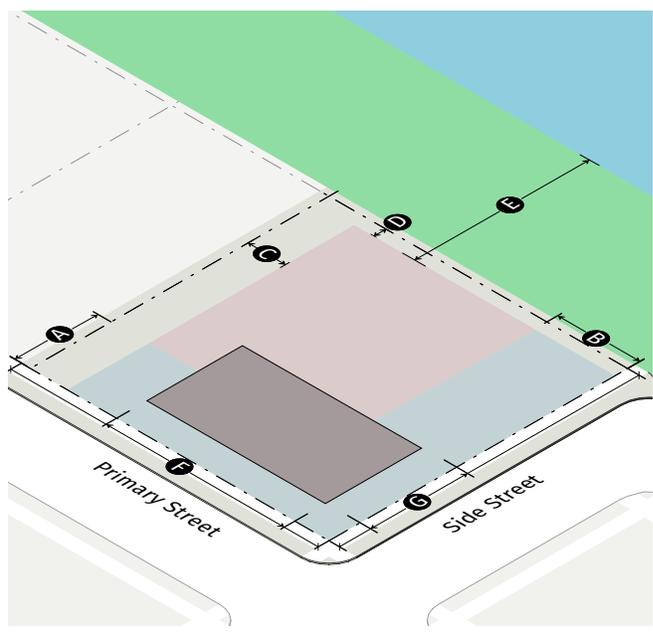
(2) LOT PARAMETERS



Lot	A Area	B Width
Hybrid	10,000 SF min	100' min

Specifications	C Building coverage
	70% max

(3) BUILDING PLACEMENT

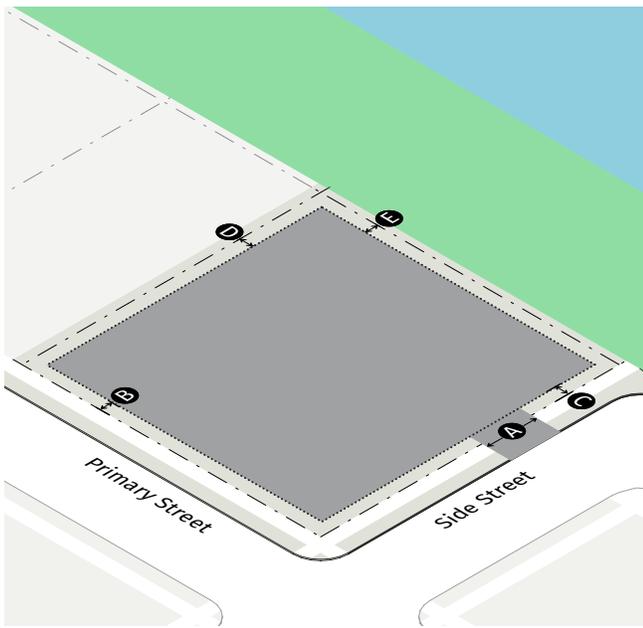


Building Setbacks	
A Primary street	0' min/30' max
B Side street	0' min/30' max
C Side: common lot line	20' min
D Rear: common lot line	5' min
E River*	100' min

*As measured from the "Floodway"

Lot Frontage	
F Primary street	60% min
G Side street	30% min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

New street curb-cuts allowed per lot

Determined by [Director of Codes Administration](#) and [Director of the Land Development Office](#)

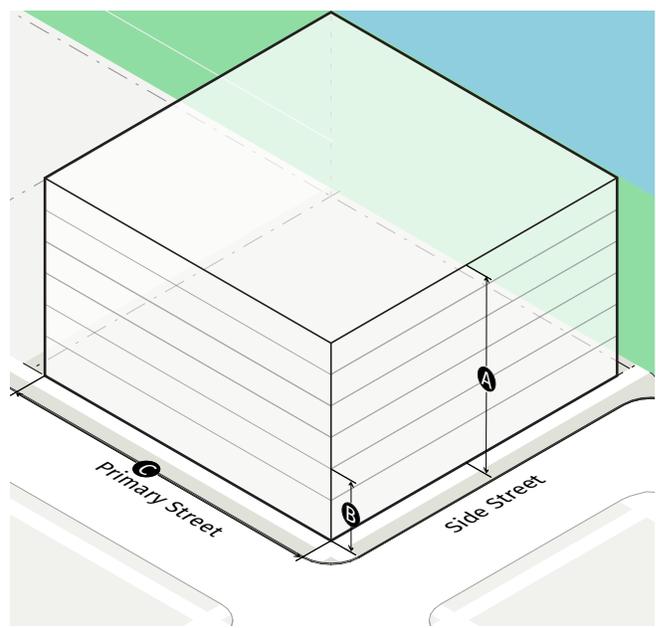
A Driveway width in setback	20' max
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Parking Setbacks (see Sec. 38-698.(3)B.)

B Primary street	5' min
C Side street	5' min
D Side: common lot line	5' min
E Rear: common lot line	5' min

No on-site surface parking is allowed between buildings and the street or buildings and the River

(5) HEIGHT AND MASS



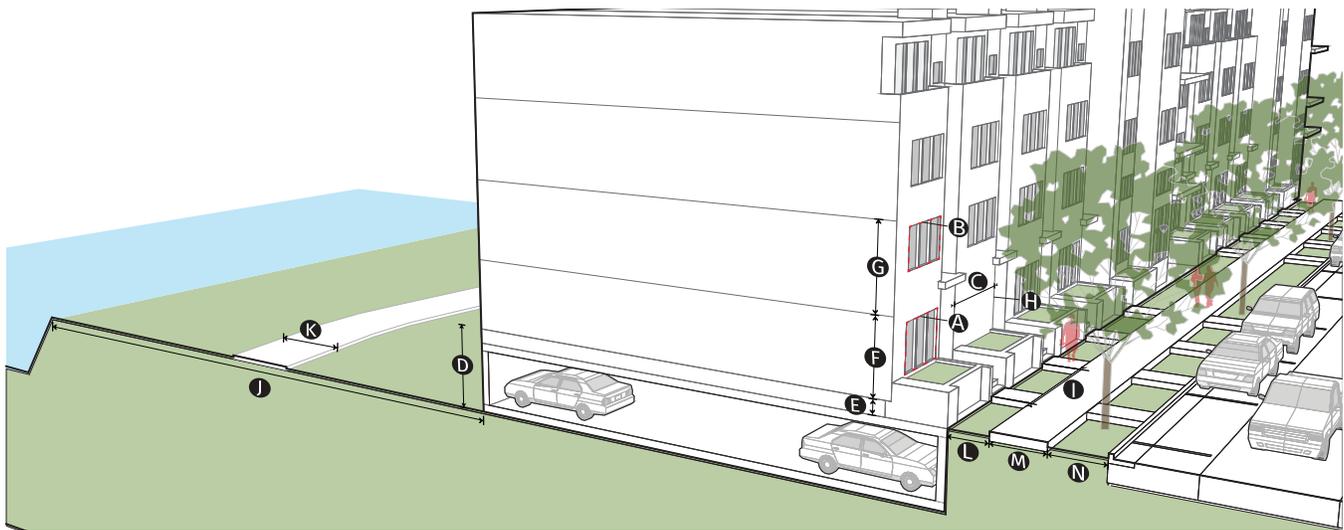
Building Height

A Maximum height	
R-RF-3	3 stories/40' max
R-RF-4	4 stories/50' max
R-RF-6	6 stories/75' max
B Minimum height	2 stories min

Building Mass

C Street- or river-facing building length	250' max
--	----------

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

	RIVERSIDE	STREETSIDE
Transparency		
A Ground story	30% min	30% min
B Upper story	25% min	25% min
C Blank wall length	30' max	30' max
Story Height		
D First habitable story	BFE+2'	BFE+2'
E Ground floor elevation		
Residential	n/a	16" min/ 5' max
Nonresidential	n/a	0' min/ 2' max
F Ground story: floor to floor	n/a	12' min
G Upper story: floor to floor	9' min	9' min
Pedestrian Access		
H Entrance facing	Required	Required
I Entrance spacing along	n/a	75' max
Building Elements Allowed		
Awning/canopy	◆	◆
Balcony	◆	◆
Forecourt	n/a	◆
Gallery		
Porch	◆	◆
Stoop	◆	◆

Riverside	
J River setback*	100' min
K Multi-purpose path	10' min
*As measured from the "Floodway"	
Streetside	
L Primary/side street setbacks	0' min/30' max
M Clear pedestrian zone**	6' min
N Street tree/furniture zone depth**	6' min
Street tree planting type	Tree pit/verge
Tree spacing	30' avg. on-center

**Where there is insufficient ROW to meet the minimum requirements, the [Director of Codes-Administration](#) [Director of the Land Development Office](#) may approve modifications (see Sec. 38-696. (4)).

Sec. 38-709. R-RV: River View Zone

(1) SUMMARY



Intent

The River View (R-RV) zone is intended to accommodate a mix of multi-family and commercial activity that don't have direct river frontage.

R-RV Zones

R-RV-4, R-RV-6

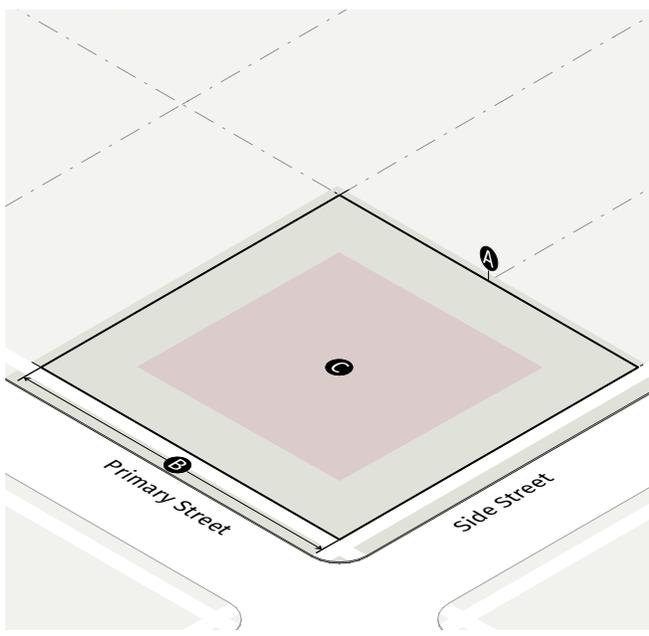
Lot Types

Hybrid see Sec. 38-697.(8)

Use

Allowed Uses see Sec. 38-712.

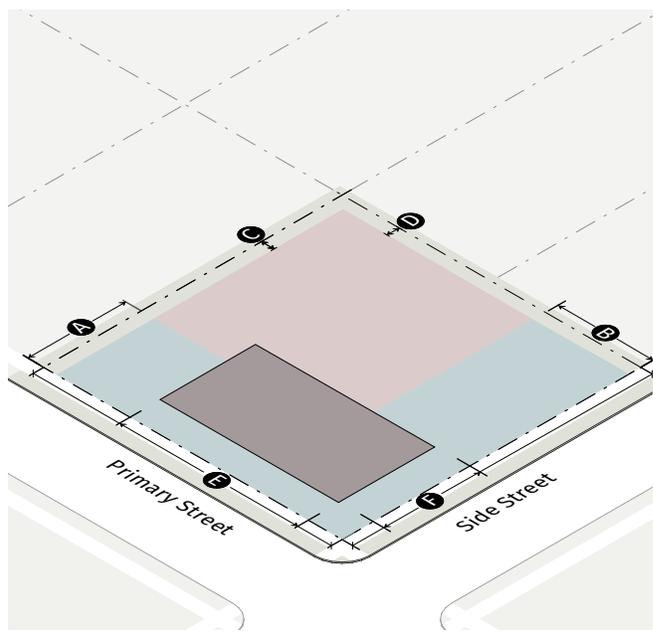
(2) LOT PARAMETERS



Lot	A Area	B Width
Hybrid	10,000 SF min	100' min

Specifications	C Building coverage
	70% max

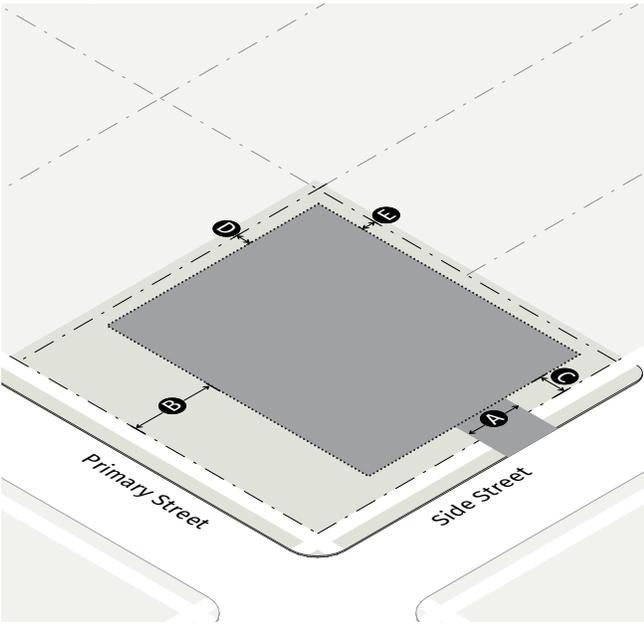
(3) BUILDING PLACEMENT



Building Setbacks	
A Primary street	0' min/30' max
B Side street	0' min/30' max
C Side: common lot line	5' min
D Rear: common lot line	5' min

Lot Frontage	
E Primary street	60% min
F Side street	30% min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

New street curb-cuts allowed per lot

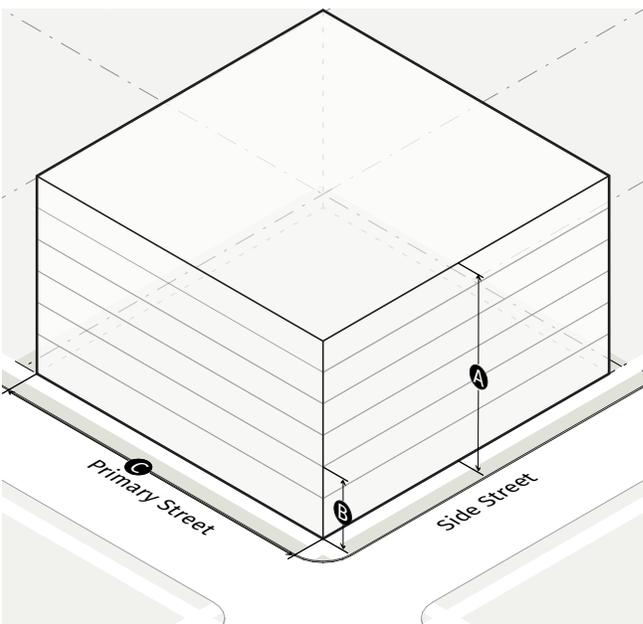
Determined by [Director of Codes Administration](#) and [Director of the Land Development Office](#)

A Driveway width in setback	20' max
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Parking Setbacks (see Sec. 38-698.(3)B.)

B Primary street	30' min
C Side street	10' min
D Side: common lot line	5' min
E Rear: common lot line	5' min

(5) HEIGHT AND MASS



Building Height

A Maximum height		
R-RV-4	4 stories/50' max	
R-RV-6	6 stories/75' max	
B Minimum height	2 stories min	

Building Mass

C Street-facing building length	200' max
--	----------

Sec. 38-710. R-CIV: Civic Zone

(1) SUMMARY



Intent

The Civic (R-CIV) zone is intended to accommodate a variety of civic and public uses. The zone allows a reduced level of building form control in recognition of the special character of many civic buildings.

R-CIV Zones

R-CIV-3, R-CIV-6

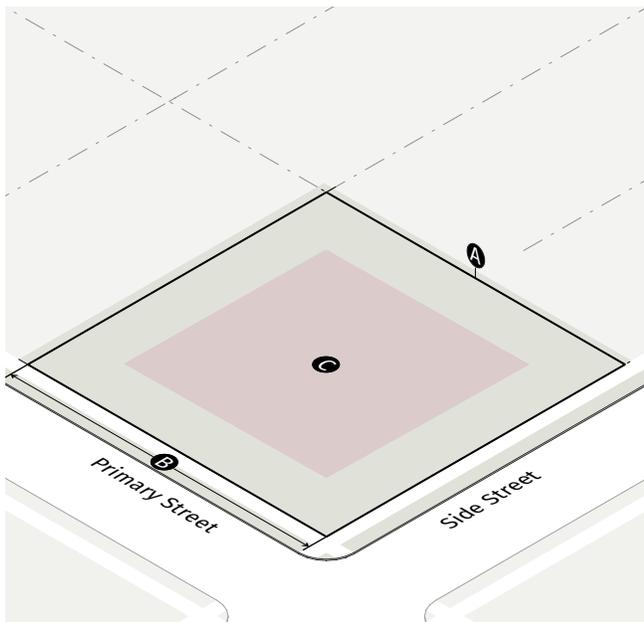
Lot Types

Public see Sec. 38-697.(11)

Use

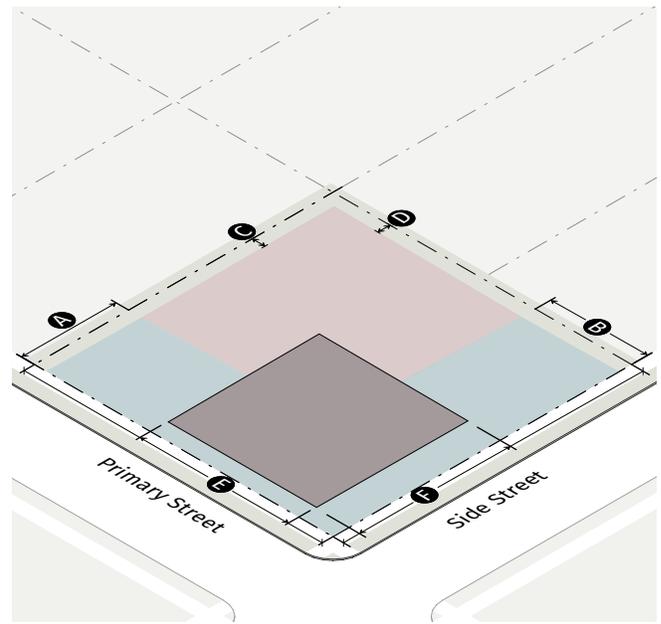
Allowed Uses see Sec. 38-712.

(2) LOT PARAMETERS



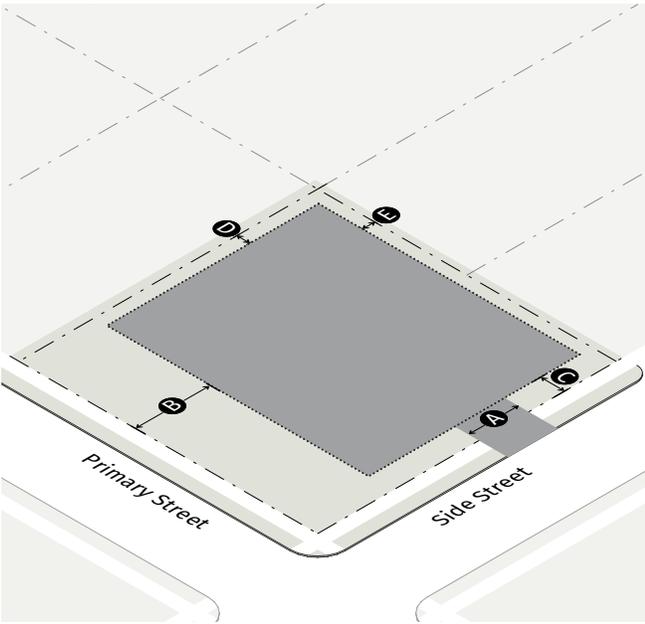
Lot	A Area	B Width
Public	n/a	n/a
Specifications		
C Building coverage	70% max	

(3) BUILDING PLACEMENT



Building Setbacks		
A Primary street	0' min/30' max	
B Side street	0' min/30' max	
C Side: common lot line	5' min	
D Rear: common lot line	5' min	
River*	100' min	
*As measured from the "Floodway"		
Lot Frontage		
E Primary street	50% min	
F Side street	50% min	

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

New street curb-cuts allowed per lot

Determined by [Director of Codes Administration](#) and [Director of the Land Development Office](#)

A Driveway width in setback 20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

B Primary street 30' min

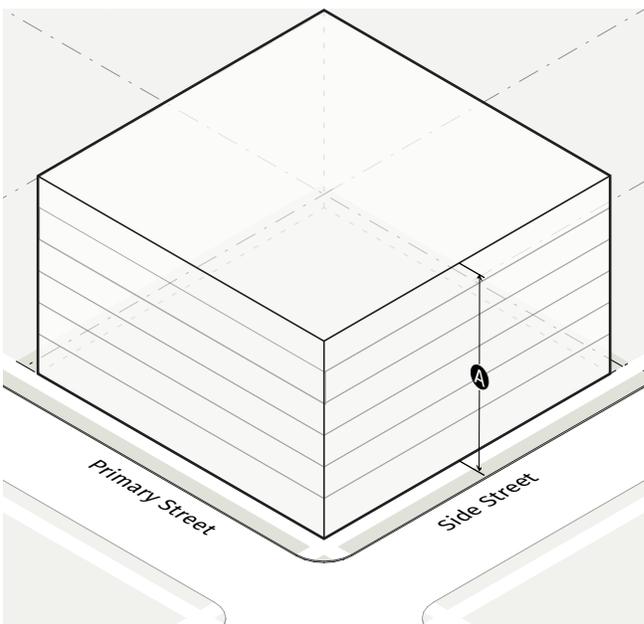
C Side street 10' min

D Side: common lot line 5' min

E Rear: common lot line 5' min

No on-site surface parking is allowed between buildings and the street

(5) HEIGHT AND MASS



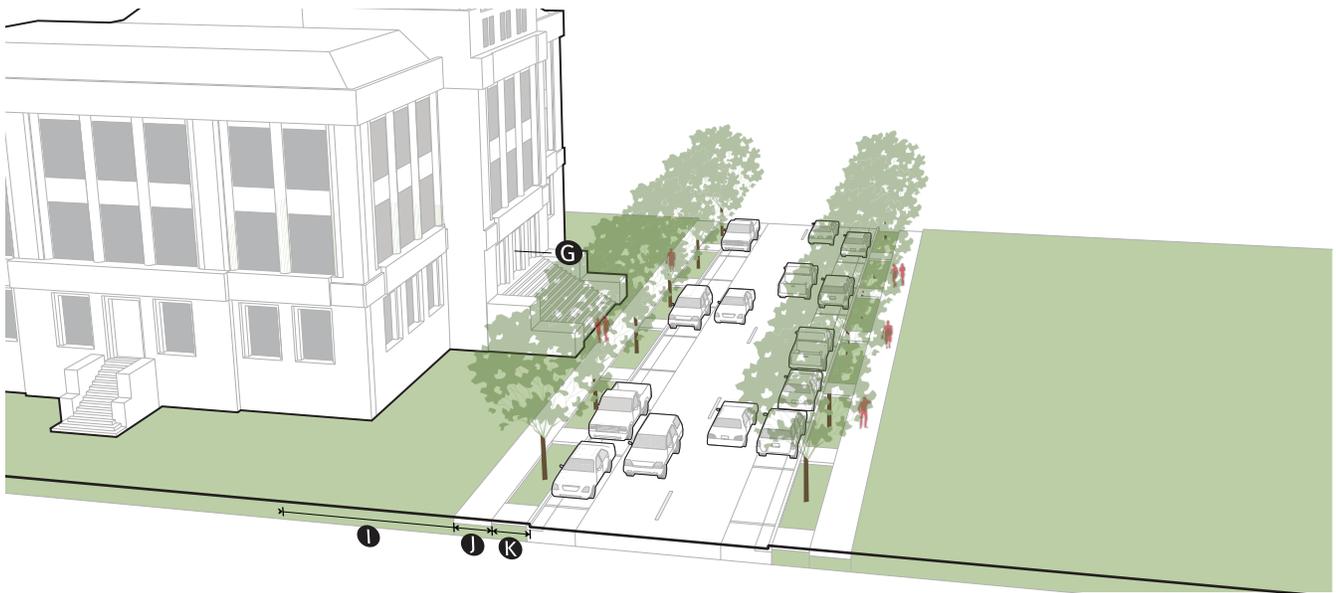
Building Height

A Maximum height	
R-CIV-3	3 stories/45' max
R-CIV-6	6 stories/90' max
B Minimum height	n/a

Building Mass

C Street-facing building length	n/a
--	-----

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Riverside	
A Ground story	n/a	River setback*	100' min
B Upper story	n/a	Multi-purpose path	10' min
C Blank wall length	n/a	*As measured from the "Floodway"	
Story Height		Streetside	
D Ground floor elevation	n/a	I Primary/side street setbacks	0' min/30' max
E Ground story, floor to floor	n/a	J Clear pedestrian zone**	6' min
F Upper story, floor to floor	n/a	K Street tree/furniture zone depth**	6' min
Pedestrian Access		Street tree planting type	Tree pit/verge
G Entrance facing primary street	Required	Tree spacing	30' avg. on-center
H Entrance spacing along primary street	n/a	**Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696. (4)).	
Building Elements Allowed			
Awning/canopy	n/a		
Balcony	n/a		
Forecourt	◆		
Gallery	n/a		
Porch	n/a		
Stoop	n/a		

Sec. 38-711. R-PK: Parks and Open Space Zone

(1) SUMMARY



Intent

The Parks and Open Space (R-PK) zone is intended to preserve and enhance land as permanent outdoor open space. All land is intended to be unoccupied or predominately unoccupied by buildings or other impervious surfaces.

R-PK Zones

R-PK

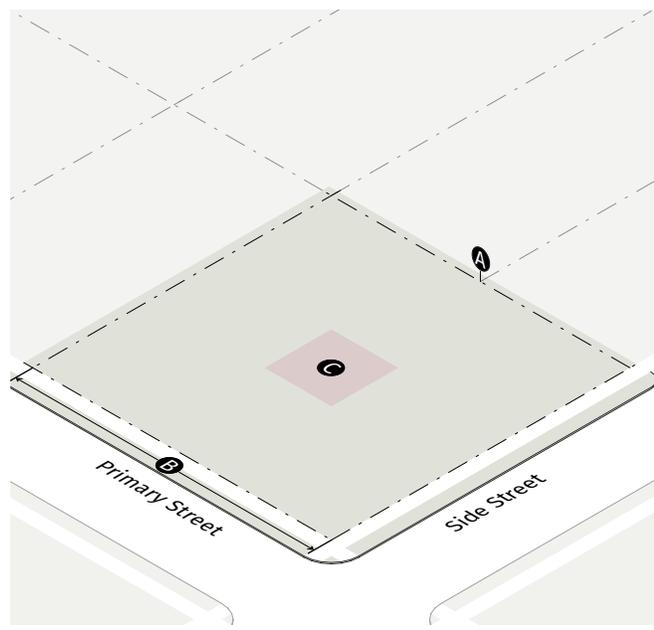
Lot Types

n/a

Use

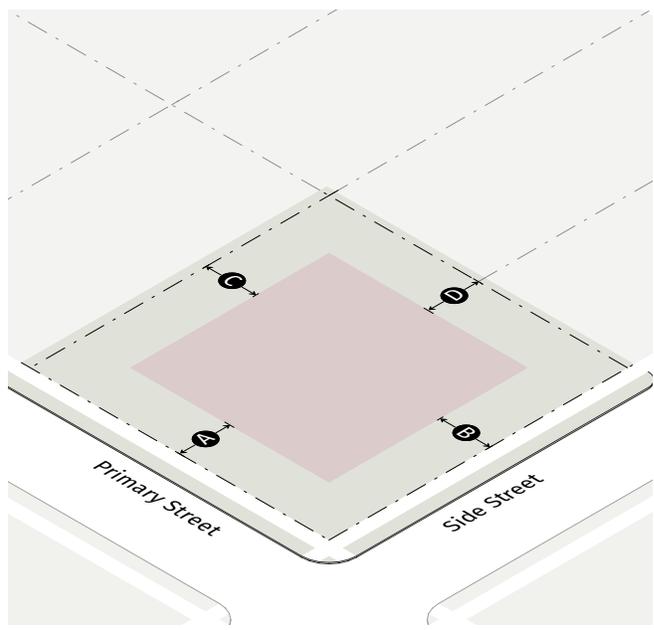
Allowed Uses see Sec. 38-712.

(2) LOT PARAMETERS



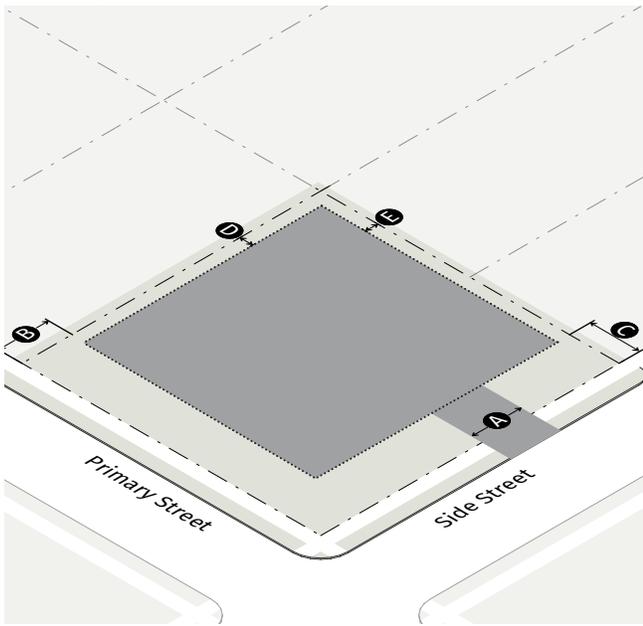
Lot	A Area	B Width
n/a	n/a	n/a
Specifications		
C Building coverage	5% max	

(3) BUILDING PLACEMENT



Building Setbacks		
A Primary street		20' min
B Side street		20' min
C Side: common lot line		20' min
D Rear: common lot line		20' min
River*		100' min
*As measured from the "Floodway"		

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

New street curb-cuts allowed per lot

Determined by [Director of Codes Administration](#)
[Director of the Land Development Office](#)

A Driveway width in setback 20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

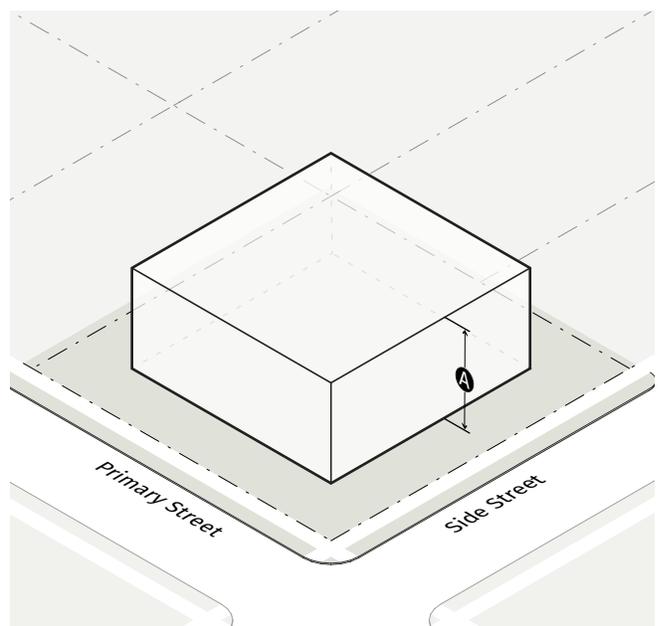
B Primary street 20' min

C Side street 20' min

D Side: common lot line 5' min

E Rear: common lot line 5' min

(5) HEIGHT AND MASS



Building Height

A Maximum height 35' max

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Riverside	
A Ground story	n/a	River setback*	100' min
B Upper story	n/a	Multi-purpose path	10' min
C Blank wall length	n/a	*As measured from the "Floodway"	
Story Height		Streetside	
D Ground floor elevation	n/a	L Primary/side street setbacks	20' min
E Ground story, floor to floor	n/a	J Clear pedestrian zone**	6' min
F Upper story, floor to floor	n/a	N Street tree/furniture zone depth**	6' min
Pedestrian Access		Street tree planting type	Tree pit/verge
G Entrance facing primary street	n/a	Tree spacing	30' avg. on-center
H Entrance spacing along primary street	n/a	**Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696. (4)).	
Building Elements Allowed			
Awning/canopy	n/a		
Balcony	n/a		
Forecourt	n/a		
Gallery	n/a		
Porch	n/a		
Stoop	n/a		

Sec. 38-712. Allowed Uses

(1) Classification of Uses

- A. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use categories provide a systematic basis for assigning uses to appropriate categories with other, similar uses. Use categories classify principal uses and activities based on common functional, product or physical characteristics.
- B. Where a use category contains a list of included uses, the list is to be considered example uses, and not all-inclusive. The ~~Director of Codes Administration~~ Director of the Land Development Office has the responsibility for categorizing all uses (see Sec. 38-737.(3)).
- C. A full list of uses and use categories are specified in Sec. 38-738.

(2) Allowed Use Table

A. Permitted Use (P)

Indicates a use is permitted in the respective zone. The use is also subject to all other applicable requirements of the Downtown Code.

B. Limited Use (L)

Indicates a use is permitted in the respective zone, subject to a use standard found in the right-hand column of the use table. The use is also subject to all other applicable requirements of the Downtown Code.

C. Special Exception from the BZA Required (SZ)

Indicates a use may be permitted in the respective zone, subject to the approval of a Special Exceptions Permit issued by the Board of Zoning Appeals under the terms specified in Article VIII (§§ 38-561 - 38-573) of Chapter 38.

D. Special Exception from City Council Required (SC)

Indicates a use may be permitted in the respective zone, subject to the approval of a Special Exceptions Permit issued by the City Council.

E. Use Not Permitted (--)

Indicates that a use is not permitted in the respective zone.

RIVER | Allowed Uses

SEE SEC. 38-738 FOR ADDITIONAL USE PROVISIONS

Use Category: Specific Use	River				Definition/ Standards
	R-RF	R-RV	R-CIV	R-PK	
Residential Uses					
Household Living					38-738.(1)A.1.
Single-unit living detached	--	--	--	--	
Single-unit living detached with accessory dwelling unit	--	--	--	--	
Two-unit living	--	--	--	--	
Single-unit living attached	--	--	--	--	
<u>Single-unit living attached with accessory dwelling unit</u>	--	--	--	--	<u>38-738.(6)C.</u>
Multi-unit living (up to 4 units)	--	--	--	--	
Multi-unit living (5+ units)	P	P	--	--	
Manufactured home, single-wide	--	--	--	--	
Manufactured home park	--	--	--	--	
Live/work unit	L	L	--	--	38-738.(1)A.2.
Group Living					38-738.(1)B.
Assisted living facility	SZ	SZ	--	--	38-568.(19)
Boarding house	SZ	SZ	--	--	38-568.(19)
Dormitory	SZ	P	--	--	38-568
Fraternity/sorority	SZ	P	--	--	38-568
Medically assisted living facility	SZ	SZ	--	--	38-568.(19)
Nursing home	SZ	SZ	--	--	38-568.(19)
Residential home for handicapped or aged persons, commercial	SC	SC	--	--	38-523
Social Services	SZ	SZ	--	--	38-738.(1)C.
Public/Institutional Uses					
Civic, except as listed below:	--	--	P	--	38-738.(2)A.
Church or other place of worship	P	P	P	--	
Fire/police station	P	P	P	--	
Kindergarten, governmental or religious	P	P	P	--	
Non-profit heritage educational facility	SC	SC	SC	--	38-525
Publicly-owned building	P	P	P	P	
School	P	P	P	--	

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required
SC = Special Exception from City Council Required -- = Not Permitted

SEE SEC. 38-738 FOR ADDITIONAL USE PROVISIONS

Use Category: Specific Use	River				Definition/ Standards
	R-RF	R-RV	R-CIV	R-PK	
Public/Institutional Uses					
Parks and Open Space, except as listed below:	P	P	P	P	38-738.(2)B.
Cemetery	--	--	--	--	
Golf course	--	--	--	--	
Utilities					38-738.(2)C.
Minor utilities	P	P	P	P	
Major utilities	--	--	--	--	
Wireless Communications	SZ	SZ	SZ	--	38-568.(16)
Commercial Uses					
Adult-Oriented Business	--	--	--	--	
Animal Care					38-738.(3)B
Animal care, indoor	--	--	--	--	
Animal care, outdoor	--	--	--	--	
Day Care	SZ	SZ	P	--	38-738.(3)C.
Indoor Recreation	--	--	--	--	38-738.(3)D.
Medical, except as listed below:	--	--	--	--	38-738.(3)E
Hospital	--	--	--	--	
Office	--	--	--	--	38-738.(3)F.
Outdoor Recreation	--	--	--	--	38-738.(3)G.
Overnight Lodging					38-738.(3)H.
Bed and breakfast	P	P	--	--	
Hotel, motel	P	P	--	--	
Short-term vacation rental	SZ	SZ	--	--	38-568
Travel trailer camp or other camping facility	--	--	--	--	
Parking					38-738.(3)I.
Commercial parking	--	SZ	--	--	38-568
Remote (off-site) parking	P	P	SZ	--	38-568
Passenger Terminal	--	--	--	--	38-738.(3)J.
Personal Service	P	P	--	--	
Restaurant, except as listed below:	P	P	--	--	
late night entertainment/event facility, nightclub	SC	SC	--	--	38-527

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required
 SC = Special Exception from City Council Required -- = Not Permitted

RIVER | Allowed Uses

SEE SEC. 38-738 FOR ADDITIONAL USE PROVISIONS

Use Category: Specific Use	River				Definition/ Standards
	R-RF	R-RV	R-CIV	R-PK	
Commercial Uses					
Retail, except as listed below	P	P	--	--	
Alternative financial services establishment	--	--	--	--	
Gas station	--	--	--	--	
Liquor store	SC	SC	--	--	City Code 5-108
Open air market	--	SZ	SZ	SZ	38-568.(17)
Vehicle Sales and Rental			--	--	38-738.(3)N.
Minor sales and rental	--	--	--	--	
Major sales and rental	---	--	--	--	
Industrial Uses					
Artisanal	L	L	--	--	38-738.(4)A.
Heavy Industrial	--	--	--	--	38-738.(4)B.
Light Industrial/Manufacturing, except as listed below:	--	--	--	--	38-738.(4)C.
Alcohol distillery, small, micro-brewery	--	--	--	--	
Research and Development	--	--	--	--	38-738.(4)D.
Resource Extraction	--	--	--	--	38-738.(4)E.
Vehicle Service and Repair					38-738.(4)F.
Minor vehicle service and repair	--	--	--	--	
Major vehicle service and repair	--	--	--	--	
Warehouse, Storage and Distribution	--	--	--	--	38-738.(4)G.
Waste-Related Service	--	--	--	--	38-738.(4)H.
Outdoor Uses					
Agriculture					38-738.(5)A.
Community garden	P	P	P	P	
Accessory Uses					
Day care home	P	P	--	--	38-738.(6)A.
Drive-thru facility	--	--	--	--	38-738.(6)B.
Home occupation	L	L	--	--	38-738.(6)D.
Outdoor dining	L	L	--	--	38-738.(6)E.
Outdoor display	--	L	--	--	38-738.(6)F.
Outdoor storage, minor	--	--	--	--	38-738.(6)G.
Outdoor storage, major	--	--	--	--	38-738.(6)H.

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required
 SC = Special Exception from City Council Required -- = Not Permitted

DIVISION 6. URBAN (U)

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Sec. 38-713. Urban Context



(1) General Character

The Urban Context consists of medium-intensity residential and commercial areas. Multi-family housing is predominant with opportunities for single-family detached and single-family attached. Commercial activity is concentrated along major roadways and at neighborhood nodes and is encouraged to be vertical mixed use. Equal emphasis is given to pedestrians, bicyclists and automobiles.

(2) Built Environment

Residential zones can be up to 3 stories in height and typically have larger front setbacks than the Downtown Core Context. Mixed use and commercial zones can be as tall as 8 stories, with parking to the rear of buildings. Building coverage is relatively high.

(3) Streets and Blocks

Streets and rights-of-way are generally narrower in width than in the Downtown Core Context. A rectilinear grid of streets frames a regular pattern of mid-sized, walkable blocks. Alleys are often present. Block shapes and sizes are relatively consistent. The typical block pattern includes detached and attached sidewalks, street trees, street and surface parking, and open space and landscaping. Residential and commercial access is typically via an alley or shared service drive to a surface parking lot.

(4) Parking and Mobility

Parking is primarily provided on-street, in surface lots and in structures in more intense mixed use zones. Surface parking is primarily located to the rear of buildings. In street design, equal emphasis is given to pedestrians, bicyclists and automobiles. There is access to multiple modes of transportation and frequent pedestrian activity.

Sec. 38-714. U-RD: Residential Detached Zone

(1) SUMMARY



Intent

The Residential Detached (U-RD) zone is intended to accommodate single-family detached housing with an attached or detached accessory structure on an individual lot in a pedestrian-friendly environment.

U-RD Zones

U-RD-2

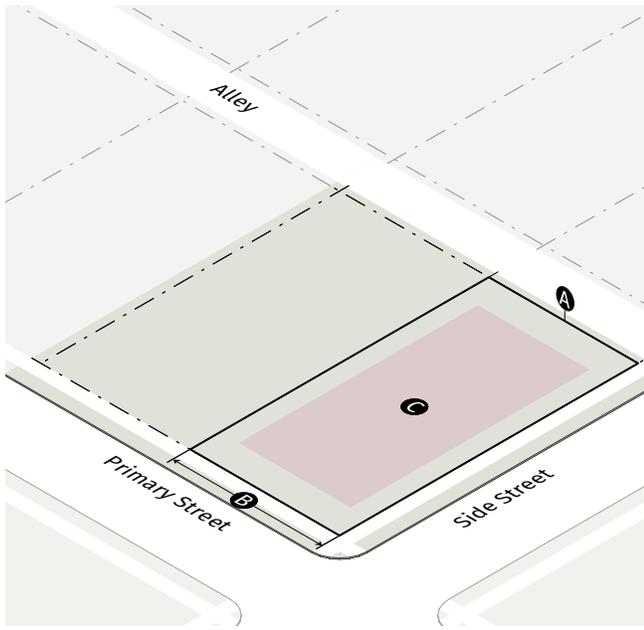
Lot Types

Single-unit detached	see Sec. 38-697.(3)
Public	see Sec. 38-697.(11)

Use

Allowed Uses	see Sec. 38-725.
--------------	------------------

(2) LOT PARAMETERS

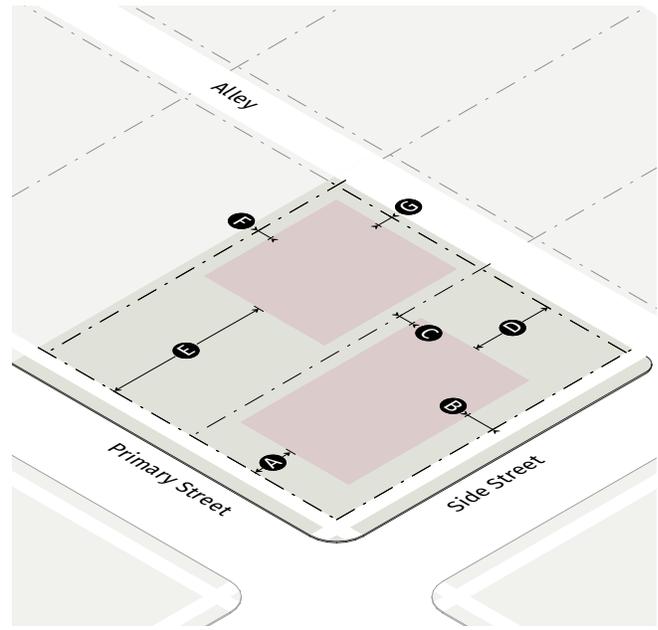


Lot	A Area	B Width
Single-unit detached	3,000 SF min	30' min
Public	5,000 SF min	50' min

Specifications

C Building coverage	80% max
---------------------	---------

(3) BUILDING PLACEMENT



Principal Building Setbacks

A Primary street	10' min or avg. front setback (Sec. 38-698.(2)D.)
B Side street	10' min
C Side: common lot line	3' min
C Side: alley	5' min
D Rear: common lot line/alley	25' min

Accessory Structure Setbacks

E Primary street	40' min
Side street	10' min
F Side: common lot line	3' min
F Side: alley	5' min
G Rear: common lot line/alley	5' min

(4) ACCESS/PARKING LOCATION



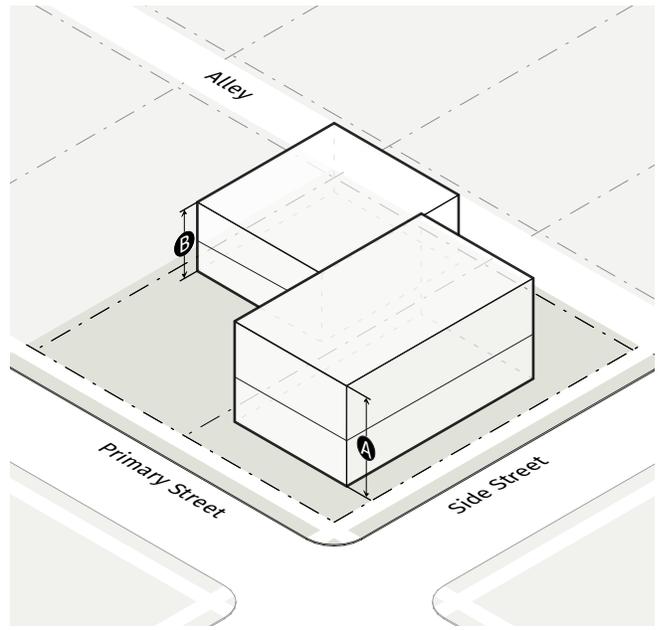
Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot	None
With no alley: new street curb-cuts per lot	1 max
With no alley: driveway width in setback	10' max

Parking Location

A Primary street yard	Not allowed
B Side street yard	Not allowed
C Side yard	Allowed
D Rear yard	Allowed

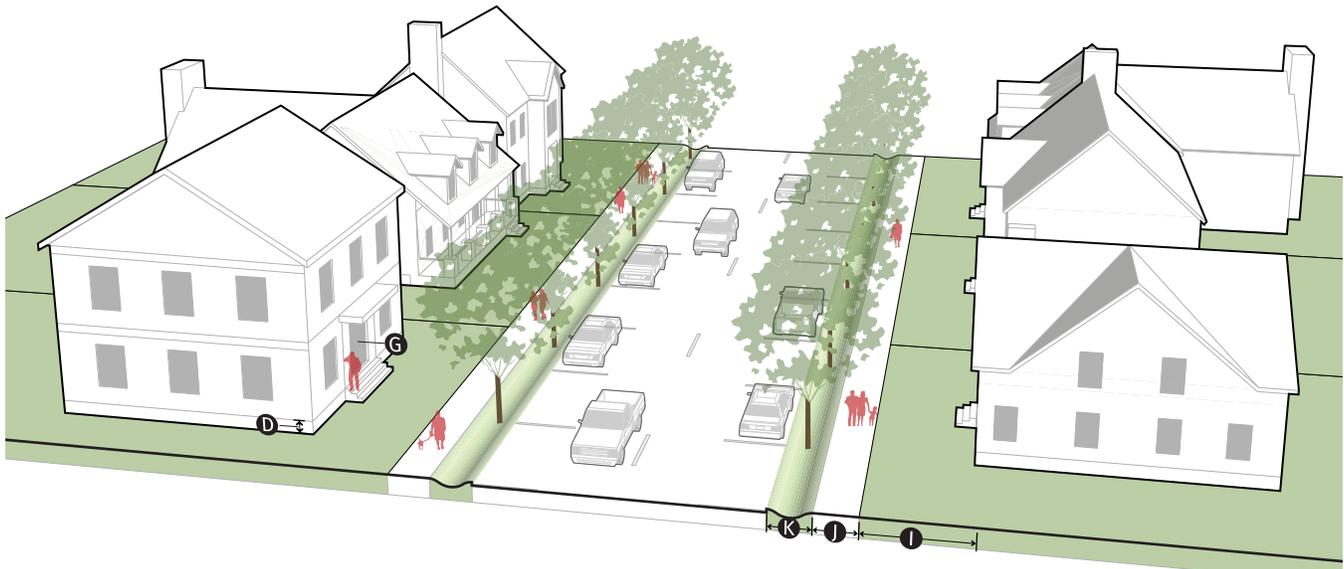
(5) HEIGHT AND MASS



Height

A Principal building	2 stories/35' max
B Accessory structure	2 stories/24' max

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setback	
A Ground story	n/a	I Primary/side street	see Sec. 38-714.(3)
B Upper story	n/a	Sidewalk*	
C Blank wall length	n/a	J Clear pedestrian zone	6' min
Story Height		Street Tree/Furniture Zone*	
D Ground floor elevation	16" min/5' max	K Street tree/furniture zone depth	6' min
E Ground story, floor to floor	n/a	Street tree planting type	Verge
F Upper story, floor to floor	n/a	Tree spacing	30' avg. on-center
Pedestrian Access		*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696.(4)).	
G Entrance facing primary street	Required		
H Entrance spacing along primary street	n/a		

Sec. 38-715. U-RA: Residential Attached Zone

(1) SUMMARY



Intent

The Residential Attached (U-RA) zone is intended to accommodate a mix of single-family, two-family and lower intensity multi-family housing options in a pedestrian-friendly environment.

U-RA Zones

U-RA-3

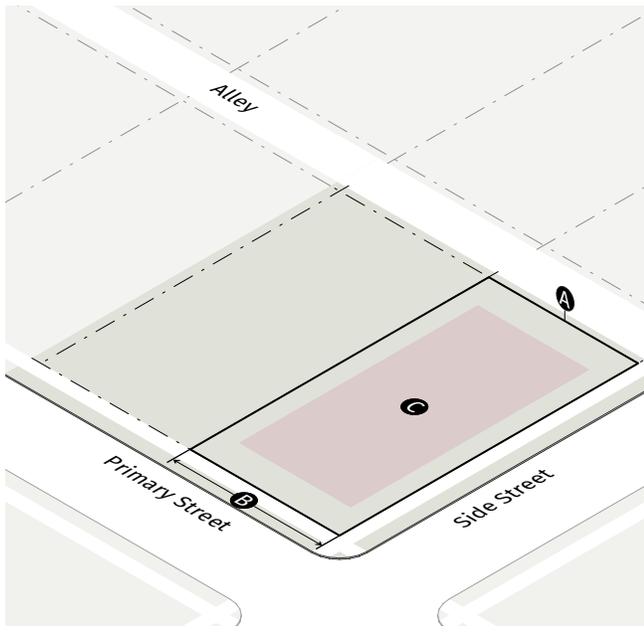
Lot Types

Single-unit detached	see Sec. 38-697.(3)
Two-unit	see Sec. 38-697.(4)
Single-unit attached	see Sec. 38-697.(5)
Multi-unit (up to 4 units)	see Sec. 38-697.(6)
Public	see Sec. 38-697.(11)

Use

Allowed Uses	see Sec. 38-725.
--------------	------------------

(2) LOT PARAMETERS

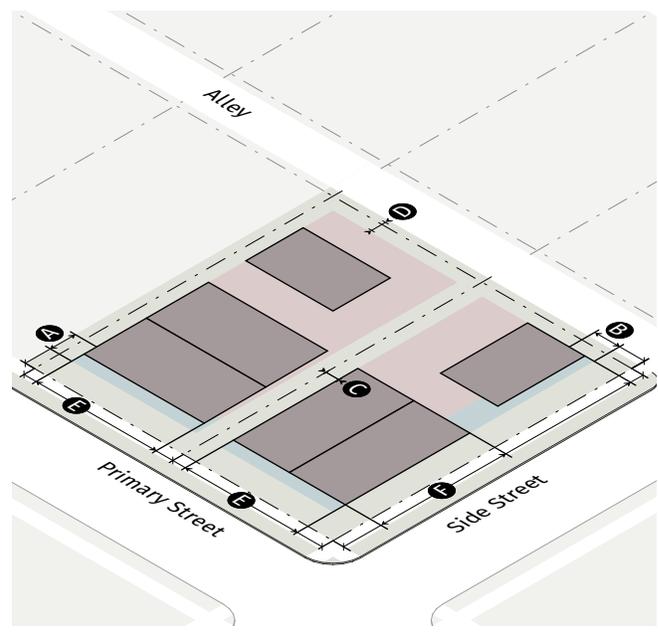


Lot	A Area	B Width
Single-unit detached	2,500 SF min	25' min
Two-unit	3,500 SF min	35' min
Single-unit attached	1,350 SF min	16' min
Multi-unit (up to 4 units)	5,000 SF min	50' min
Public	5,000 SF min	50' min

Specifications

C Building coverage	80% max
---------------------	---------

(3) BUILDING PLACEMENT



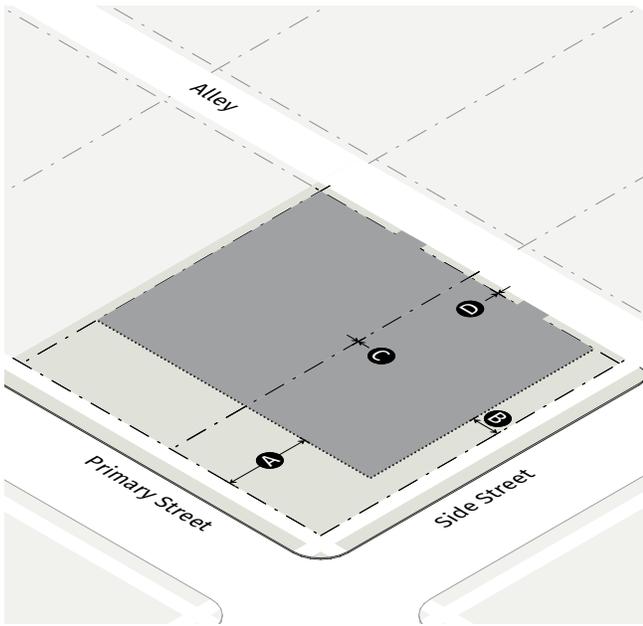
Building Setbacks

A Primary street	10' min/30' max
B Side street	10' min/30' max
C Side: common lot line/alley	5' min
C Side: single-unit attached, between abutting units	0' min
C Side: protected zone	15' min
D Rear: common lot line/alley	5' min
D Rear: protected zone	15' min

Lot Frontage

E Primary street	80% min
F Side street	40% min

(4) ACCESS/PARKING LOCATION



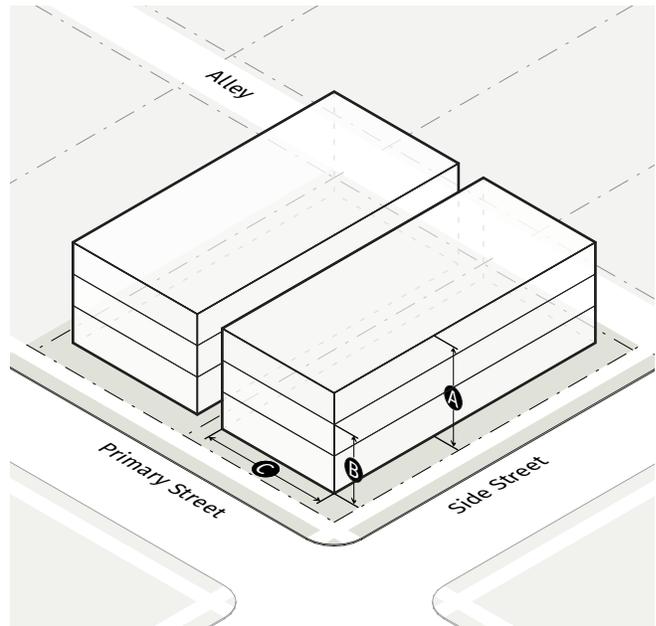
Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot	None
With no alley: new street curb-cuts per lot	Determined by Director of Codes Administration Director of the Land Development Office
With no alley: driveway width in setback	10' max

Parking Setbacks (see Sec. 38-698.(3)B.)

A Primary street	30' min
B Side street	10' min
C Side: common lot line/alley	0' min
C Side: protected zone	5' min
D Rear: common lot line/alley	0' min
D Rear: protected zone	5' min

(5) HEIGHT AND MASS



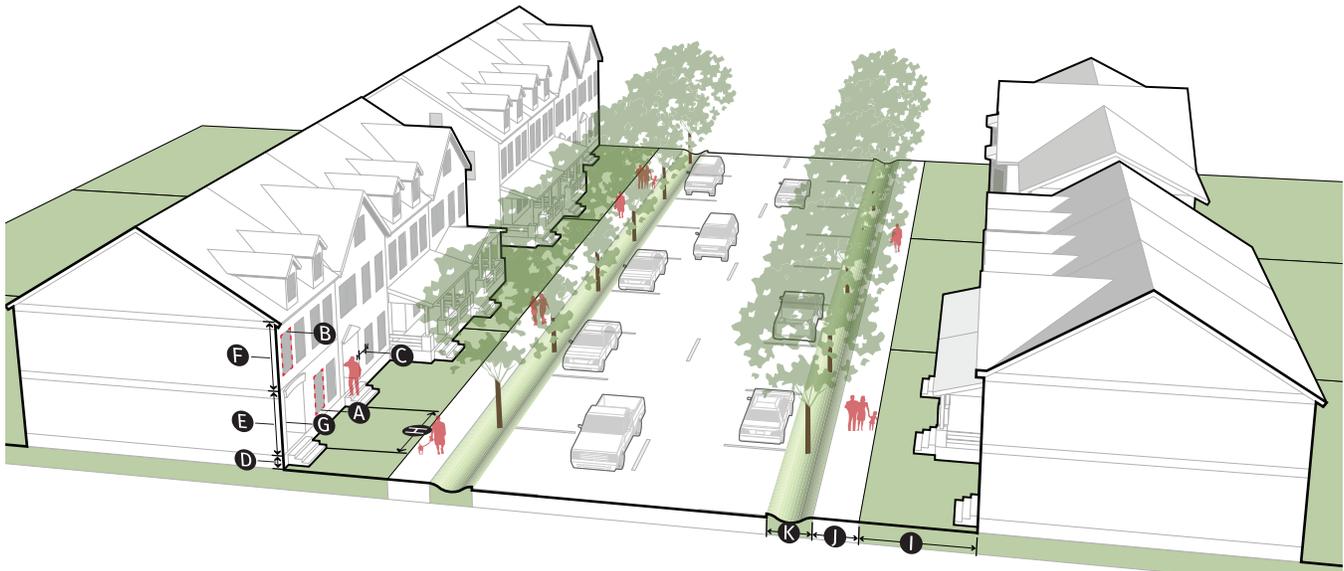
Building Height

A Maximum height	3 stories/40' max
Maximum height within 30 feet of a protected zone	2 stories/24' max
B Minimum height: A Street	2 stories min

Building Mass

C Street-facing building length	n/a
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(6) PUBLIC REALM

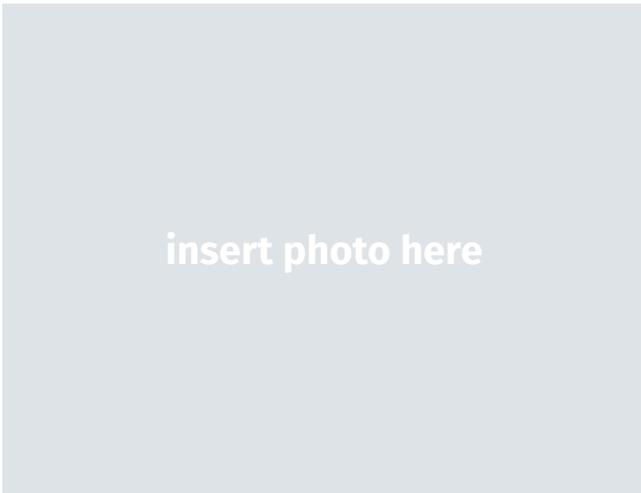


The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setback	
A Ground story	n/a	I Primary/side street	10' min/20' max
B Upper story	n/a	Sidewalk*	
C Blank wall length	30' max	J Clear pedestrian zone	6' min
Story Height		Street Tree/Furniture Zone*	
D Ground floor elevation	16" min/5' max	K Street tree/furniture zone depth	6' min
E Ground story, floor to floor	10' min	Street tree planting type	Verge
F Upper story, floor to floor	9' min	Tree spacing	30' avg. on-center
Pedestrian Access		*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696. (4)).	
G Entrance facing primary street	Required		
H Entrance spacing along primary street	50' max		
Building Elements Allowed			
Awning/canopy	◆		
Balcony	◆		
Forecourt	◆		
Gallery			
Porch	◆		
Stoop	◆		

Sec. 38-716. U-RM: Residential Multi-Unit Zone

(1) SUMMARY



Intent

The Residential Multi-Unit (U-RM) zone is intended to accommodate a mix of higher intensity multi-family housing options in a pedestrian-friendly environment. Live/work is allowed subject to standards that limit the extent of the use.

U-RM Zones

U-RM-3

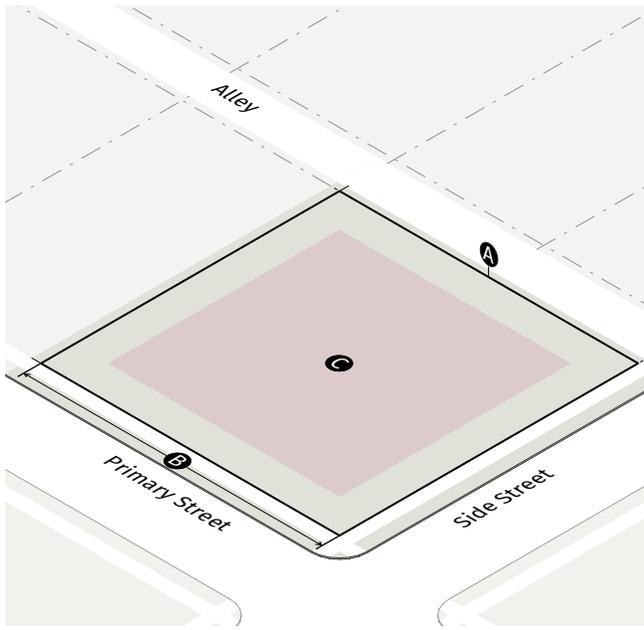
Lot Types

Single-unit detached	see Sec. 38-697.(3)
Two-unit	see Sec. 38-697.(4)
Single-unit attached	see Sec. 38-697.(5)
Multi-unit (up to 4 units)	see Sec. 38-697.(6)
Multi-unit (5+ units)	see Sec. 38-697.(7)
Public	see Sec. 38-697.(11)

Use

Allowed Uses	see Sec. 38-725.
--------------	------------------

(2) LOT PARAMETERS



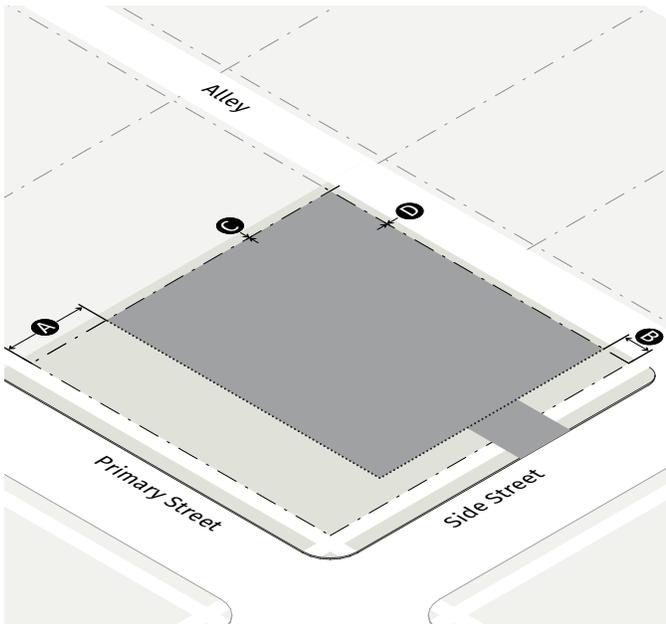
Lot	A Area	B Width
Single-unit detached	2,500 SF min	25' min
Two-unit	3,500 SF min	35' min
Single-unit attached	1,350 SF min	16' min
Multi-unit (up to 4 units)	5,000 SF min	50' min
Multi-unit (5+ units)	7,500 SF min	75' min
Public	5,000 SF min	50' min
Specifications		
C Building coverage	80% max	

(3) BUILDING PLACEMENT



Building Setbacks		
A Primary street	10' min/20' max	
B Side street	10' min/20' max	
C Side: common lot line/alley	5' min	
C' Side: single-unit attached, between abutting units	0' min	
C'' Side: protected zone	15' min	
D Rear: common lot line/alley	5' min	
D' Rear: protected zone	15' min	
Lot Frontage		
E Primary street	80% min	
F Side street	40% min	

(4) ACCESS/PARKING LOCATION



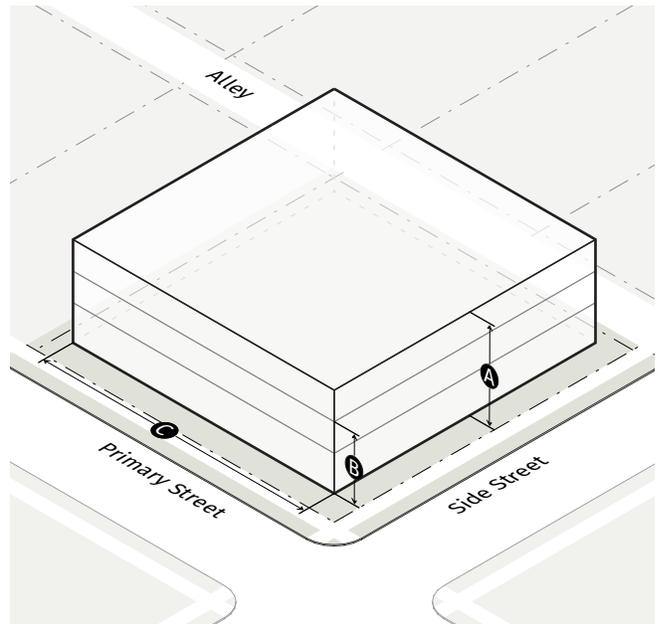
Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot	None
With no alley: new street curb-cuts per lot	Determined by Director of Codes Administration Director of the Land Development Office
With no alley: driveway width in setback	20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

A Primary street	30' min
B Side street	10' min
C Side: common lot line/ alley	0' min
C Side: protected zone	5' min
D Rear: common lot line/ alley	0' min
D Rear: protected zone	5' min

(5) HEIGHT AND MASS



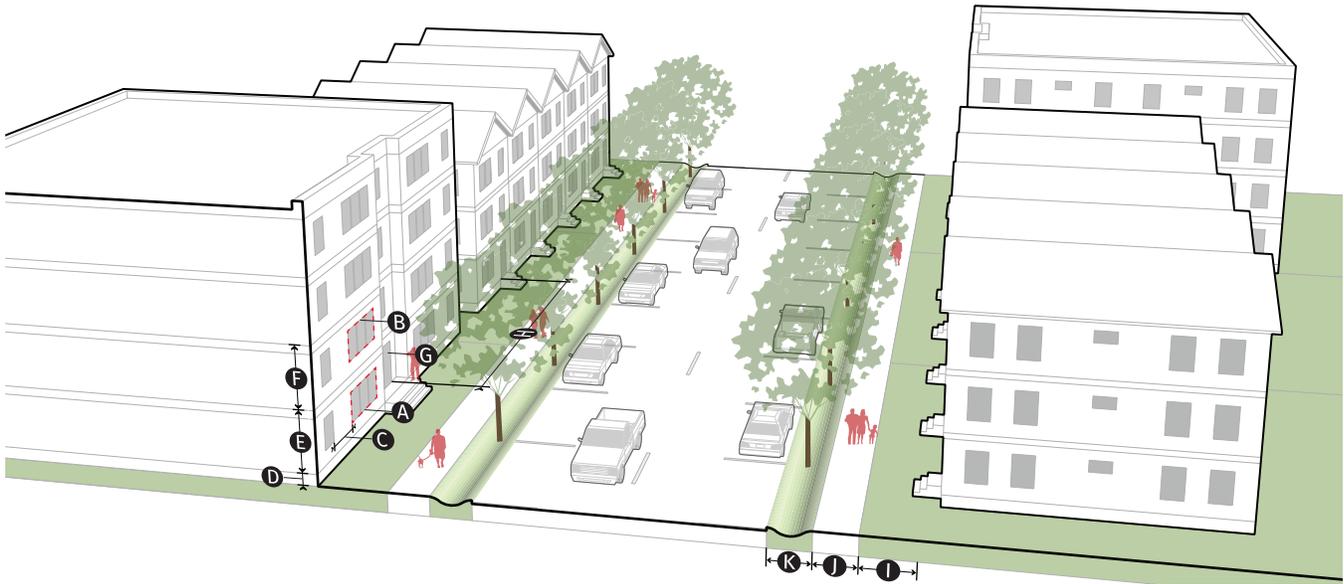
Building Height

A Maximum height	3 stories/40' max
Maximum height within 30 feet of a protected zone	2 stories/24' max
B Minimum height: A Street	2 stories min

Building Mass

C Street-facing building length	200' max
--	----------

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks	
A	Ground story	30% min	I Primary/side street 10' min/20' max
B	Upper story	25% min	Sidewalk*
C	Blank wall length	30' max	J Clear pedestrian zone 6' min
Story Height		Street Tree/Furniture Zone*	
D	Residential ground floor elevation	16" min/ 5' max	K Street tree/furniture zone depth 6' min
D	Live/work ground floor elevation	0' min/5' max	Street tree planting type Verge
E	Ground story, floor to floor	10' min	Tree spacing 30' avg. on-center
F	Upper story, floor to floor	9' min	
Pedestrian Access		*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696. (4)).	
G	Entrance facing primary street	Required	
H	Entrance spacing along primary street	75' max	
Building Elements Allowed			
	Awning/canopy	◆	
	Balcony	◆	
	Forecourt	◆	
	Gallery		
	Porch	◆	
	Stoop	◆	

Sec. 38-717. U-CX: Commercial Mixed Use Zone

(1) SUMMARY



Intent

The Commercial Mixed Use (U-CX) zone is intended to accommodate a variety of residential, retail, service and commercial building forms and uses in a pedestrian-friendly environment. Although buildings are allowed to be exclusively residential or nonresidential in use, the vertical mixing of uses is strongly encouraged.

U-CX Zones

U-CX-3, U-CX-4, U-CX-6

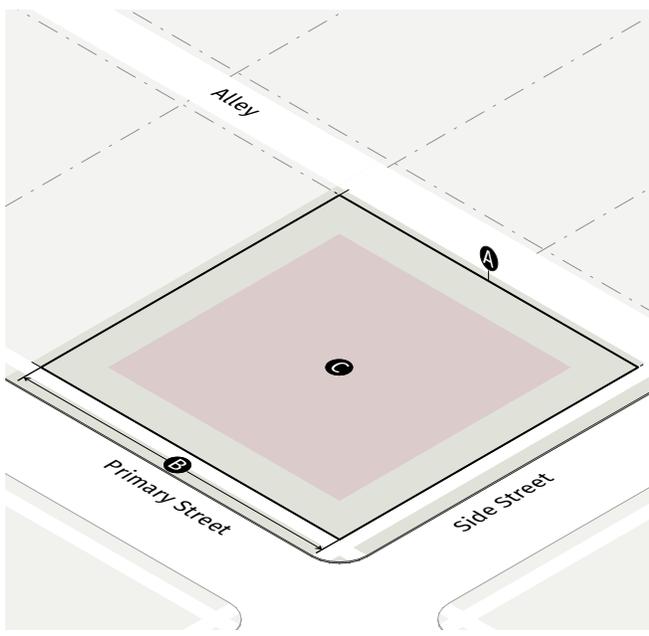
Lot Types

Hybrid	see Sec. 38-697.(8)
Public	see Sec. 38-697.(11)

Use

Allowed Uses	see Sec. 38-725.
--------------	------------------

(2) LOT PARAMETERS

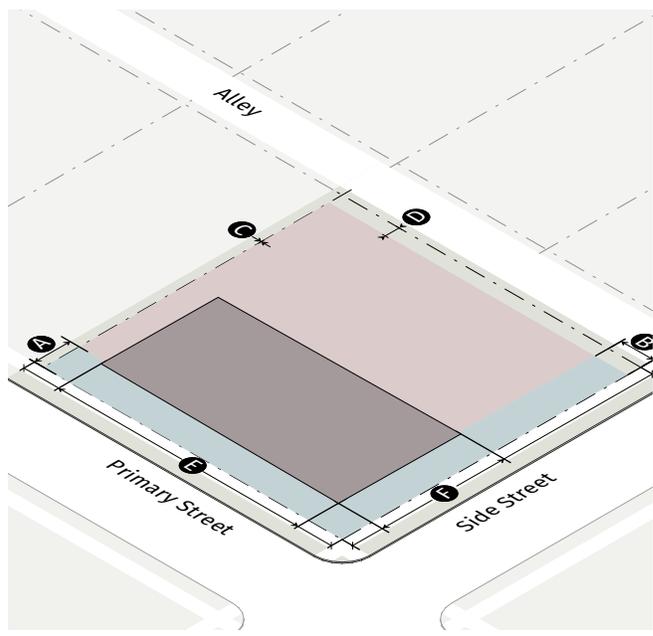


Lot	A Area	B Width
Hybrid	2,500 SF min	25' min
Public	2,500 SF min	25' min

Specifications

C Building coverage	80% max
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(3) BUILDING PLACEMENT



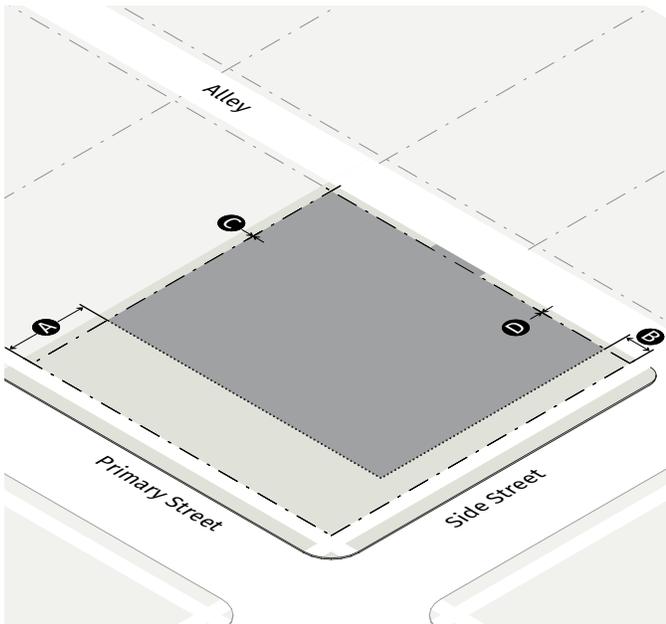
Building Setbacks

A Primary street	0' min/15' max
B Side street	0' min/15' max
C Side: common lot line	0' min
C Side: alley	5' min
C Side: protected zone	15' min
D Rear: common lot line	0' min
D Rear: alley	5' min
D Rear: protected zone	15' min

Lot Frontage

E Primary street	80% min
F Side street	40% min

(4) ACCESS/PARKING LOCATION



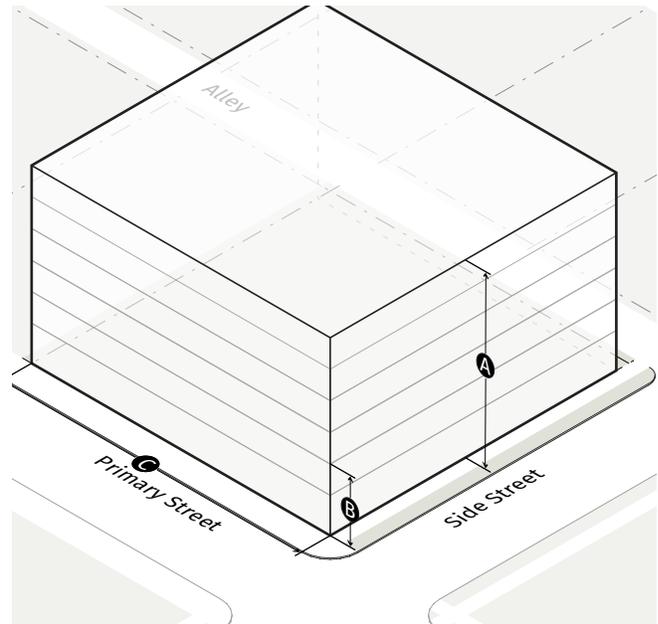
Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot	None
With no alley: new street curb-cuts per lot	Determined by Director of Codes Administration Director of the Land Development Office
With no alley: driveway width in setback	20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

A Primary street	30' min
B Side street	10' min
C Side: common lot line/alley	0' min
C Side: protected zone	5' min
D Rear: common lot line/alley	0' min
D Rear: protected zone	5' min

(5) HEIGHT AND MASS



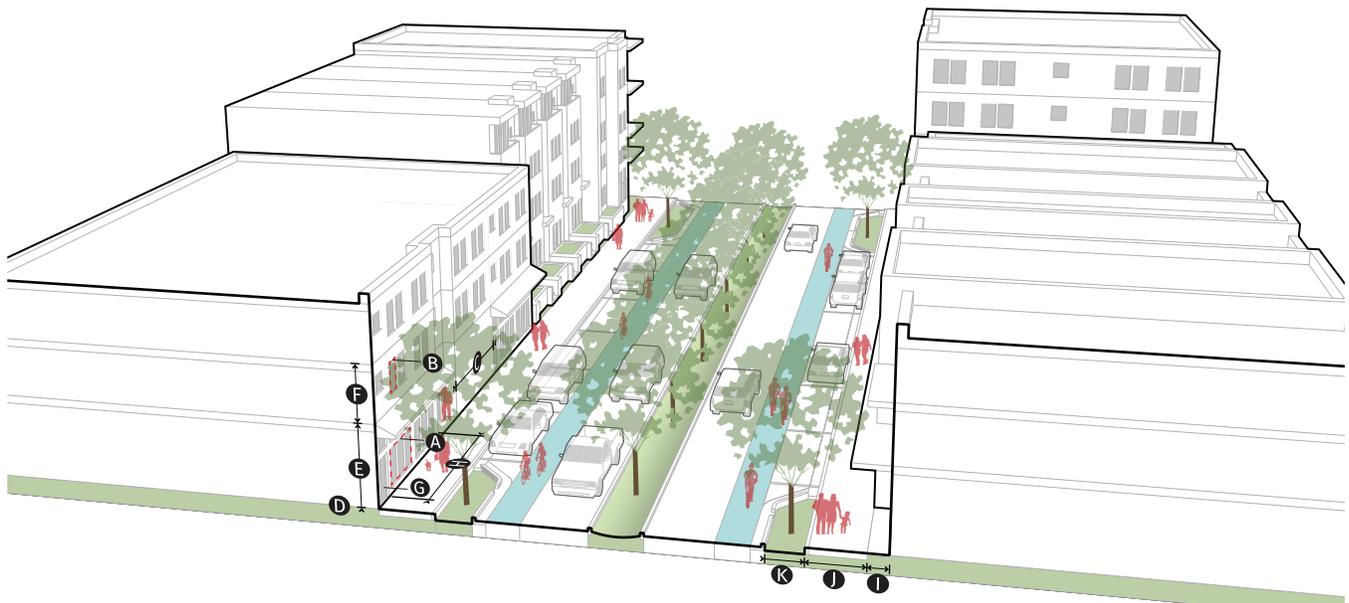
Building Height

A Maximum height	
U-CX-3	3 stories/40' max
U-CX-4	4 stories/50' max
U-CX-6	6 stories/75' max
Maximum height within 30 feet of a protected zone	2 stories/24' max
B Minimum height: A Street	2 stories min

Building Mass

C Street-facing building length	250' max
--	----------

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

	Residential Ground Floor	Nonresidential Ground Floor
Transparency		
A Ground story	30% min	50% min
B Upper story	25% min	25% min
C Blank wall length	30' max	30' max
Story Height		
D Ground floor elevation	16" min/ 5' max	0' min/ 2' max
E Ground story: floor to floor	10' min	13' min
F Upper story: floor to floor	9' min	9' min
Pedestrian Access		
G Entrance facing primary street	Required	Required
H Entrance spacing along primary street	75' max	100' max
Building Elements Allowed		
Awning/canopy	◆	◆
Balcony	◆	◆
Forecourt	◆	◆
Gallery		◆
Porch	◆	◆
Stoop	◆	◆

Setbacks

I Primary/side street	0' min/15' max
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Sidewalk*

J Clear pedestrian zone	6' min
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Street Tree/Furniture Zone*

K Street tree/furniture zone depth	6' min
Street tree planting type	Tree pit/verge
Tree spacing	30' avg. on-center

*Where there is insufficient ROW to meet the minimum requirements, the [Director of Codes-Administration](#) [Director of the Land Development Office](#) may approve modifications (see Sec. 38-696. (4)).

Sec. 38-718. U-SH: Shopfront Mixed Use Zone

(1) SUMMARY



Intent

The Shopfront Mixed Use (U-SH) zone is intended to accommodate a variety of residential, retail, service and commercial building uses in a storefront environment. Uses are flexible but tall ground floors with large areas of transparent glazing are required to accommodate retail uses in the future.

U-SH Zones

U-SH-3, U-SH-4, U-SH-6

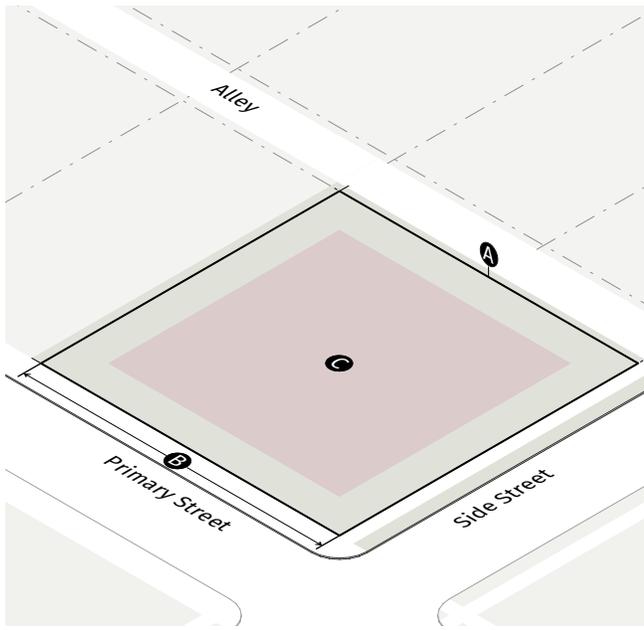
Lot Types

Hybrid see Sec. 38-697.(8)

Use

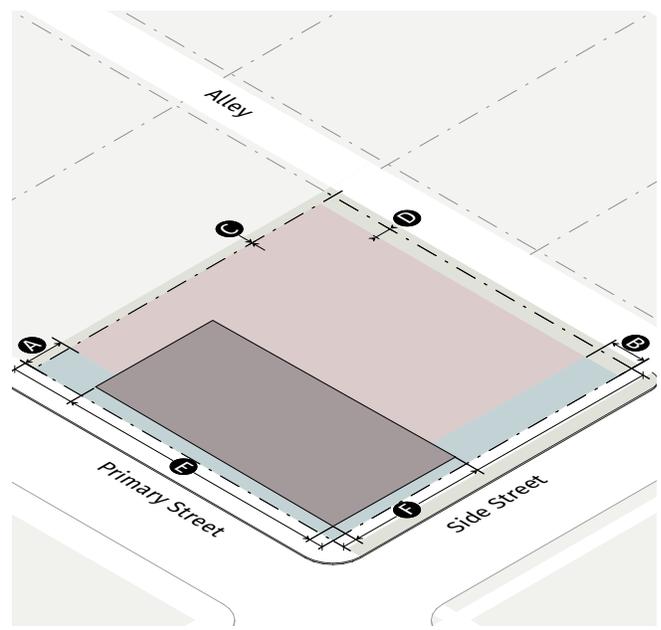
Allowed Uses see Sec. 38-725.

(2) LOT PARAMETERS



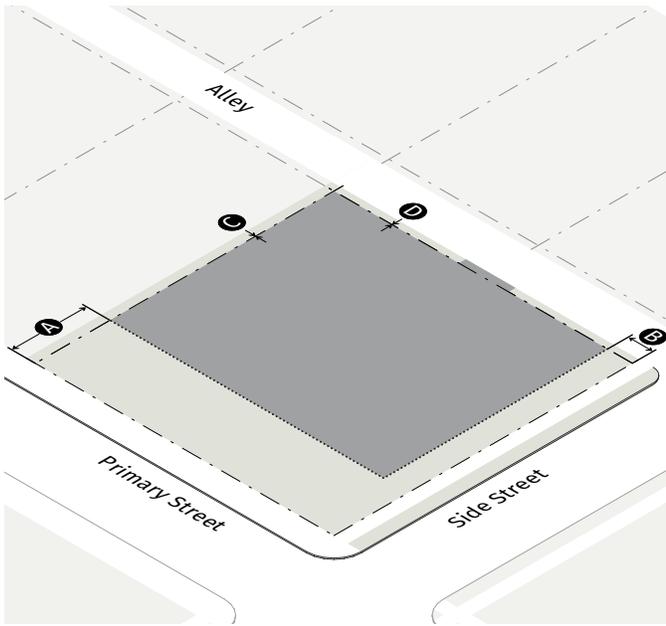
Lot	A Area	B Width
Hybrid	2,500 SF min	25' min
Specifications		
C Building coverage	80% max	

(3) BUILDING PLACEMENT



Building Setbacks		
A Primary street	0' min/10' max	
B Side street	0' min/10' max	
C Side: common lot line	0' min	
C Side: alley	5' min	
C Side: protected zone	15' min	
D Rear: common lot line	0' min	
D Rear: alley	5' min	
D Rear: protected zone	15' min	
Lot Frontage		
E Primary street	85% min	
F Side street	40% min	

(4) ACCESS/PARKING LOCATION



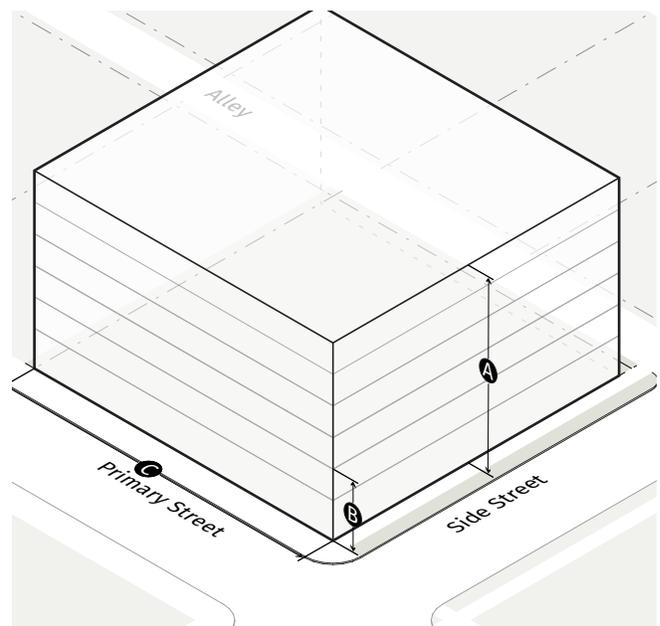
Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot	None
With no alley: new street curb-cuts per lot	Determined by Director of Codes Administration Director of the Land Development Office
With no alley: driveway width in setback	20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

A Primary street	30' min
B Side street	10' min
C Side: common lot line/alley	0' min
C Side: protected zone	5' min
D Rear: common lot line/alley	0' min
D Rear: protected zone	5' min

(5) HEIGHT AND MASS



Building Height

A Maximum height	
U-SH-3	3 stories/40' max
U-SH-4	4 stories/50' max
U-SH-6	6 stories/75' max
Maximum height within 30 feet of a protected zone	2 stories/24' max
B Minimum height: A Street	2 stories min

Building Mass

C Street-facing building length	250' max
--	----------

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks	
A	Ground story	70% min	
B	Upper story	25% min	
C	Blank wall length	20' max	
Story Height		Sidewalk*	
D	Ground floor elevation	0' min/2' max	
E	Ground story, floor to floor	15' min	
F	Upper story, floor to floor	9' min	
Pedestrian Access		I	Primary/side street
G	Entrance facing primary street	Required	0' min/10' max
H	Entrance spacing along primary street	50' max	
Building Elements Allowed		J	Clear pedestrian zone
Awning/canopy	◆	Primary street	10' min
Balcony	◆	Side street	6' min
Forecourt	◆	Street Tree/Furniture Zone*	
Gallery	◆	K	Street tree/furniture zone depth
Porch			6' min
Stoop		Street tree planting type	
		Primary street	Tree pit
		Side street	Tree pit/verge
		Tree spacing	30' avg. on-center

*Where there is insufficient ROW to meet the minimum requirements, the [Director of Codes-Administration](#) [Director of the Land Development Office](#) may approve modifications (see Sec. 38-696. (4)).

Sec. 38-719. U-IX: Industrial Mixed Use Zone

(1) SUMMARY



Intent

The Industrial Mixed Use (U-IX) zone is intended to accommodate a variety of light industrial and manufacturing uses while allowing for retail, service and commercial activity and limited residential opportunities in a pedestrian-friendly environment.

U-IX Zones

U-IX-3, U-IX-4, U-IX-6, U-IX-8

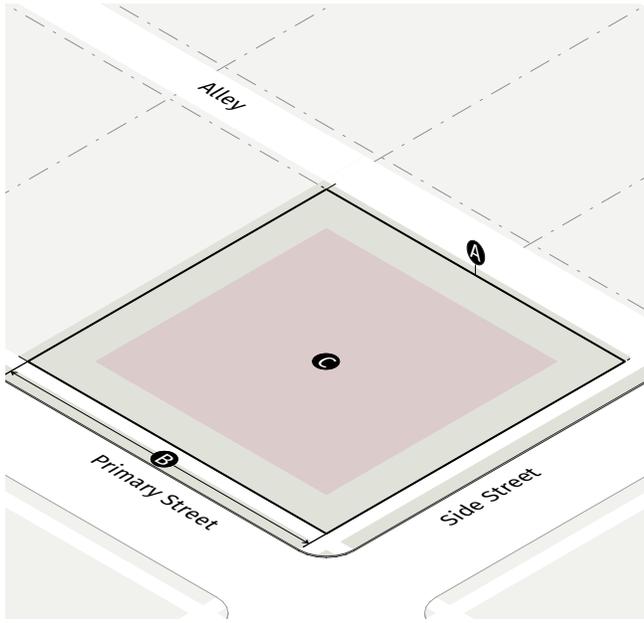
Lot Types

Hybrid	see Sec. 38-697.(8)
Production	see Sec. 38-697.(10)
Public	see Sec. 38-697.(11)

Use

Allowed Uses	see Sec. 38-725.
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(2) LOT PARAMETERS

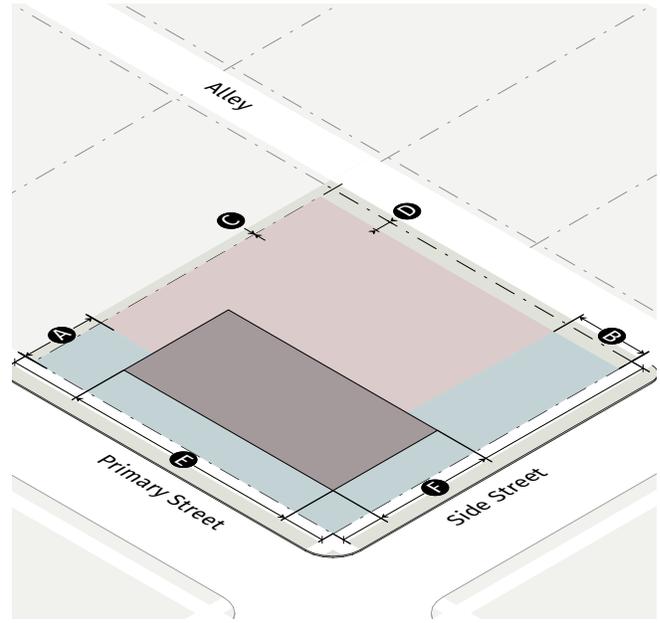


Lot	A Area	B Width
Hybrid	2,500 SF min	25' min
Production	2,500 SF min	25' min
Public	2,500 SF min	25' min

Specifications

C Building coverage	80% max
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(3) BUILDING PLACEMENT



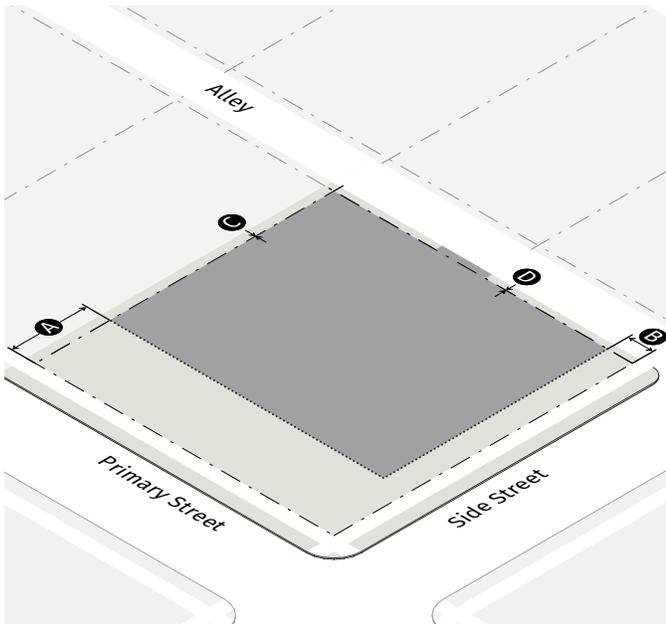
Building Setbacks

A Primary street	0' min/15' max
B Side street	0' min/15' max
C Side: common lot line	0' min
C Side: alley	5' min
C Side: protected zone	15' min
D Rear: common lot line	0' min
D Rear: alley	5' min
D Rear: protected zone	15' min

Lot Frontage

E Primary street	80% min
F Side street	40% min

(4) ACCESS/PARKING LOCATION



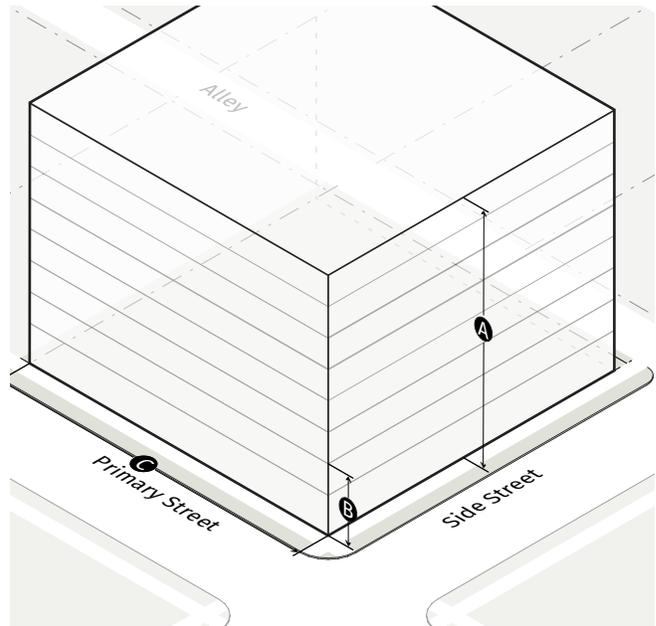
Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot	None
With no alley: new street curb-cuts per lot	Determined by Director of Codes Administration and Director of the Land Development Office
With no alley: driveway width in setback	20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

A Primary street	30' min
B Side street	10' min
C Side: common lot line/alley	0' min
C Side: protected zone	5' min
D Rear: common lot line/alley	0' min
D Rear: protected zone	5' min

(5) HEIGHT AND MASS



Building Height

A Maximum height	
U-IX-3	3 stories/40' max
U-IX-4	4 stories/50' max
U-IX-6	6 stories/75' max
U-IX-8	8 stories/100' max
Maximum height within 30 feet of a protected zone	2 stories/24' max
B Minimum height: A Street	2 stories min

Building Mass

C Street-facing building length	250' max
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(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

	Residential Ground Floor	Nonresidential Ground Floor
Transparency		
A Ground story	30% min	50% min
B Upper story	25% min	25% min
C Blank wall length	30' max	30' max
Story Height		
D Ground floor elevation	16" min/ 5' max	0' min/ 2' max
E Ground story: floor to floor	10' min	13' min
F Upper story: floor to floor	9' min	9' min
Pedestrian Access		
G Entrance facing primary street	Required	Required
H Entrance spacing along primary street	75' max	100' max
Building Elements Allowed		
Awning/canopy	◆	◆
Balcony	◆	◆
Forecourt	◆	◆
Gallery		◆
Porch	◆	◆
Stoop	◆	◆

Setbacks

I Primary/side street	0' min/15' max
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Sidewalk*

J Clear pedestrian zone	6' min
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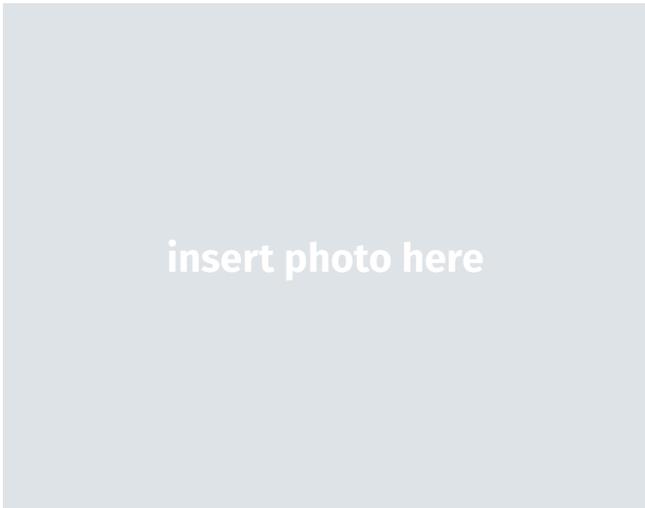
Street Tree/Furniture Zone*

K Street tree/furniture zone depth	6' min
Street tree planting type	Tree pit/verge
Tree spacing	30' avg. on-center

*Where there is insufficient ROW to meet the minimum requirements, the [Director of Codes-Administration](#) [Director of the Land Development Office](#) may approve modifications (see Sec. 38-696. (4)).

Sec. 38-720. U-CC: Commercial Corridor Zone

(1) SUMMARY



Intent

The Commercial Corridor (U-CC) zone is intended to accommodate a variety of auto-oriented commercial uses. While the zone allows buildings to be built to the street edge, the zone is intended to address auto-dominated corridors where it may be impractical to require buildings pulled up to the street.

U-CC Zones

U-CC-3

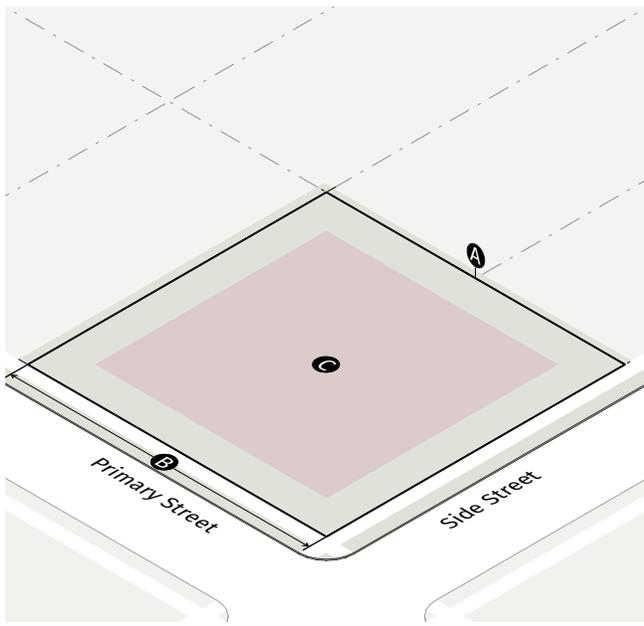
Lot Types

Commercial	see Sec. 38-697.(9)
Public	see Sec. 38-697.(11)

Use

Allowed Uses	see Sec. 38-725.
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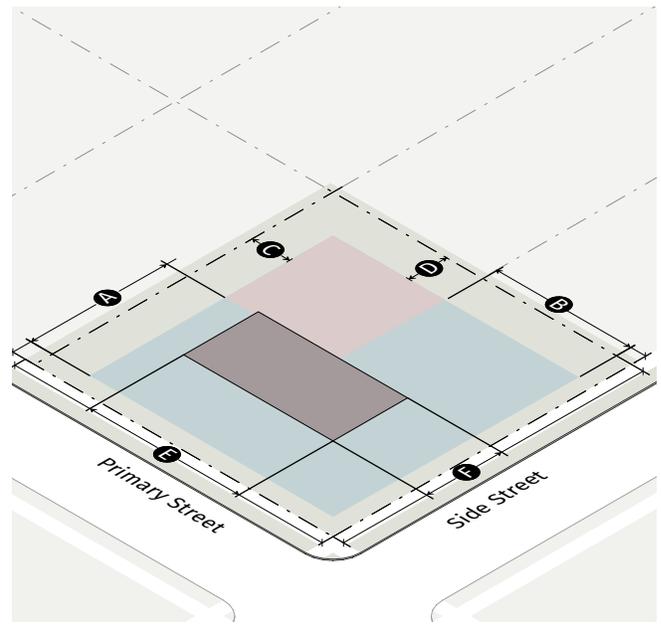
(2) LOT PARAMETERS



Lot	A Area	B Width
Commercial	15,000 SF min	100' min
Public	15,000 SF min	100' min

Specifications	
C Building coverage	80% max

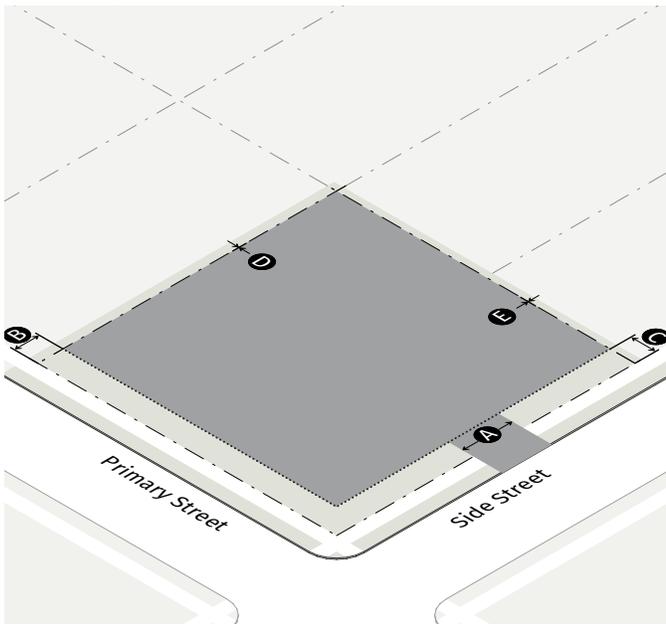
(3) BUILDING PLACEMENT



Building Setbacks	
A Primary street	10' min/100' max
B Side street	10' min/100' max
C Side: common lot line	15' min
D Rear: common lot line	15' min

Lot Frontage	
E Primary street	50% min
F Side street	25% min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

New street curb-cuts per lot
 Determined by [Director of Codes Administration](#) and [Director of the Land Development Office](#)

A Driveway width in setback 20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

B Primary street 10' min

C Side street 10' min

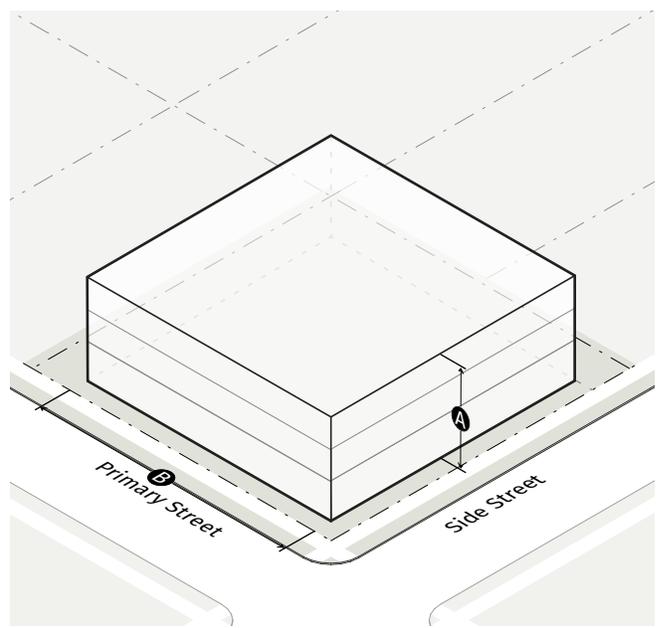
D Side: common lot line 0' min

D Side: protected zone 5' min

E Rear: common lot line 0' min

E Rear: protected zone 5' min

(5) HEIGHT AND MASS



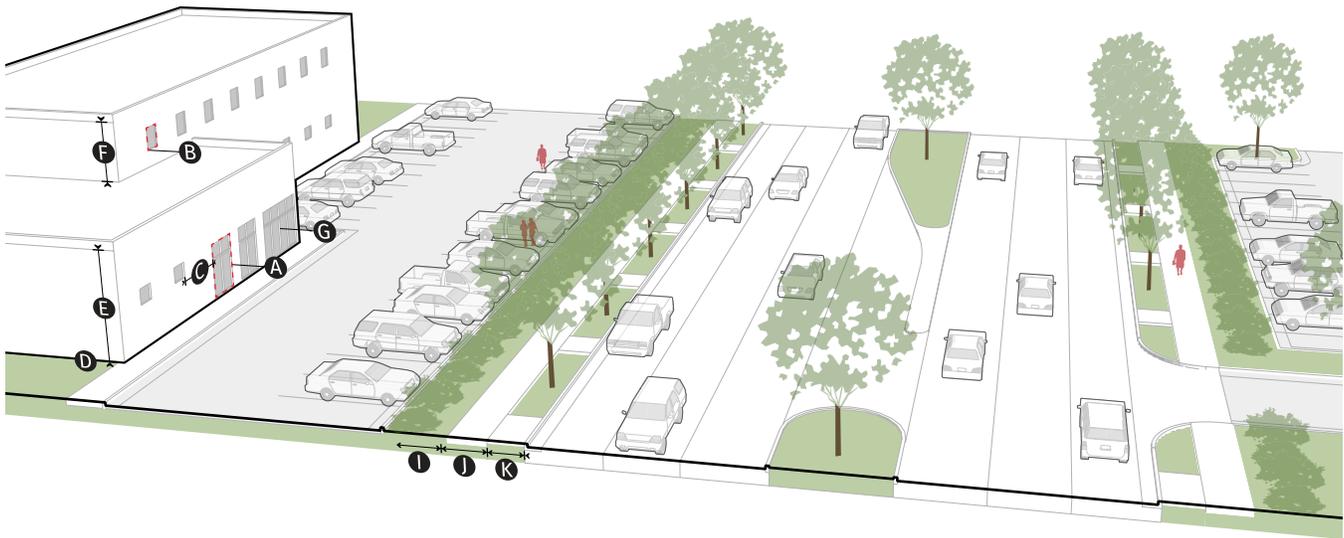
Building Height

A Maximum height 3 stories/40' max
 Maximum height within 30 feet of a protected zone 2 stories/24' max

Building Mass

B Street-facing building length 300' max

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks	
A	Ground story	40% min	
B	Upper story	25% min	
C	Blank wall length	50' max	
Story Height		Perimeter Planting	
D	Ground floor elevation	0' min/2' max	
E	Ground story, floor to floor	15' min	Applies only when surface parking abuts a public right-of-way (not including an alley)
F	Upper story, floor to floor	9' min	J Planting area
			10' min
			Planting type
			3' min hedge/wall (see Sec. 38-749.(4))
Pedestrian Access		Sidewalk*	
G	Entrance facing primary street	Required	
H	Entrance spacing along primary street	n/a	K Clear pedestrian zone
			6' min
Building Elements Allowed		Street Tree/Furniture Zone*	
	Awning/canopy	◆	
	Balcony	◆	L Street tree/furniture zone depth
	Forecourt	n/a	6' min
	Gallery	◆	Street tree planting type
	Porch		Verge
	Stoop		Tree spacing
			30' avg. on-center

*Where there is insufficient ROW to meet the minimum requirements, the [Director of Codes-Administration](#) [Director of the Land Development Office](#) may approve modifications (see Sec. 38-696.(4)).

Sec. 38-721. U-IN: Industrial Zone

(1) SUMMARY



Intent

The Industrial (U-IN) zone is intended to accommodate a broad range of high impact manufacturing or industrial uses that by their nature often create a nuisance, and are not necessarily compatible with, nearby residential or commercial uses.

U-IN Zones

U-IN-3, U-IN-4

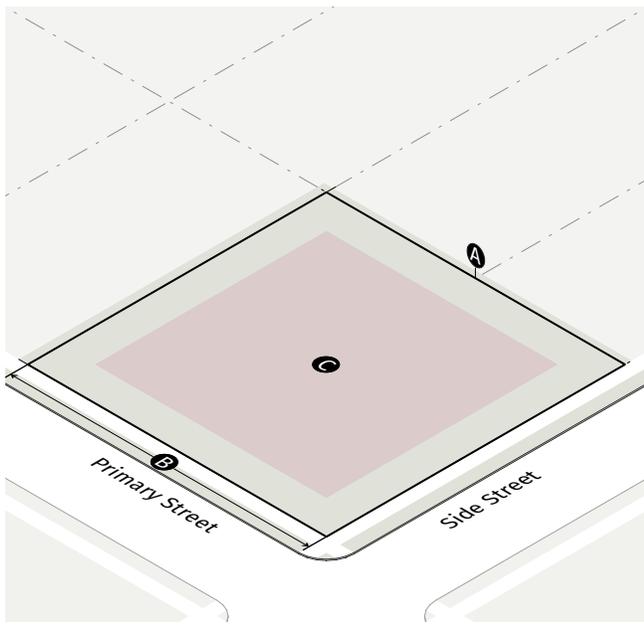
Lot Types

Production see Sec. 38-697.(10)

Use

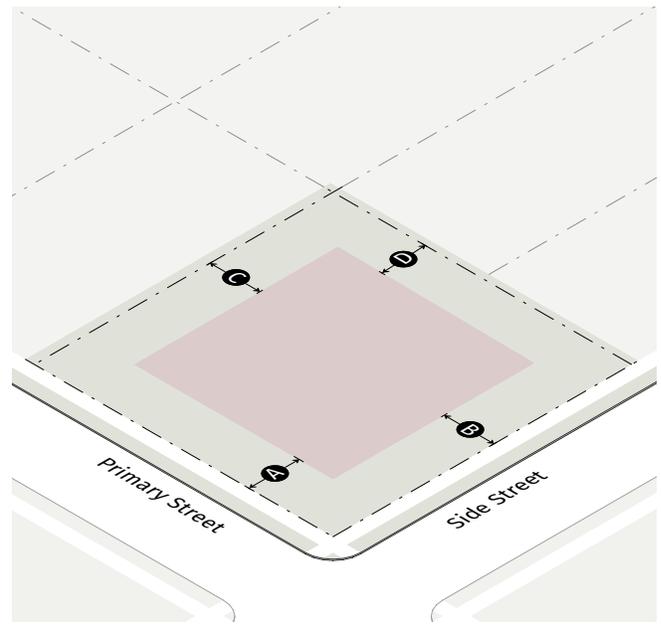
Allowed Uses see Sec. 38-725.

(2) LOT PARAMETERS



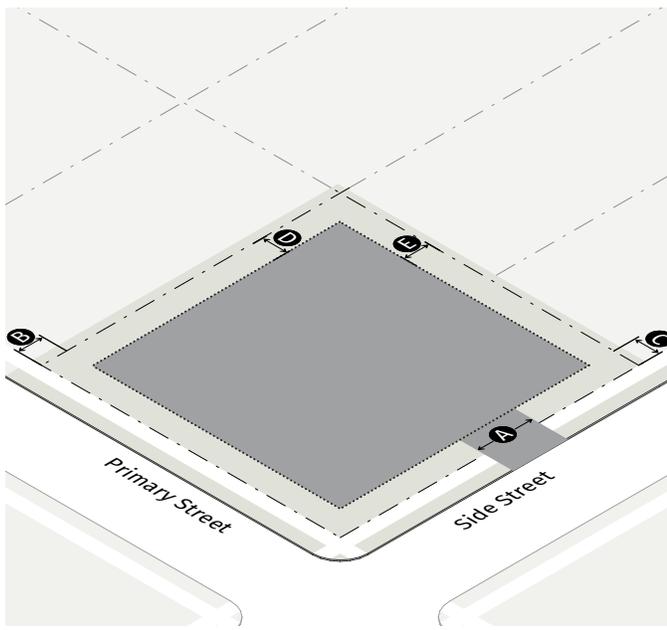
Lot	A Area	B Width
Production	15,000 SF min	100' min
Specifications		
C Building coverage	80% max	

(3) BUILDING PLACEMENT



Building Setbacks		
A Primary street		15' min
B Side street		15' min
C Side: common lot line		20' min
D Rear: common lot line		20' min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

New street curb-cuts per lot
 Determined by [Director of Codes Administration](#) and [Director of the Land Development Office](#)

A Driveway width in setback 20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

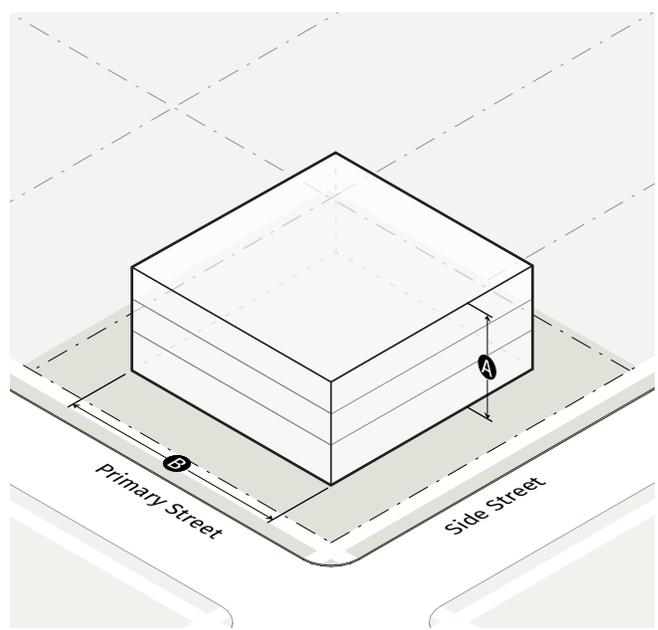
B Primary street 10' min

C Side street 10' min

D Side: common lot line 10' min

E Rear: common lot line 10' min

(5) HEIGHT AND MASS



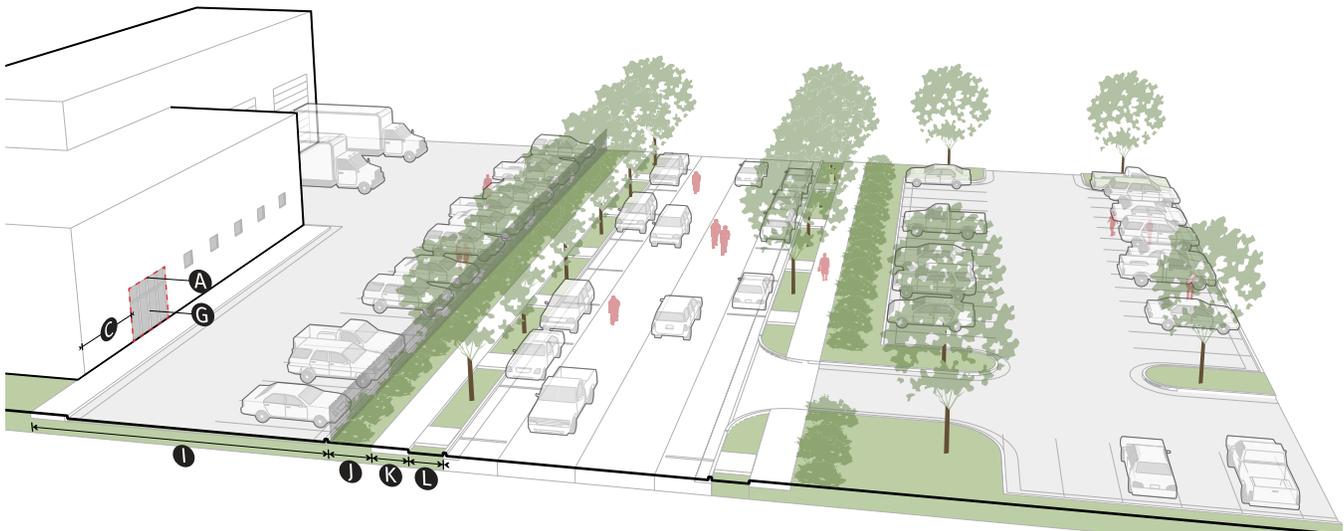
Building Height

A Maximum height	
U-IN-3	3 stories/40' max
U-IN-4	4 stories/50' max
Maximum height within 30 feet of a protected zone	2 stories/24' max

Building Mass

B Street-facing building length	400' max
--	----------

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks	
A	Ground story	I	Primary/side street
	30% min		15' min
B	Upper story		
	n/a		
C	Blank wall length		
	125' max		
Story Height		Perimeter Planting	
D	Ground floor elevation	J	Planting area
	n/a		10' min
E	Ground story, floor to floor		Planting type
	n/a		6' min fence with landscape
F	Upper story, floor to floor		
	n/a		
Pedestrian Access		Sidewalk*	
G	Entrance facing primary street	K	Clear pedestrian zone
	Required		6' min
H	Entrance spacing along primary street		
	n/a		
Building Elements Allowed		Street Tree/Furniture Zone*	
	Awning/canopy	K	Street tree/furniture zone depth
	n/a		6' min
	Balcony		Street tree planting type
	n/a		Verge
	Forecourt		Tree spacing
	n/a		30' avg. on-center
	Gallery		
	n/a		
	Porch		
	n/a		
	Stoop		
	n/a		

*Where there is insufficient ROW to meet the minimum requirements, the [Director of Codes-Administration](#) [Director of the Land Development Office](#) may approve modifications (see Sec. 38-696. (4)).

Sec. 38-722. U-CIV: Civic Zone

(1) SUMMARY



Intent

The Civic (U-CIV) zone is intended to accommodate a variety of civic and public uses. The zone allows a reduced level of building form control in recognition of the special character of many civic buildings.

U-CIV Zones

U-CIV-3, U-CIV-4, U-CIV-6

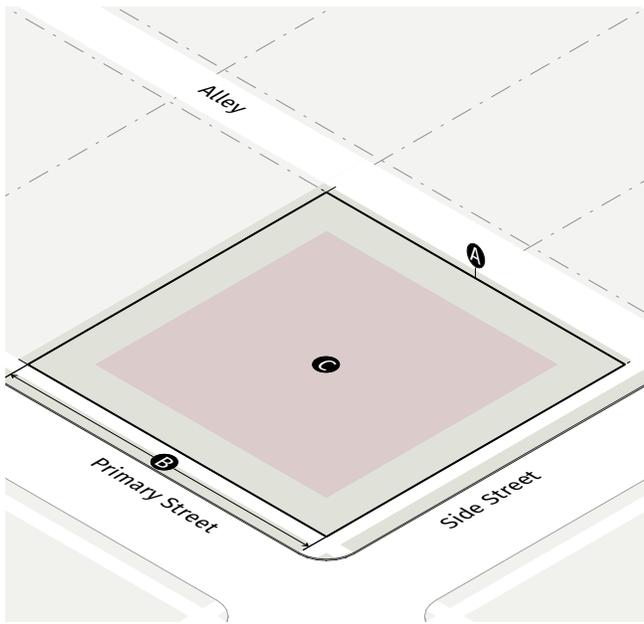
Lot Types

Public see Sec. 38-697.(11)

Use

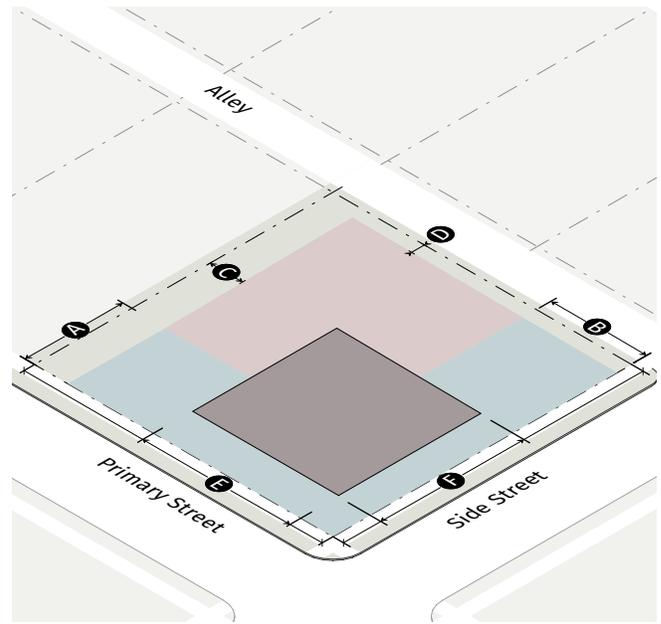
Allowed Uses see Sec. 38-725.

(2) LOT PARAMETERS



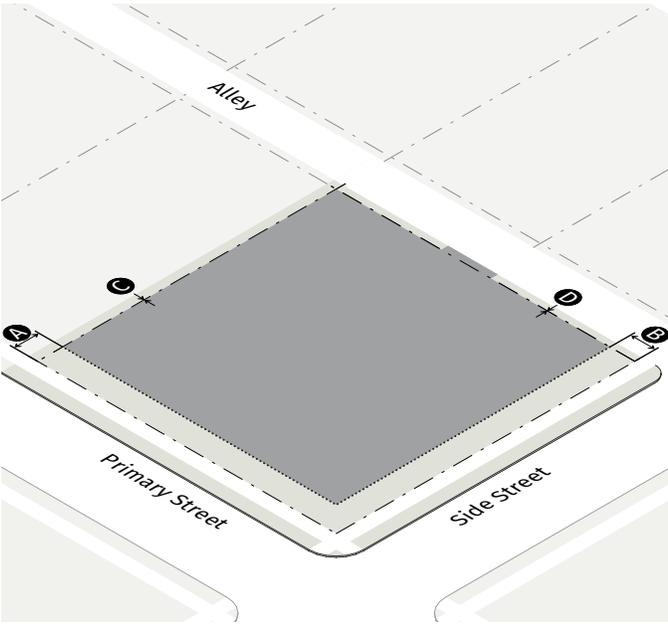
Lot	A Area	B Width
Public	5,000 SF min	50' min
Specifications		
C Building coverage	80% max	

(3) BUILDING PLACEMENT



Building Setbacks		
A Primary street	0' min/30' max	
B Side street	0' min/30' max	
C Side: common lot line	10' min	
C Side: alley	5' min	
C Side: protected zone	15' min	
D Rear: common lot line	10' min	
D Rear: alley	5' min	
D Rear: protected zone	15' min	
Lot Frontage		
E Primary street	50% min	
F Side street	50% min	

(4) ACCESS/PARKING LOCATION



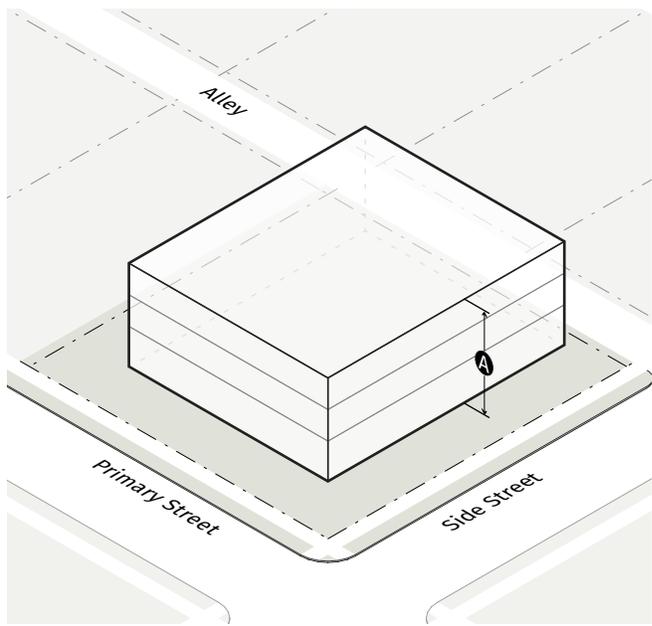
Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot	None
With no alley: new street curb-cuts per lot	Determined by Director of Codes Administration Director of the Land Development Office
With no alley: driveway width in setback	20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

A Primary street	30' min
B Side street	10' min
C Side: common lot line/alley	0' min
C Side: protected zone	5' min
D Rear: common lot line/alley	0' min
D Rear: protected zone	5' min

(5) HEIGHT AND MASS



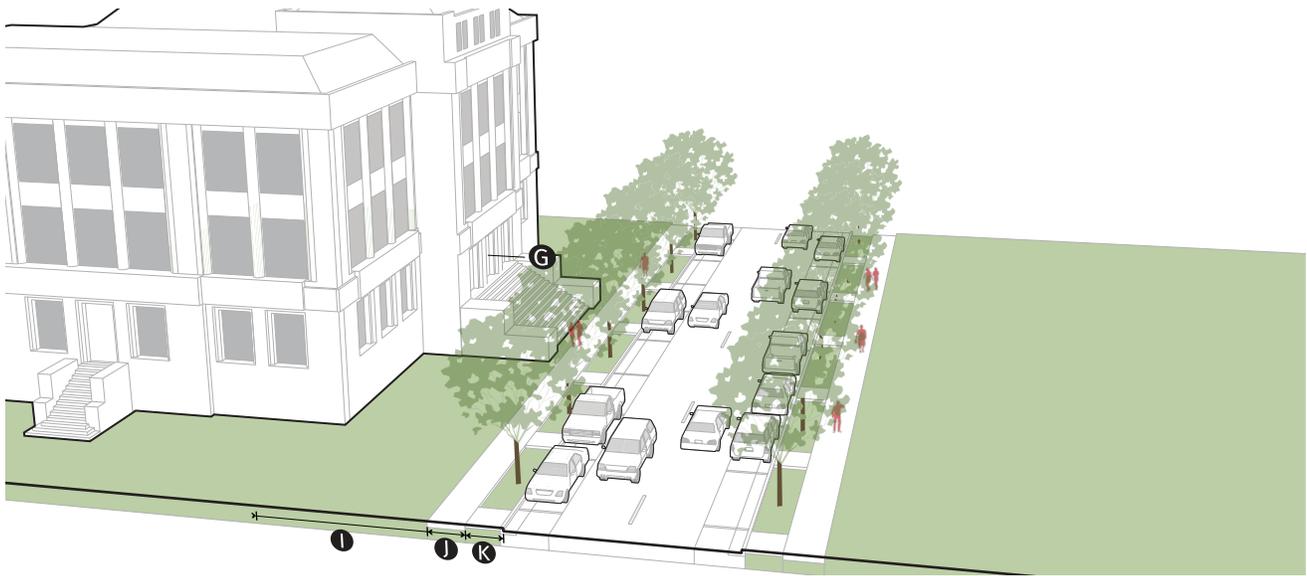
Building Height

A Maximum height	
U-CIV-3	3 stories/45' max
U-CIV-4	4 stories/60' max
U-CIV-6	6 stories/90' max
Maximum height within 30 feet of a protected zone	2 stories/24' max

Building Mass

Street-facing building length	n/a
-------------------------------	-----

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks	
A Ground story	n/a	I Primary/side street	20' min
B Upper story	n/a	Sidewalk*	
C Blank wall length	n/a	J Clear pedestrian zone	6' min
Story Height		Street Tree/Furniture Zone*	
D Ground floor elevation	n/a	K Street tree/furniture zone depth	6' min
E Ground story, floor to floor	n/a	Street tree planting type	Verge
F Upper story, floor to floor	n/a	Tree spacing	30' avg. on-center
Pedestrian Access		*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696.(4)).	
G Entrance facing primary street	Required		
H Entrance spacing along primary street	n/a		
Building Elements Allowed			
Awning/canopy	n/a		
Balcony	n/a		
Forecourt	◆		
Gallery	n/a		
Porch	n/a		
Stoop	n/a		

Sec. 38-723. U-PK: Parks and Open Space Zone

(1) SUMMARY



Intent

The Parks and Open Space (U-PK) zone is intended to preserve and enhance land as permanent outdoor open space. All land is intended to be unoccupied or predominately unoccupied by buildings or other impervious surfaces.

U-PK Zones

U-PK

Lot Types

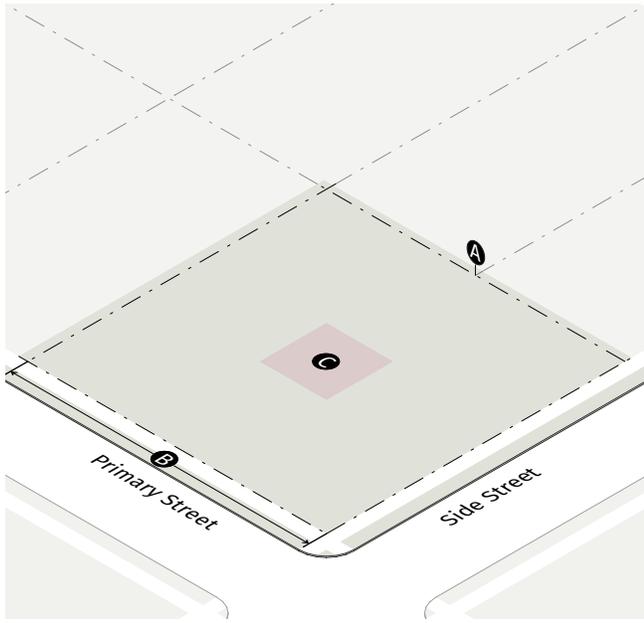
n/a

Use

Allowed Uses

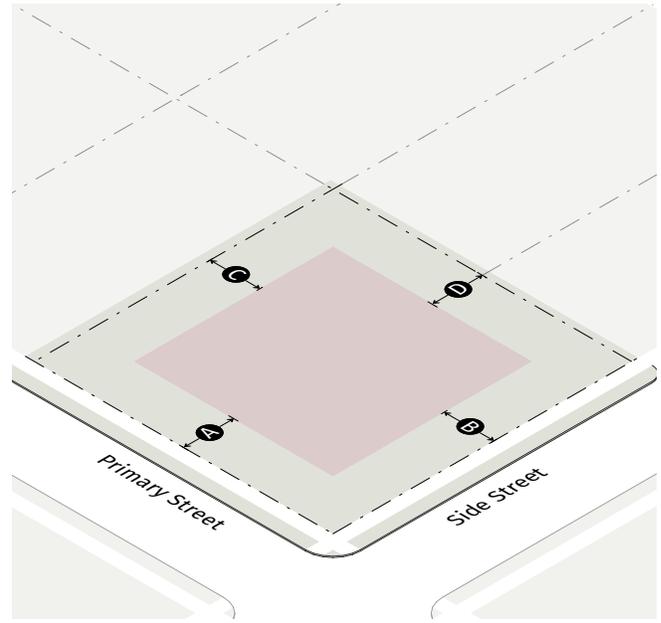
see Sec. 38-725.

(2) LOT PARAMETERS



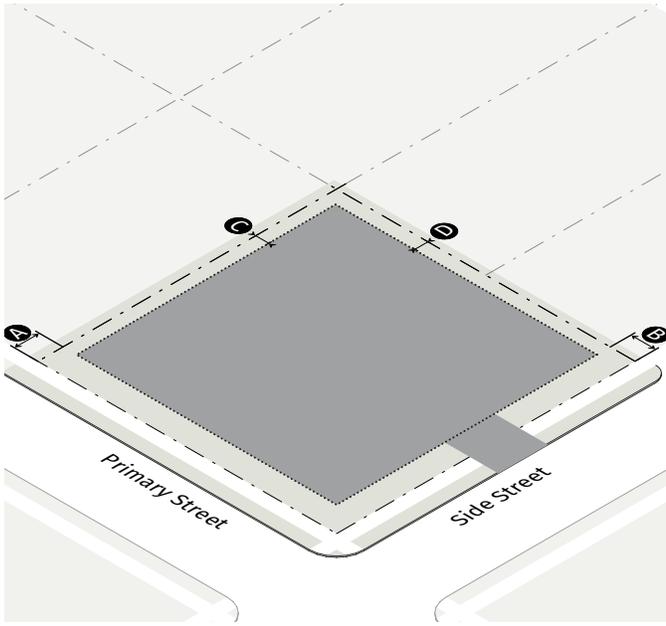
Lot	A Area	B Width
n/a	n/a	n/a
Specifications		
C Building coverage	5% max	

(3) BUILDING PLACEMENT



Building Setbacks		
A Primary street		20' min
B Side street		20' min
C Side: common lot line		20' min
D Rear: common lot line		20' min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot None

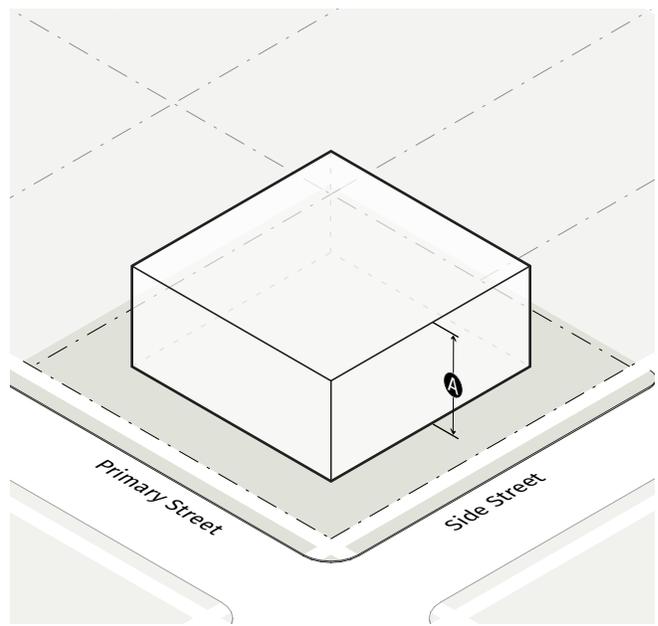
With no alley: new street curb-cuts per lot Determined by ~~Director of Codes Administration~~ [Director of the Land Development Office](#)

With no alley: driveway width in setback 20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

A Primary street	10' min
B Side street	10' min
C Side: common lot line	5' min
D Rear: common lot line	5' min

(5) HEIGHT AND MASS



Building Height

A Maximum height	35' max
Maximum height within 30 feet of a protected zone	n/a

Building Mass

Street-facing building length	n/a
-------------------------------	-----

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks	
A Ground story	n/a	L Primary/side street	20' min
B Upper story	n/a	Sidewalk*	
C Blank wall length	n/a	J Clear pedestrian zone	6' min
Story Height		Street Tree/Furniture Zone*	
D Ground floor elevation	n/a	K Street tree/furniture zone depth	6' min
E Ground story, floor to floor	n/a	Street tree planting type	Verge
F Upper story, floor to floor	n/a	Tree spacing	30' avg. on-center
Pedestrian Access		*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696. (4)).	
G Entrance facing primary street	n/a		
H Entrance spacing along primary street	n/a		
Building Elements Allowed			
Awning/canopy	n/a		
Balcony	n/a		
Gallery	n/a		
Porch	n/a		
Stoop	n/a		

Sec. 38-725. Allowed Uses

(1) Classification of Uses

- A. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use categories provide a systematic basis for assigning uses to appropriate categories with other, similar uses. Use categories classify principal uses and activities based on common functional, product or physical characteristics.
- B. Where a use category contains a list of included uses, the list is to be considered example uses, and not all-inclusive. The ~~Director of Codes Administration~~ Director of the Land Development Office has the responsibility for categorizing all uses (see Sec. 38-737.(3)).
- C. A full list of uses and use categories are specified in Sec. 38-738.

(2) Allowed Use Table

A. Permitted Use (P)

Indicates a use is permitted in the respective zone. The use is also subject to all other applicable requirements of the Downtown Code.

B. Limited Use (L)

Indicates a use is permitted in the respective zone, subject to a use standard found in the right-hand column of the use table. The use is also subject to all other applicable requirements of the Downtown Code.

C. Special Exception from the BZA Required (SZ)

Indicates a use may be permitted in the respective zone, subject to the approval of a Special Exceptions Permit issued by the Board of Zoning Appeals under the terms specified in Article VIII (§§ 38-561 - 38-573) of Chapter 38.

D. Special Exception from City Council Required (SC)

Indicates a use may be permitted in the respective zone, subject to the approval of a Special Exceptions Permit issued by the City Council.

E. Use Not Permitted (--)

Indicates that a use is not permitted in the respective zone.

URBAN | Allowed Uses

SEE SEC. 38-738 FOR ADDITIONAL USE PROVISIONS

Use Category: Specific Use	Urban										Definition/ Standards
	U-RD	U-RA	U-RM	U-CX	U-SH	U-IX	U-CC	U-IN	U-CIV	U-PK	
Residential Uses											
Household Living											38-738.(1)A.1.
Single-unit living detached	P	P	P	--	--	--	--	--	--	--	
Single-unit living detached with accessory dwelling unit	L	L	L	--	--	--	--	--	--	--	38-738.(6)C.
Single-unit living attached	--	P	P	P	--	P	--	--	--	--	
<u>Single-unit living attached with accessory dwelling unit</u>	--	L	L	L	--	L	--	--	--	--	<u>38-738.(6)C.</u>
Two-unit living	--	P	P	--	--	--	--	--	--	--	
Multi-unit living (up to 4 units)	--	P	P	P	P	P	--	--	--	--	
Multi-unit living (5+ units)	--	--	P	P	P	P	--	--	--	--	
Manufactured home, single-wide	--	--	--	--	--	--	--	--	--	--	
Manufactured home park	--	--	--	--	--	--	--	--	--	--	
Live/work unit	--	--	L	P	P	P	--	--	--	--	38-738.(1)A.2.
Group Living											38-738.(1)B.
Assisted living facility	--	--	SZ	SZ	SZ	SZ	--	--	--	--	38-568.(19)
Boarding house	--	--	SZ	SZ	SZ	SZ	--	--	--	--	38-568.(19)
Dormitory	--	--	P	P	P	P	--	--	--	--	
Fraternity/sorority	--	--	SZ	P	P	P	--	--	--	--	38-568
Medically assisted living facility	--	--	SZ	SZ	SZ	SZ	--	--	--	--	38-568.(19)
Nursing home	--	--	SZ	SZ	SZ	SZ	--	--	--	--	38-568.(19)
Residential home for handicapped or aged persons, commercial	SC	SC	SC	SC	--	SC	--	--	--	--	38-523
Social Services											38-738.(1)C.
Public/Institutional Uses											
Civic, except as listed below:	--	--	--	P	P	P	P	--	P	--	38-738.(2)A.
Church or other place of worship	P	P	P	P	P	P	P	--	P	--	
Fire/police station	P	P	P	P	P	P	P	--	P	--	
Kindergarten, governmental or religious	P	P	P	P	P	P	P	--	P	--	
Non-profit heritage educational facility	SC	SC	SC	SC	--	SC	--	--	SC	--	38-525
Publicly-owned building	P	P	P	P	P	P	P	--	P	P	
School	P	P	P	P	P	P	P	--	P	--	

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required
SC = Special Exception from City Council Required -- = Not Permitted

SEE SEC. 38-738 FOR ADDITIONAL USE PROVISIONS

Use Category: Specific Use	Urban										Definition/ Standards
	U-RD	U-RA	U-RM	U-CX	U-SH	U-IX	U-CC	U-IN	U-CIV	U-PK	
Public/Institutional Uses											
Parks and Open Space, except as listed below:	P	P	P	P	P	P	P	--	P	P	38-738.(2)B.
Cemetery	SC	SC	SC	SC	--	SC	SC	--	SC	SC	38-521/522
Golf course	--	--	--	--	--	--	--	--	--	--	
Utilities											38-738.(2)C.
Minor utilities	P	P	P	P	P	P	P	P	P	P	
Major utilities	--	--	--	--	--	--	--	SZ	--	--	
Wireless Communications	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	--	38-568.(16)
Commercial Uses											
Adult-Oriented Business	--	--	--	SZ	SZ	SZ	SZ	--	--	--	38-738.(3)A. 38-568.(18)
Animal Care											38-738.(3)B.
Animal care, indoor	--	--	--	P	P	P	P	--	--	--	
Animal care, outdoor	--	--	--	--	--	SZ	SZ	--	--	--	
Day Care	SZ	SZ	SZ	P	P	P	P	--	P	--	38-738.(3)C.
Indoor Recreation	--	--	--	P	P	P	P	--	--	--	38-738.(3)D.
Medical, except as listed below:	--	--	--	P	P	P	P	--	--	--	38-738.(3)E.
Hospital	--	--	--	SZ	--	--	SZ	--	--	--	38-568.(19)
Office	--	--	--	P	P	P	P	--	--	--	38-738.(3)F.
Outdoor Recreation	--	--	--	--	--	--	SZ	--	--	--	38-738.(3)G.
Overnight Lodging											38-738.(3)H.
Bed and breakfast	SZ	SZ	P	P	P	P	--	--	--	--	38-568
Hotel, motel	--	--	--	P	P	P	P	--	--	--	
Short-term vacation rental	SZ	SZ	SZ	P	P	P	--	--	--	--	38-568
Travel trailer camp or other camping facility	--	--	--	--	--	--	--	--	--	--	
Parking											38-738.(3)I.
Commercial parking	--	--	--	P	P	P	P	--	--	--	
Remote (off-site) parking	--	--	P	P	P	P	P	P	SZ	--	38-568
Passenger Terminal	--	--	--	P	P	P	P	--	--	--	38-738.(3)J.
Personal Service	--	--	--	P	P	P	P	--	--	--	38-738.(3)K.
Restaurant, except as listed below:	--	--	--	P	P	P	P	--	--	--	38-738.(3)L.
Late night entertainment/event facility, nightclub	--	--	--	SE	SE	SE	SE	--	--	--	38-527

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required
 SC = Special Exception from City Council Required -- = Not Permitted

URBAN | Allowed Uses

SEE SEC. 38-738 FOR ADDITIONAL USE PROVISIONS

Use Category: Specific Use	Urban										Definition/ Standards
	U-RD	U-RA	U-RM	U-CX	U-SH	U-IX	U-CC	U-IN	U-CIV	U-PK	
Commercial Uses											
Retail, except as listed below	--	--	--	P	P	P	P	--	--	--	38-738.(3)M.
Alternative financial services establishment	--	--	--	SC	SC	SC	SC	--	--	--	38-529
Gas station	--	--	--	P	P	P	P	--	--	--	
Liquor store	--	--	--	SC	SC	SC	SC	--	--	--	City Code 5-108
Open air market	--	--	--	SZ	--	SZ	SZ	--	SZ	SZ	38-568.(17)
Vehicle Sales and Rental											38-738.(3)N.
Minor sales and rental	--	--	--	P	P	P	P	--	--	--	
Major sales and rental	--	--	--	--	--	--	--	--	--	--	
Industrial Uses											
Artisanal	--	--	--	P	P	P	P	P	--	--	38-738.(4)A.
Heavy Industrial	--	--	--	--	--	--	--	SZ	--	--	38-738.(4)B.
Light Industrial/Manufacturing, except as listed below:											38-738.(4)C.
Alcohol distillery, small	--	--	--	SC	SC	SC	SC	SC	--	--	
Alcohol distillery, large	--	--	--	--	--	SC	--	SC	--	--	
Alcohol distillery, small, Micro-brewery	--	--	--	P	P	P	P	P	--	--	
Research and Development	--	--	--	P	P	P	--	--	--	--	38-738.(4)D.
Resource Extraction	--	--	--	--	--	--	--	--	--	--	38-738.(4)E.
Vehicle Service and Repair											38-738.(4)F.
Minor vehicle service and repair	--	--	--	--	--	P	P	--	--	--	
Major vehicle service and repair	--	--	--	--	--	--	P	--	--	--	
Warehouse, Storage and Distribution	--	--	--	--	--	--	--	P	--	--	38-738.(4)G.
Waste-Related Service, except as listed below:											38-738.(4)H.
Recycling processing center	--	--	--	--	--	--	--	L	--	--	38-301.(3)
Outdoor Uses											
Agriculture											38-738.(5)A.
Community garden	P	P	P	P	P	P	P	--	P	P	
Accessory Uses											
Day care home	P	P	P	P	P	P	--	--	--	--	38-738.(6)A.
Drive-thru facility	--	--	--	L	--	L	L	--	--	--	38-738.(6)B.
Home occupation	L	L	L	L	L	L	--	--	--	--	38-738.(6)D.
Outdoor dining	--	--	--	L	L	L	L	--	--	--	38-738.(6)E.
Outdoor display	--	--	--	L	L	L	L	--	--	--	38-738.(6)F.
Outdoor storage, minor	--	--	--	--	--	L	L	L	--	--	38-738.(6)G.
Outdoor storage, major	--	--	--	--	--	--	--	SZ	--	--	38-738.(6)H.

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required
SC = Special Exception from City Council Required -- = Not Permitted

DIVISION 7. URBAN EDGE (E)

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Sec. 38-726. Urban Edge Context



(1) General Character

The Urban Edge Context consists of low- to medium-intensity residential and commercial areas. Multi-family housing is predominant with opportunities for single-family detached and single-family attached. Commercial activity is concentrated along major roadways and at neighborhood nodes and is encouraged to be mixed use (either vertical or horizontal). Pedestrians and bicycles are accommodated, but many people continue to rely on automobiles for transportation.

(2) Built Environment

Residential zones can be up to 3 stories in height and typically have larger front setbacks than in the Urban Context. Mixed use and commercial zones can be as high as 4 stories in places with parking to the side and rear of buildings. Building coverage is moderate is generally lower than in the Urban Context.

(3) Streets and Blocks

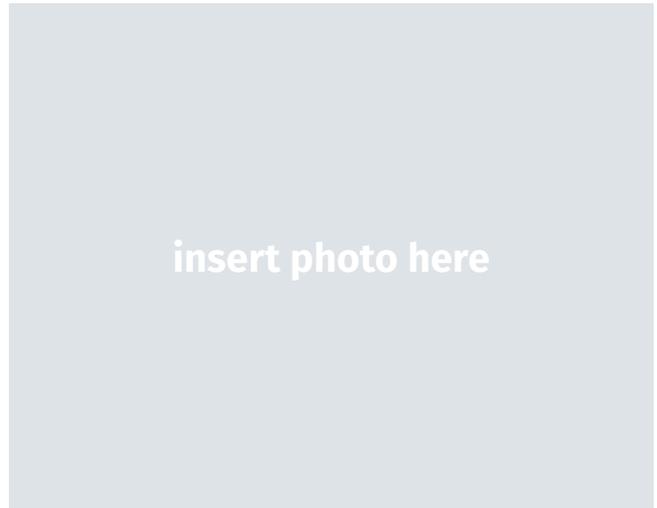
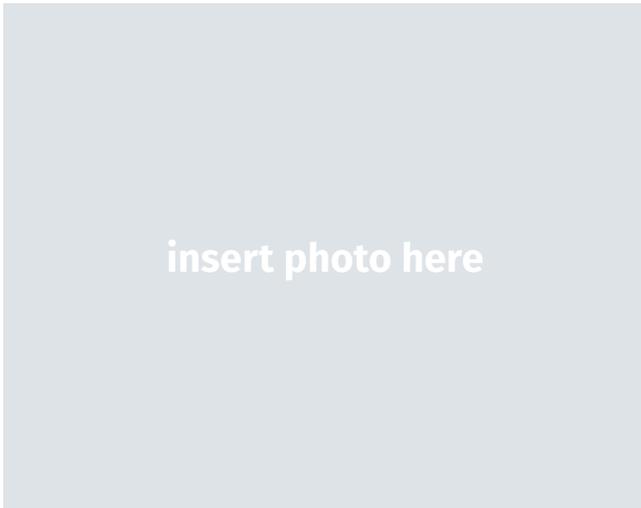
Streets and rights-of-way are generally wider than in the Urban Context. Curvilinear streets within a modified or non-existent grid frame irregular block shapes. Alleys are atypical, but are encouraged in new development. Block shapes and sizes vary significantly. The typical block pattern includes attached sidewalks, street trees, street and surface parking and open space and landscaping. Residential and commercial access is typically via a shared drive to a surface parking lot.

(4) Parking and Mobility

Parking is provided on-street and in surface lots. Surface parking is primarily located to the side and rear of buildings. In street design, priority may be given to automobiles, but adequate accommodations are provided for the pedestrian and bicyclist.

Sec. 38-727. E-RD: Residential Detached Zone

(1) SUMMARY



Intent

The Residential Detached (E-RD) zone is intended to accommodate single-family detached housing with an attached or detached accessory structure on an individual lot in a pedestrian-friendly environment.

E-RD Zones

E-RD-2

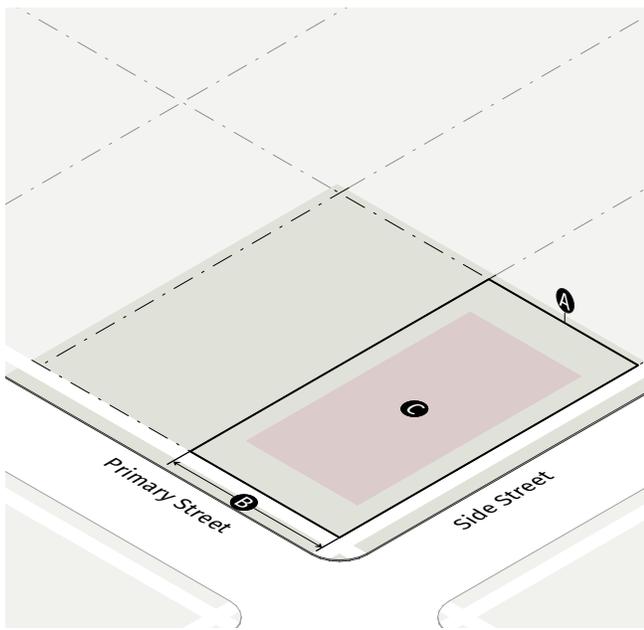
Lot Types

Single-unit detached	see Sec. 38-697.(3)
Public	see Sec. 38-697.(11)

Use

Allowed Uses	see Sec. 38-736.
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(2) LOT PARAMETERS

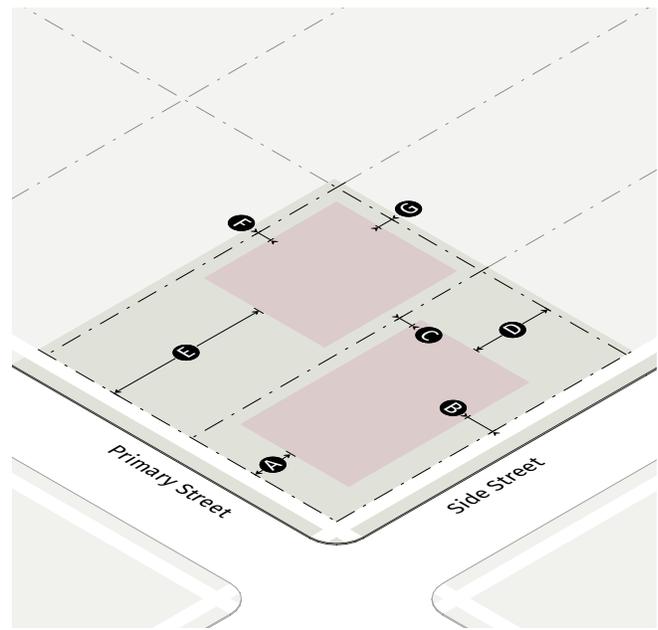


Lot	A Area	B Width
Single-unit detached	5,000 SF min	50' min
Public	5,000 SF min	50' min

Specifications

C Building coverage	70% max
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(3) BUILDING PLACEMENT



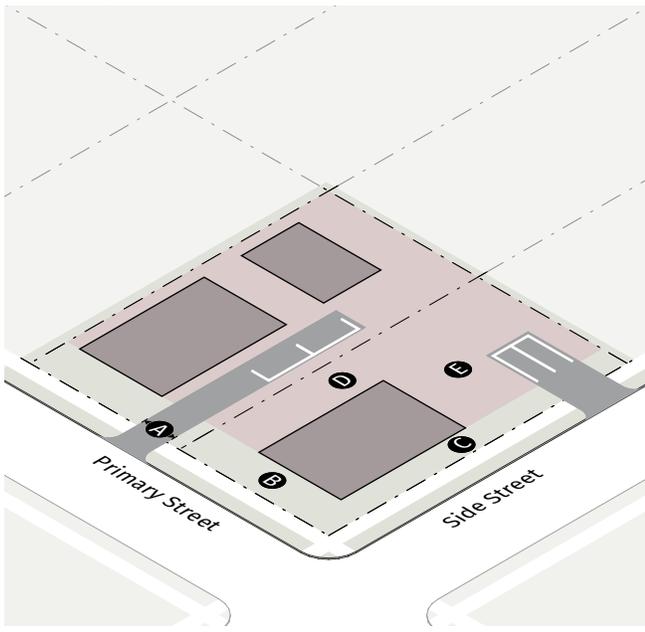
Principal Building Setbacks

A Primary street	15' min or Avg. front setback (Sec. 38-698.(2)D.)
B Side street	10' min
C Side: common lot line/alley	5' min
D Rear: common lot line/alley	25' min

Accessory Structure Setbacks

E Primary street	40' min
Side street	10' min
F Side: common lot line/alley	5' min
G Rear: common lot line/alley	5' min

(4) ACCESS/PARKING LOCATION



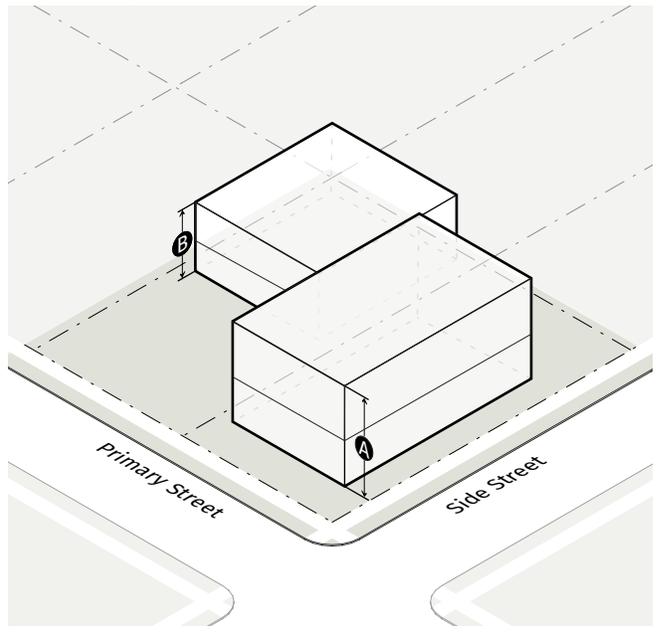
Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot	None
With no alley: new street curb-cuts per lot	1 max
A With no alley: driveway width in setback	10' max

Parking Location

B Primary street yard	Not allowed
C Side street yard	Not allowed
D Side yard	Allowed
E Rear yard	Allowed

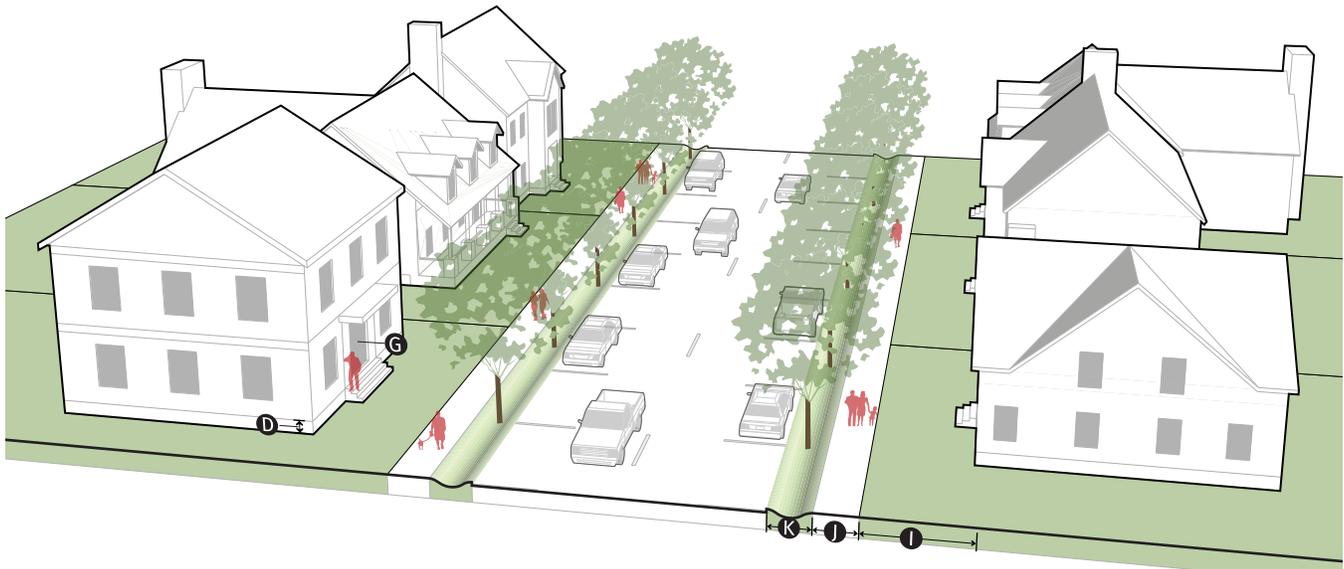
(5) HEIGHT AND MASS



Height

A Principal building	2 stories/35' max
B Accessory structure	2 stories/24' max

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setback	
A Ground story	n/a	I Primary/side street	see Sec. 38-727.(3)
B Upper story	n/a	Sidewalk*	
C Blank wall length	n/a	J Clear pedestrian zone	6' min
Story Height		Street Tree/Furniture Zone*	
D Ground floor elevation	16" min/5' max	K Street tree/furniture zone depth	6' min
E Ground story, floor to floor	n/a	Street tree planting type	Verge
F Upper story, floor to floor	n/a	Tree spacing	30' avg. on-center
Pedestrian Access		*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696.(4)).	
G Entrance facing primary street	Required		
H Entrance spacing along primary street	n/a		

Sec. 38-728. E-RA: Residential Attached Zone

(1) SUMMARY



Intent

The Residential Attached (E-RA) zone is intended to accommodate a mix of single-family, two-family and lower intensity multi-family housing options in a pedestrian-friendly environment.

E-RA Zones

E-RA-2, E-RA-3

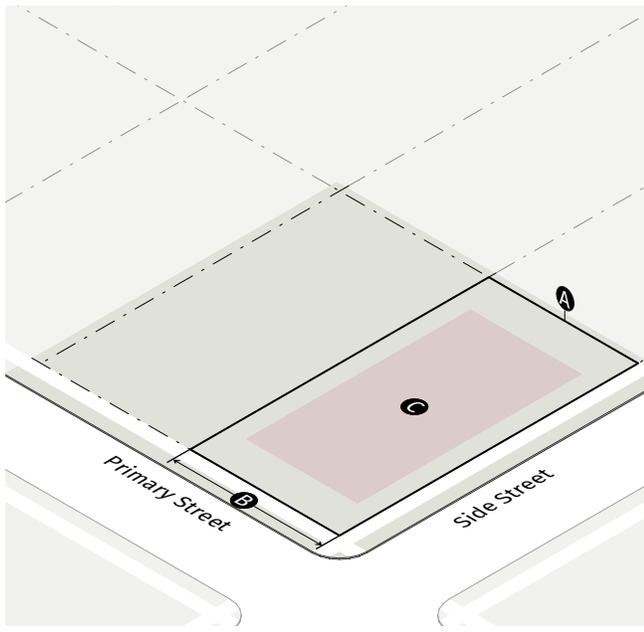
Lot Types

Single-unit detached	see Sec. 38-697.(3)
Two-unit	see Sec. 38-697.(4)
Single-unit attached	see Sec. 38-697.(5)
Multi-unit (up to 4 units)	see Sec. 38-697.(6)
Public	see Sec. 38-697.(11)

Use

Allowed Uses	see Sec. 38-736.
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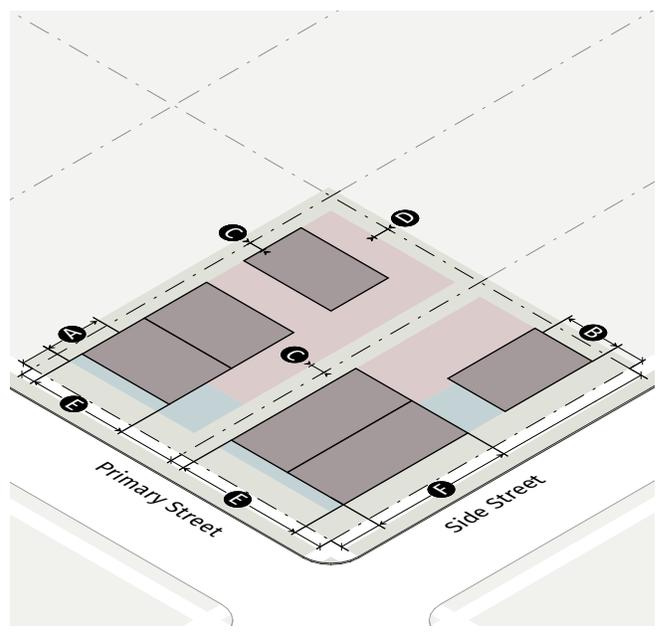
(2) LOT PARAMETERS



Lot	A Area	B Width
Single-unit detached	5,000 SF min	50' min
Two-unit	6,000 SF min	50' min
Single-unit attached	1,700 SF min	20' min
Multi-unit (up to 4 units)	7,500 SF min	50' min
Public	5,000 SF min	50' min

Specifications	
C Building coverage	70% max

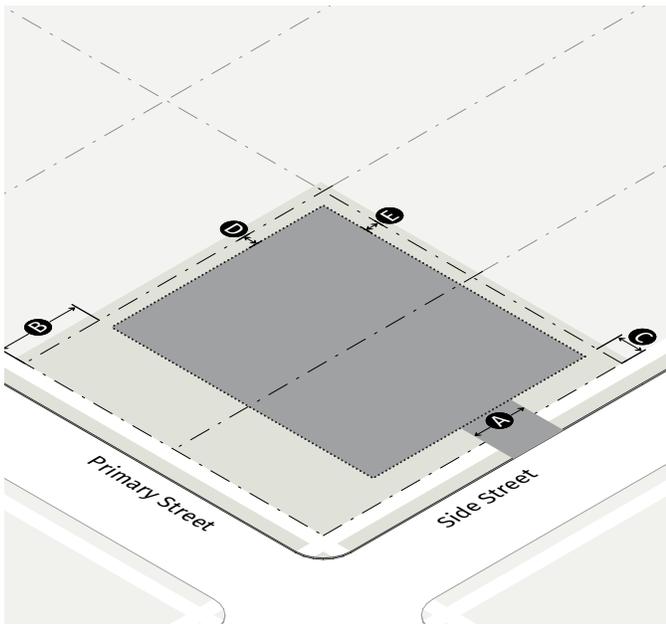
(3) BUILDING PLACEMENT



Building Setbacks		
A Primary street		10' min/30' max
B Side street		10' min/30' max
C Side: common lot line/alley		5' min
C Side: single-unit attached, between abutting units		0' min
C Side: protected zone		15' min
D Rear: common lot line/alley		5' min
D Rear: protected zone		15' min

Lot Frontage		
E Primary street		60% min
F Side street		30% min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot None

With no alley: new street curb-cuts per lot Determined by
[Director of Codes Administration](#)
[Director of the Land Development Office](#)

A With no alley: driveway width in setback 10' max

Parking Setbacks (see Sec. 38-698.(3)B.)

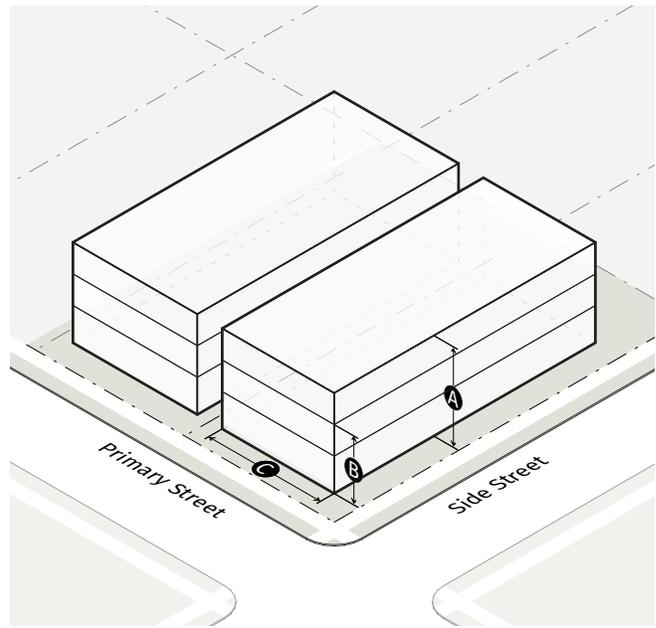
B Primary street 30' min

C Side street 10' min

D Side: common lot line/alley 5' min

E Rear: common lot line/alley 5' min

(5) HEIGHT AND MASS



Building Height

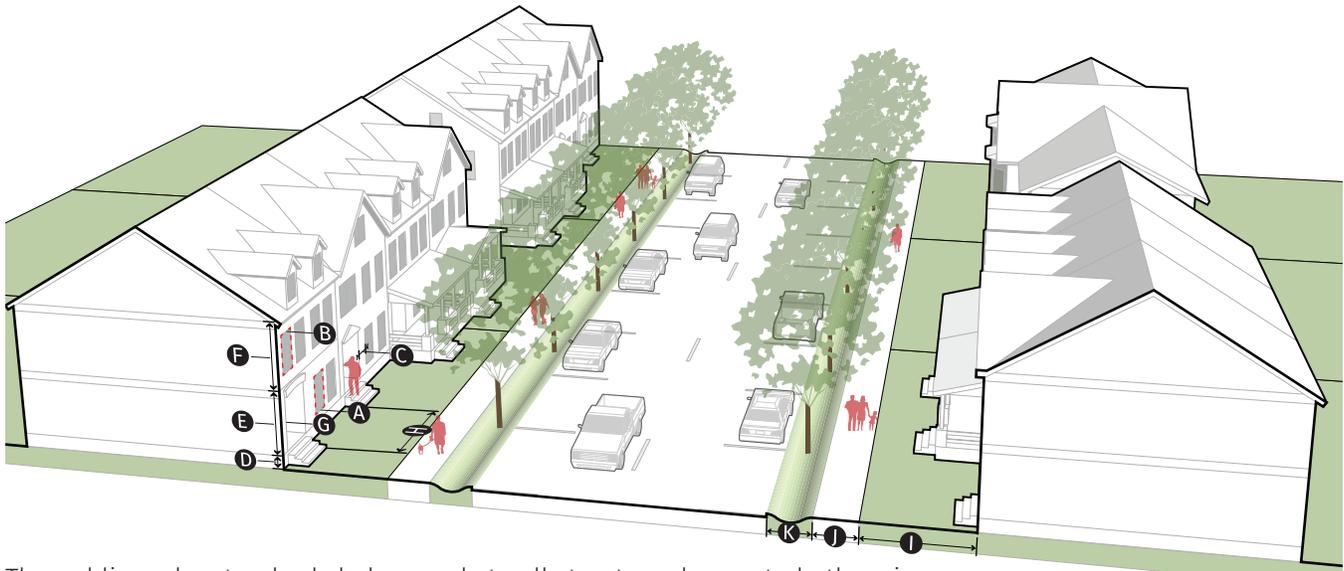
A Maximum height	
E-RA-2	2 stories/35' max
E-RA-3	3 stories/40' max
Maximum height within 30 feet of a protected zone	2 stories/24' max

B Minimum height: A Street 2 stories min

Building Mass

C Street-facing building length n/a

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setback	
A	Ground story	I	Primary/side street
	n/a		10' min/30' max
B	Upper story		
	n/a	Sidewalk*	
C	Blank wall length	J	Clear pedestrian zone
	30' max		6' min
Story Height		Street Tree/Furniture Zone*	
D	Ground floor elevation	K	Street tree/furniture zone depth
	16" min/5' max		6' min
E	Ground story, floor to floor		Street tree planting type
	10' min		Verge
F	Upper story, floor to floor		Tree spacing
	9' min		30' avg. on-center
Pedestrian Access		*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696. (4)).	
G	Entrance facing primary street		
	Required		
H	Entrance spacing along primary street		
	50' max		
Building Elements Allowed			
	Awning/canopy		◆
	Balcony		◆
	Forecourt		◆
	Gallery		
	Porch		◆
	Stoop		◆

Sec. 38-729. E-RM: Residential Multi-Unit Zone

(1) SUMMARY



Intent

The Residential Multi-Unit (E-RM) zone is intended to accommodate a mix of higher intensity multi-family housing options in a pedestrian-friendly environment. Live/work is allowed subject to standards that limit the extent of the use.

E-RM Zones

E-RM-3

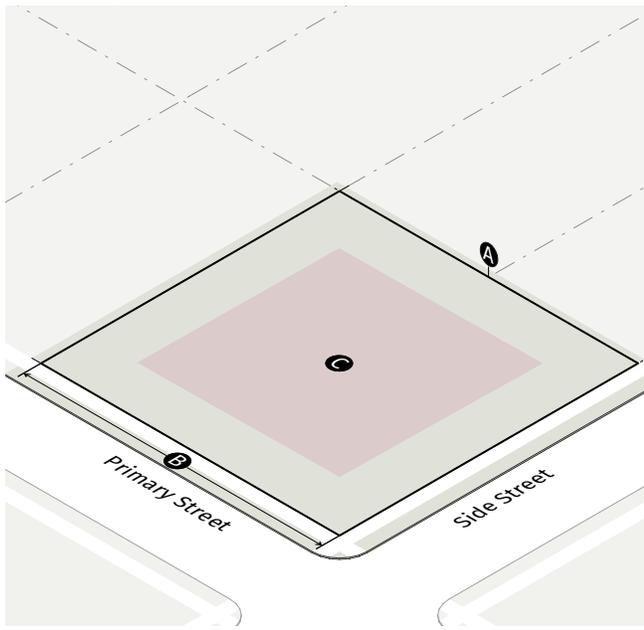
Lot Types

Single-unit detached	see Sec. 38-697.(3)
Two-unit	see Sec. 38-697.(4)
Single-unit attached	see Sec. 38-697.(5)
Multi-unit (up to 4 units)	see Sec. 38-697.(6)
Multi-unit (5+ units)	see Sec. 38-697.(7)
Public	see Sec. 38-697.(11)

Use

Allowed Uses	see Sec. 38-736.
--------------	------------------

(2) LOT PARAMETERS

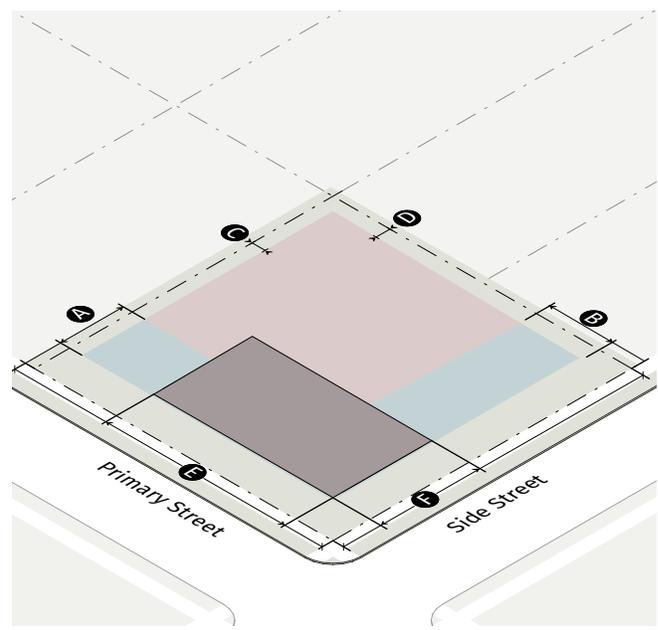


Lot	A Area	B Width
Single-unit detached	5,000 SF min	50' min
Two-unit	6,000 SF min	50' min
Single-unit attached	1,700 SF min	20' min
Multi-unit (up to 4 units)	7,500 SF min	75' min
Multi-unit (5+ units)	10,000 SF min	100' min
Public	5,000 SF min	50' min

Specifications

C Building coverage	70% max
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(3) BUILDING PLACEMENT



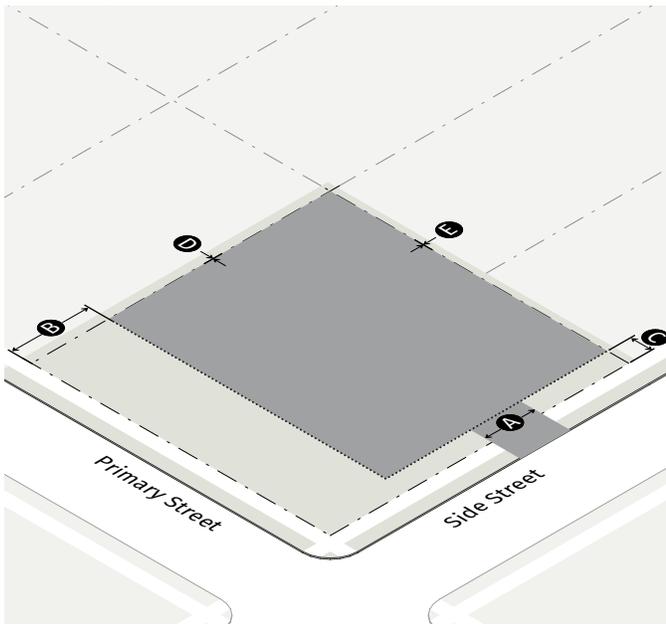
Building Setbacks

A Primary street	10' min/30' max
B Side street	10' min/30' max
C Side: common lot line/alley	5' min
C Side: single-unit attached, between abutting units	0' min
C Side: protected zone	15' min
D Rear: common lot line/alley	5' min
D Rear: protected zone	15' min

Lot Frontage

E Primary street	60% min
F Side street	30% min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot None

With no alley: new street curb-cuts per lot Determined by ~~Director of Codes Administration~~ Director of the Land Development Office

A With no alley: driveway width in setback 20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

B Primary street 30' min

C Side street 10' min

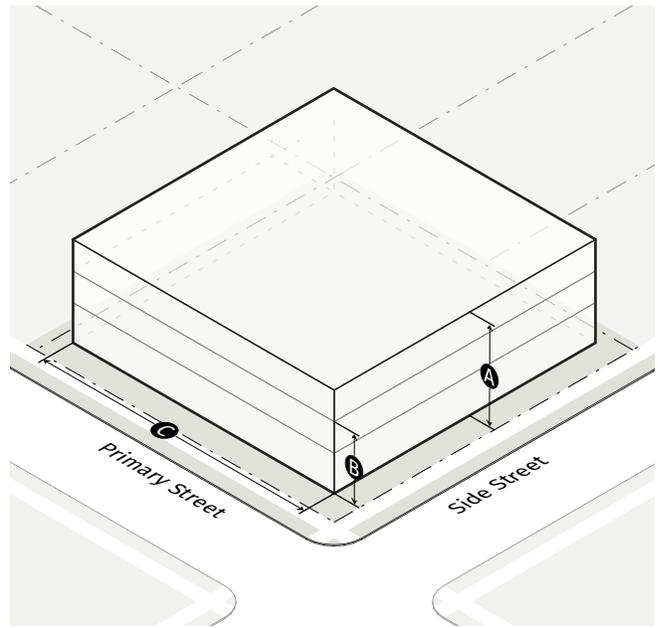
D Side: common lot line/alley 0' min

D Side: protected zone 5' min

E Rear: common lot line/alley 0' min

E Rear: protected zone 5' min

(5) HEIGHT AND MASS



Building Height

A Maximum height 3 stories/40' max

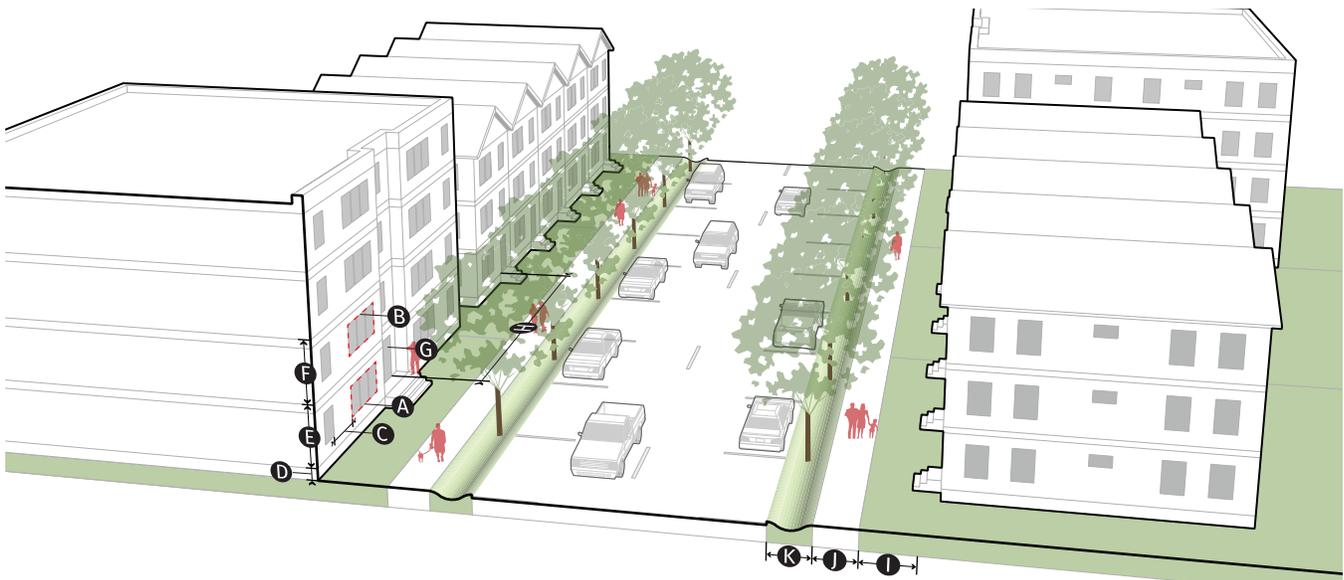
Maximum height within 30 feet of a protected zone 2 stories/24' max

B Minimum height: A Street 2 stories min

Building Mass

C Street-facing building length 200' max

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks			
A	Ground story	30% min	I Primary/side street	10' min/30' max	
B	Upper story	25% min	Sidewalk*		
C	Blank wall length	30' max	J	Clear pedestrian zone	6' min
Story Height		Street Tree/Furniture Zone*			
D	Residential ground floor elevation	16" min/5' max	K	Street tree/furniture zone depth	6' min
D	Live/work ground floor elevation	0' min/5' max	Street tree planting type		Verge
E	Ground story, floor to floor	10' min	Tree spacing		30' avg. on-center
F	Upper story, floor to floor	9' min	*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696. (4)).		
Pedestrian Access					
G	Entrance facing primary street	Required			
H	Entrance spacing along primary street	75' max			
Building Elements Allowed					
	Awning/canopy	◆			
	Balcony	◆			
	Forecourt	◆			
	Gallery				
	Porch	◆			
	Stoop	◆			

Sec. 38-730. E-CX: Commercial Mixed Use Zone

(1) SUMMARY



Intent

The Commercial Mixed Use (E-CX) zone is intended to accommodate a variety of residential, retail, service and commercial building forms and uses in a pedestrian-friendly environment. Although buildings are allowed to be exclusively residential or nonresidential in use, the vertical mixing of uses is strongly encouraged.

E-CX Zones

E-CX-3, E-CX-4

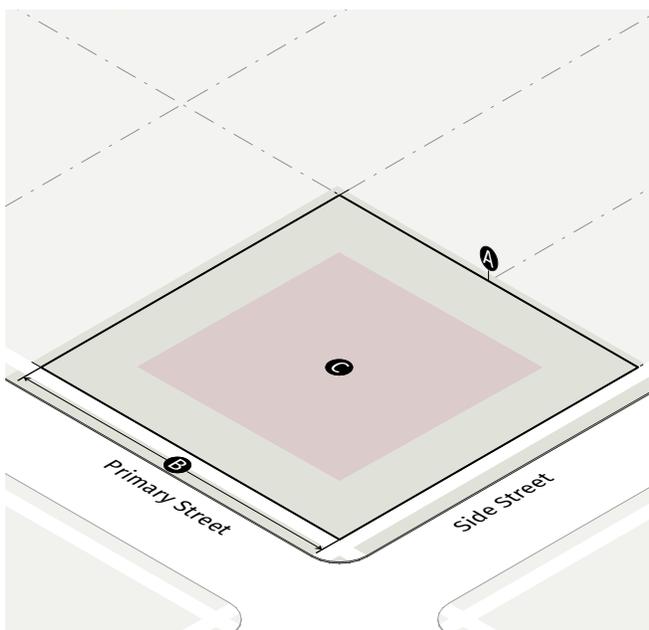
Lot Types

Hybrid	see Sec. 38-697.(8)
Public	see Sec. 38-697.(11)

Use

Allowed Uses	see Sec. 38-736.
--------------	------------------

(2) LOT PARAMETERS

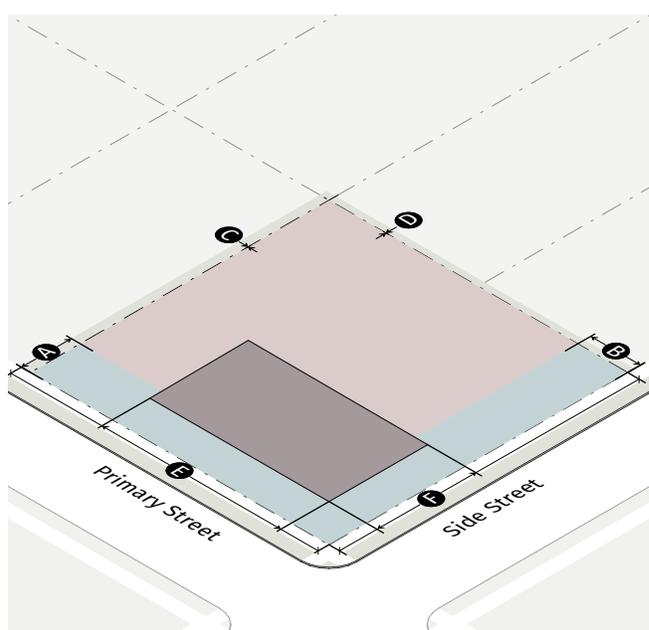


Lot	A Area	B Width
Hybrid	5,000 SF min	50' min
Public	5,000 SF min	50' min

Specifications

C Building coverage	70% max
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(3) BUILDING PLACEMENT



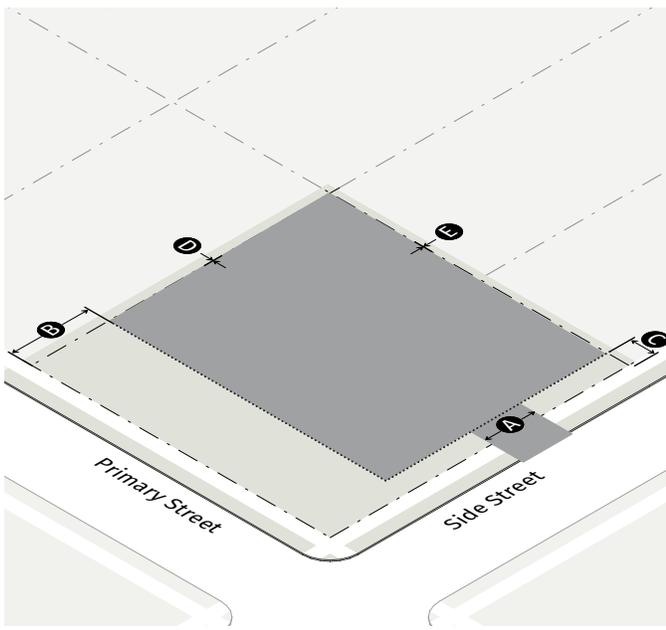
Building Setbacks

A Primary street	0' min/20' max
B Side street	0' min/20' max
C Side: common lot line	0' min
C Side: alley	5' min
C Side: protected zone	15' min
D Rear: common lot line	0' min
D Rear: alley	5' min
D Rear: protected zone	15' min

Lot Frontage

E Primary street	60% min
F Side street	30% min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot None

With no alley: new street curb-cuts per lot Determined by ~~Director of Codes Administration~~ Director of the Land Development Office

A With no alley: driveway width in setback 20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

B Primary street 30' min

C Side street 10' min

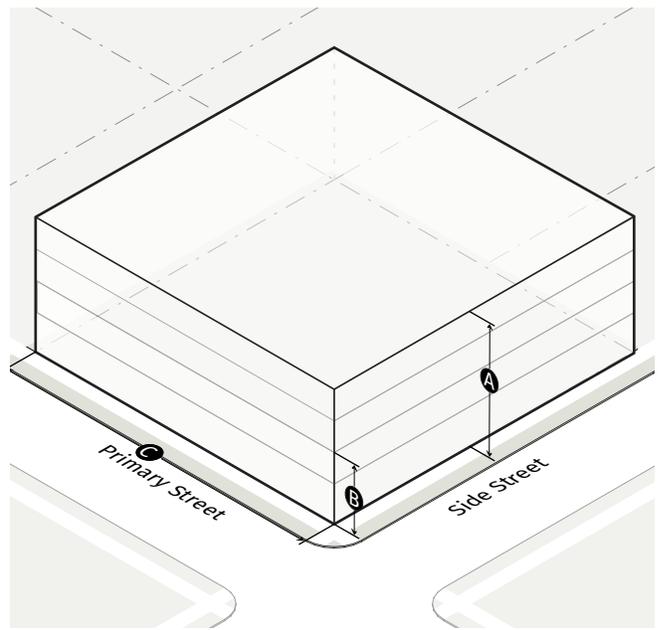
D Side: common lot line/alley 0' min

D Side: protected zone 5' min

E Rear: common lot line/alley 0' min

E Rear: protected zone 5' min

(5) HEIGHT AND MASS



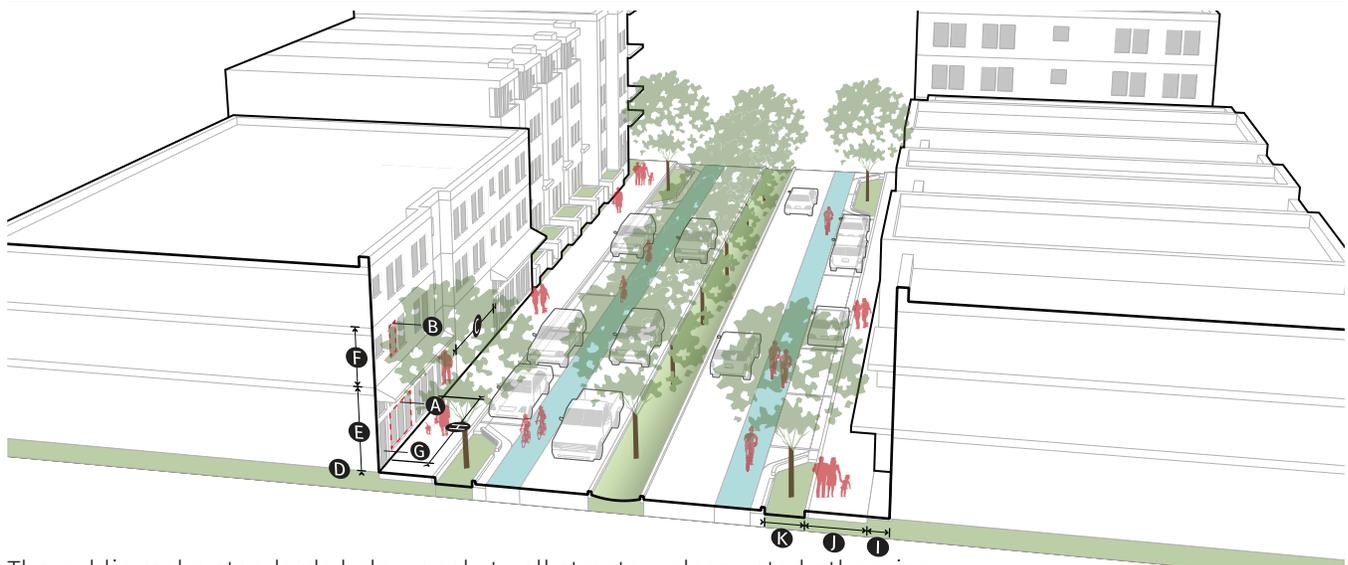
Building Height

A Maximum height	
E-CX-3	3 stories/40' max
E-CX-4	4 stories/50' max
Maximum height within 30 feet of a protected zone	2 stories/24' max
B Minimum height: A Street	2 stories min

Building Mass

C Street-facing building length	250' max
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(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

	Residential Ground Floor	Nonresidential Ground Floor
Transparency		
A Ground story	30% min	50% min
B Upper story	25% min	25% min
C Blank wall length	30' max	30' max
Story Height		
D Ground floor elevation	16" min/ 5' max	0' min/ 2' max
E Ground story: floor to floor	10' min	13' min
F Upper story: floor to floor	9' min	9' min
Pedestrian Access		
G Entrance facing primary street	Required	Required
H Entrance spacing along primary street	75' max	100' max
Building Elements Allowed		
Awning/canopy	◆	◆
Balcony	◆	◆
Forecourt	◆	◆
Gallery		◆
Porch	◆	◆
Stoop	◆	◆

Setbacks

I Primary/side street	0' min/20' max
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Sidewalk*

J Clear pedestrian zone	6' min
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Street Tree/Furniture Zone*

K Street tree/furniture zone depth	6' min
Street tree planting type	Tree pit/verge
Tree spacing	30' avg. on-center

*Where there is insufficient ROW to meet the minimum requirements, the [Director of Codes-Administration](#) [Director of the Land Development Office](#) may approve modifications (see Sec. 38-696. (4)).

Sec. 38-731. E-SH: Shopfront Mixed Use Zone

(1) SUMMARY



Intent

The Shopfront Mixed Use (E-SH) zone is intended to accommodate a variety of residential, retail, service and commercial building uses in a storefront environment. Uses are flexible but tall ground floors with large areas of transparent glazing are required to accommodate retail uses in the future.

E-SH Zones

E-SH-3, E-SH-4

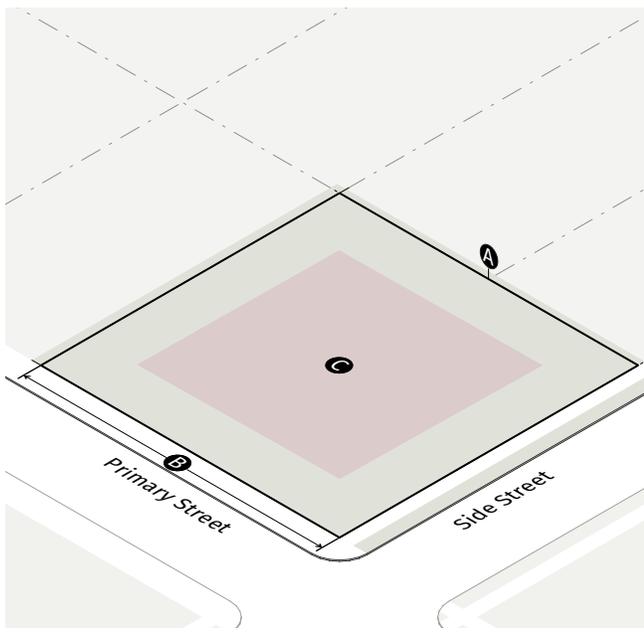
Lot Types

Hybrid see Sec. 38-697.(8)

Use

Allowed Uses see Sec. 38-736.

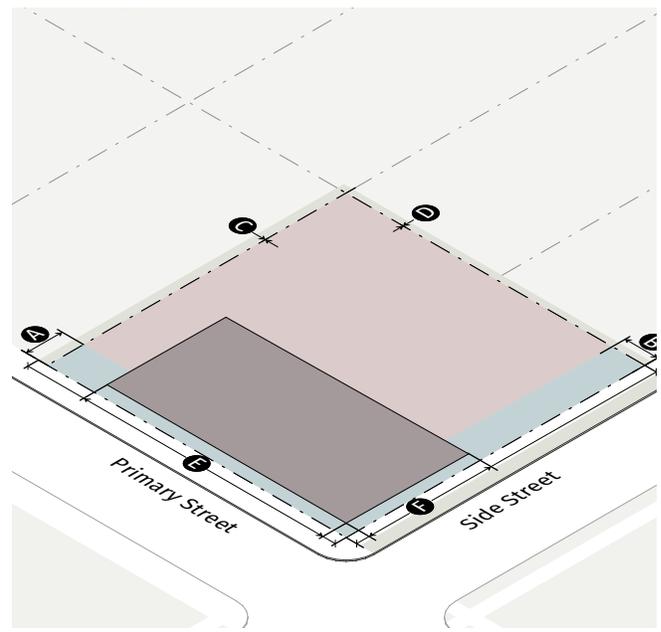
(2) LOT PARAMETERS



Lot	A Area	B Width
Hybrid	5,000 SF min	50' min

Specifications	C Building coverage
	70% max

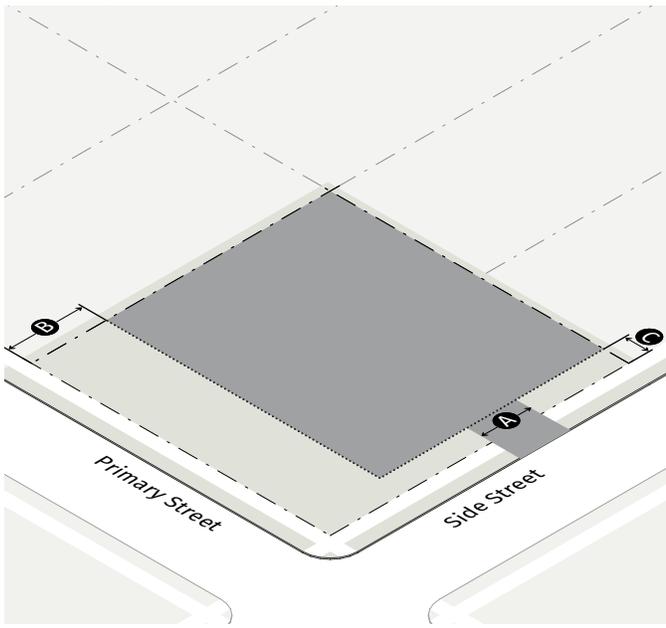
(3) BUILDING PLACEMENT



Building Setbacks	
A Primary street	0' min/10' max
B Side street	0' min/10' max
C Side: common lot line	0' min
C Side: alley	5' min
C Side: protected zone	15' min
D Rear: common lot line	0' min
D Rear: alley	5' min
D Rear: protected zone	15' min

Lot Frontage	
E Primary street	85% min
F Side street	40% min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot None

With no alley: new street curb-cuts per lot Determined by ~~Director of Codes Administration~~ Director of the Land Development Office

A With no alley: driveway width in setback 20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

B Primary street 30' min

C Side street 10' min

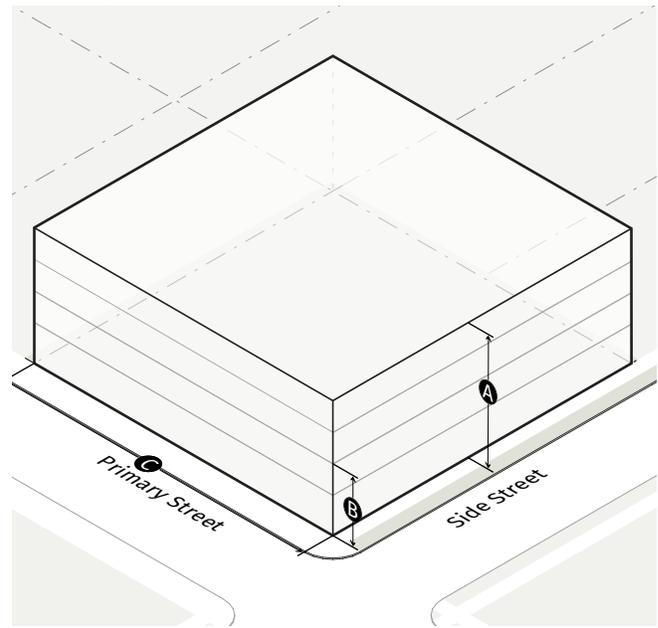
D Side: common lot line/alley 0' min

D Side: protected zone 5' min

E Rear: common lot line/alley 0' min

E Rear: protected zone 5' min

(5) HEIGHT AND MASS



Building Height

A Maximum height	
E-SH-3	3 stories/40' max
E-SH-4	4 stories/50' max
Maximum height within 30 feet of a protected zone	2 stories/24' max
B Minimum height: A Street	2 stories min

Building Mass

C Street-facing building length	250' max
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(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks	
A Ground story	70% min	I Primary/side street	0' min/10' max
B Upper story	25% min	Sidewalk*	
C Blank wall length	20' max	J Clear pedestrian zone	
Story Height		Primary street	10' min
D Ground floor elevation	0' min/2' max	Side street	6' min
E Ground story, floor to floor	15' min	Street Tree/Furniture Zone*	
F Upper story, floor to floor	9' min	K Street tree/furniture zone depth	6' min
Pedestrian Access		Street tree planting type	
G Entrance facing primary street	Required	Primary street	Tree pit
H Entrance spacing along primary street	50' max	Side street	Tree pit/verge
Building Elements Allowed		Tree spacing	30' avg. on-center
Awning/canopy	◆	*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696. (4)).	
Balcony	◆		
Forecourt	◆		
Gallery	◆		
Porch			
Stoop			

Sec. 38-732. E-IX: Industrial Mixed Use Zone

(1) SUMMARY



Intent

The Industrial Mixed Use (E-IX) zone is intended to accommodate a variety of light industrial and manufacturing uses while allowing for retail, service and commercial activity and limited residential opportunities in a pedestrian-friendly environment.

E-IX Zones

E-IX-3, E-IX-4

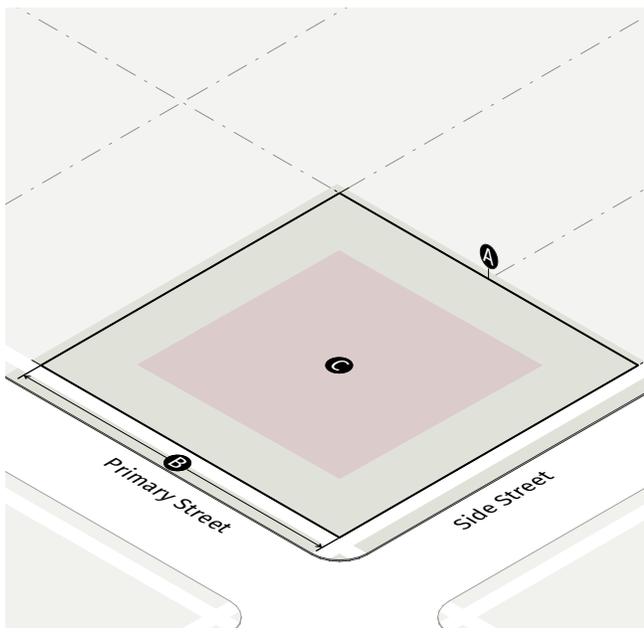
Lot Types

Hybrid	see Sec. 38-697.(8)
Production	see Sec. 38-697.(10)
Public	see Sec. 38-697.(11)

Use

Allowed Uses	see Sec. 38-736.
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(2) LOT PARAMETERS

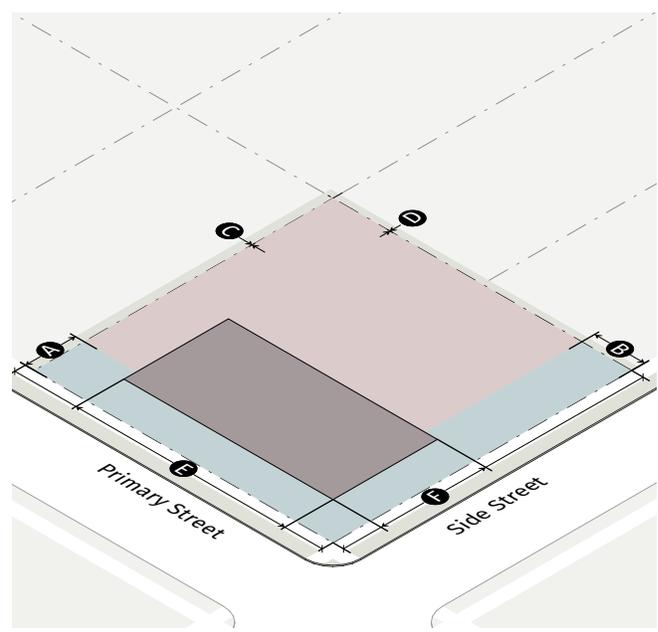


Lot	A Area	B Width
Hybrid	5,000 SF min	50' min
Production	5,000 SF min	50' min
Public	5,000 SF min	50' min

Specifications

C Building coverage	70% max
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(3) BUILDING PLACEMENT



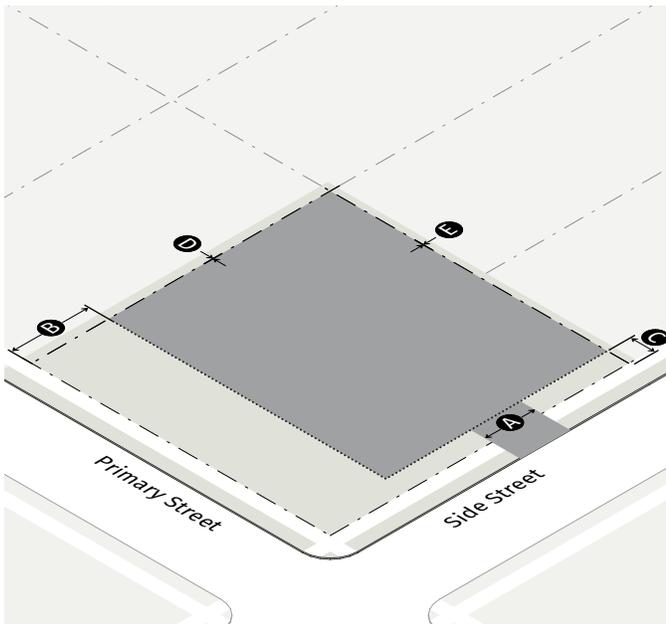
Building Setbacks

A Primary street	0' min/20' max
B Side street	0' min/20' max
C Side: common lot line	0' min
C Side: alley	5' min
C Side: protected zone	15' min
D Rear: common lot line	0' min
D Rear: alley	5' min
D Rear: protected zone	15' min

Lot Frontage

E Primary street	60% min
F Side street	30% min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot None

With no alley: new street curb-cuts per lot Determined by ~~Director of Codes Administration~~ Director of the Land Development Office

A With no alley: driveway width in setback 20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

B Primary street 30' min

C Side street 10' min

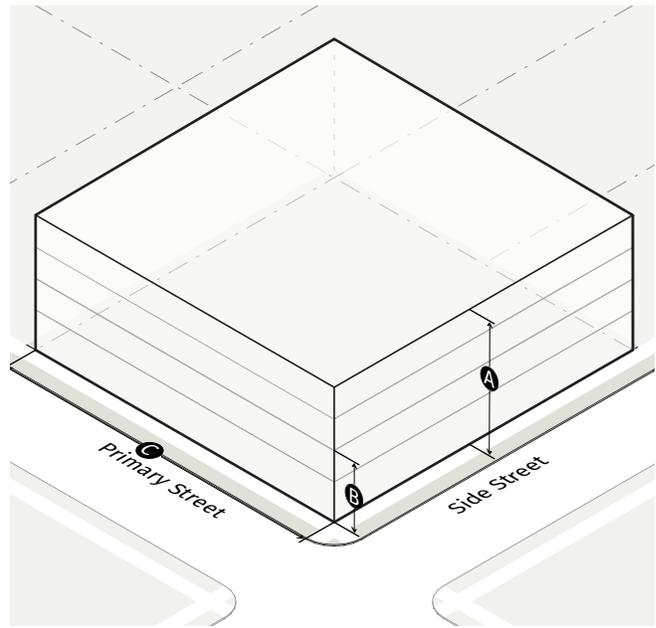
D Side: common lot line/alley 0' min

D Side: protected zone 5' min

E Rear: common lot line/alley 0' min

E Rear: protected zone 5' min

(5) HEIGHT AND MASS



Building Height

A Maximum height

E-IX-3 3 stories/40' max

E-IX-4 4 stories/50' max

Maximum height within 30 feet of a protected zone 2 stories/24' max

B Minimum height: A Street 2 stories min

Building Mass

C Street-facing building length 250' max

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

	Residential Ground Floor	Nonresidential Ground Floor
Transparency		
A Ground story	30% min	50% min
B Upper story	25% min	25% min
C Blank wall length	30' max	30' max
Story Height		
D Ground floor elevation	16" min/ 5' max	0' min/ 2' max
E Ground story: floor to floor	10' min	13' min
F Upper story: floor to floor	9' min	9' min
Pedestrian Access		
G Entrance facing primary street	Required	Required
H Entrance spacing along primary street	75' max	100' max
Building Elements Allowed		
Awning/canopy	◆	◆
Balcony	◆	◆
Forecourt	◆	◆
Gallery		◆
Porch	◆	◆
Stoop	◆	◆

Setbacks

I Primary/side street	0' min/20' max
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Sidewalk*

J Clear pedestrian zone	6' min
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Street Tree/Furniture Zone*

K Street tree/furniture zone depth	6' min
Street tree planting type	Tree pit/verge
Tree spacing	30' avg. on-center

*Where there is insufficient ROW to meet the minimum requirements, the ~~Director of Codes-Administration~~ [Director of the Land Development Office](#) may approve modifications (see Sec. 38-696. (4)).

Sec. 38-733. E-IN: Industrial Zone

(1) SUMMARY



Intent

The Industrial (E-IN) zone is intended to accommodate a broad range of high impact manufacturing or industrial uses, that by their nature create a nuisance, and which are not properly associated with, or are not necessarily compatible with, nearby residential or commercial uses.

E-IN Zones

E-IN-3

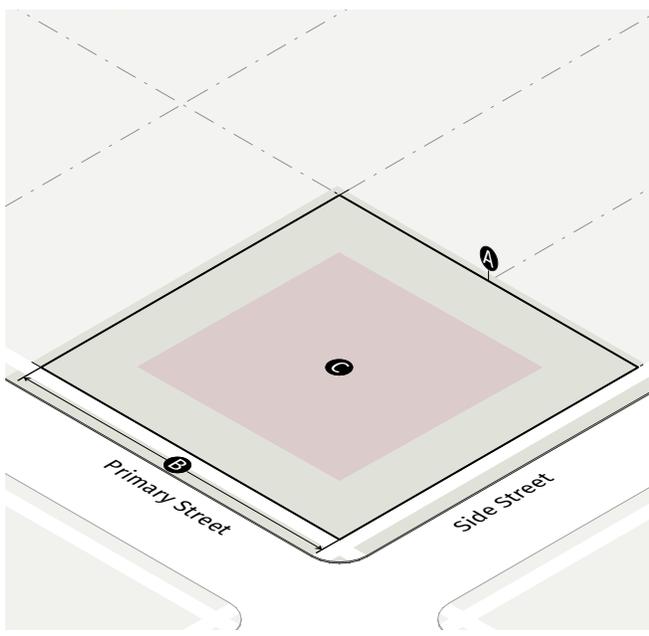
Lot Types

Production see Sec. 38-697.(10)

Use

Allowed Uses see Sec. 38-736.

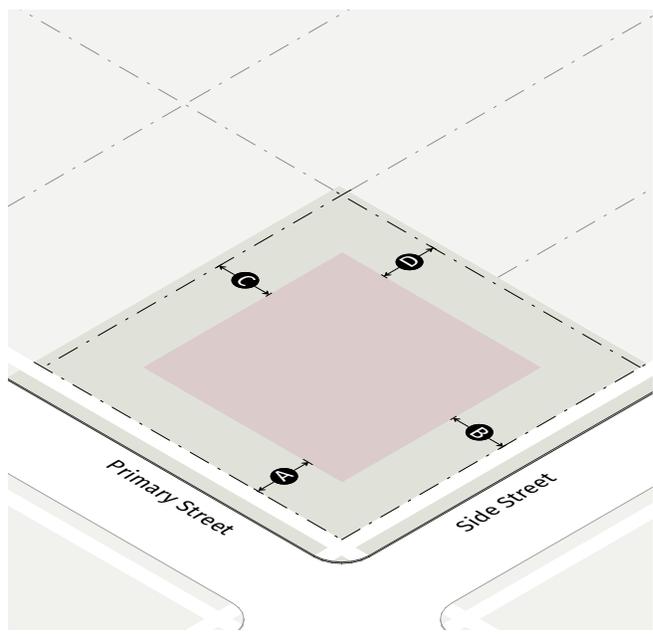
(2) LOT PARAMETERS



Lot	A Area	B Width
Production	15,000 SF min	100' min

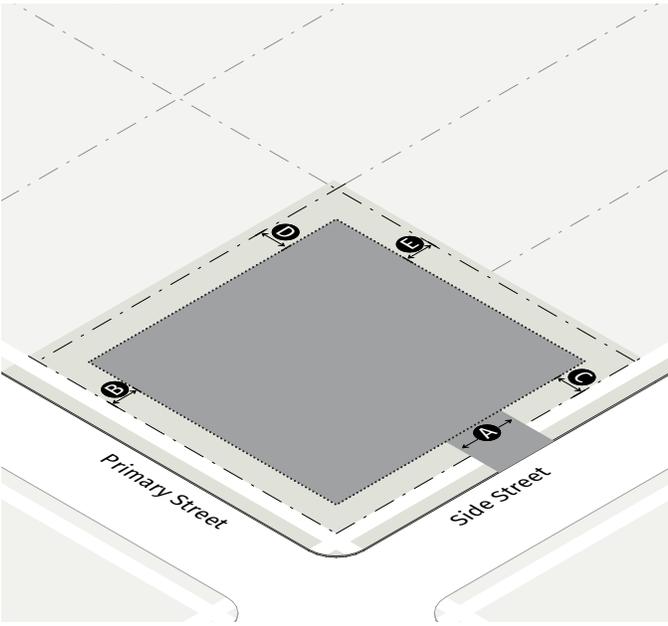
Specifications	C Building coverage
	70% max

(3) BUILDING PLACEMENT



Building Setbacks	
A Primary street	20' min
B Side street	20' min
C Side: common lot line	20' min
D Rear: common lot line	20' min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

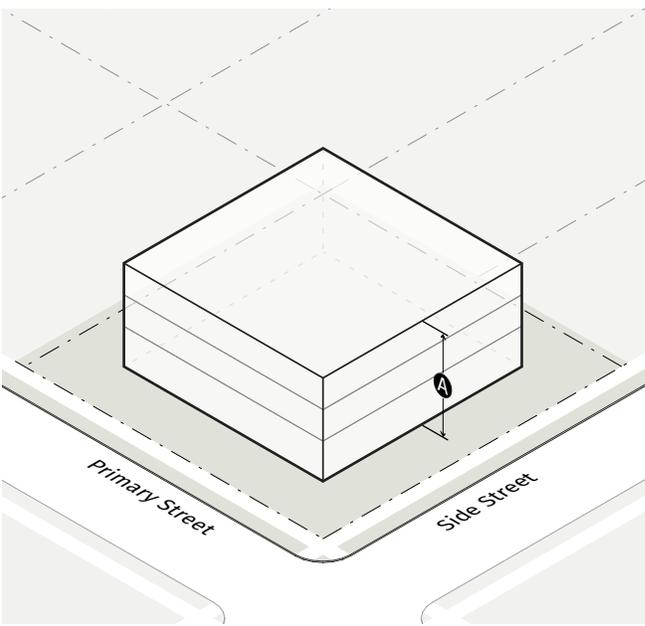
New street curb-cuts per lot Determined by [Director of Codes Administration](#) [Director of the Land Development Office](#)

A Driveway width in setback 20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

- B** Primary street 10' min
- C** Side street 10' min
- D** Side: common lot line 10' min
- E** Rear: common lot line 10' min

(5) HEIGHT AND MASS



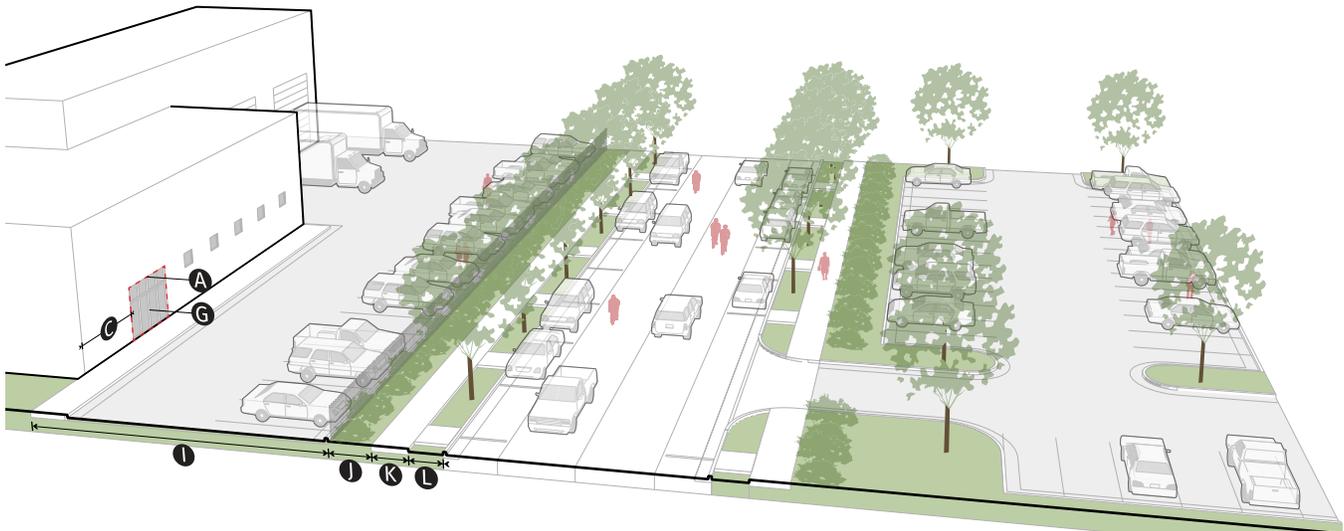
Building Height

- A** Maximum height 3 stories/40' max
- Maximum height within 30 feet of a protected zone 2 stories/24' max

Building Mass

- B** Street-facing building length 400' max

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks	
A	Ground story	30% min	I Primary/side street 20' min
B	Upper story	n/a	
C	Blank wall length	125' max	
Story Height		Perimeter Planting	
D	Ground floor elevation	n/a	J Planting area 10' min
E	Ground story, floor to floor	n/a	Planting type 6' min fence with landscape
F	Upper story, floor to floor	n/a	
Pedestrian Access		Sidewalk*	
G	Entrance facing primary street	Required	K Clear pedestrian zone 6' min
H	Entrance spacing along primary street	n/a	
Building Elements Allowed		Street Tree/Furniture Zone*	
	Awning/canopy	n/a	K Street tree/furniture zone depth 6' min
	Balcony	n/a	Street tree planting type Verge
	Gallery	n/a	Tree spacing 30' avg. on-center
	Porch	n/a	
	Stoop	n/a	

*Where there is insufficient ROW to meet the minimum requirements, the [Director of Codes-Administration](#) [Director of the Land Development Office](#) may approve modifications (see Sec. 38-696. (4)).

Sec. 38-734. E-CIV: Civic Zone

(1) SUMMARY



Intent

The Civic (E-CIV) zone is intended to accommodate a variety of civic and public uses. The zone allows a reduced level of building form control in recognition of the special character of many civic buildings.

E-CIV Zones

E-CIV-3, E-CIV-4

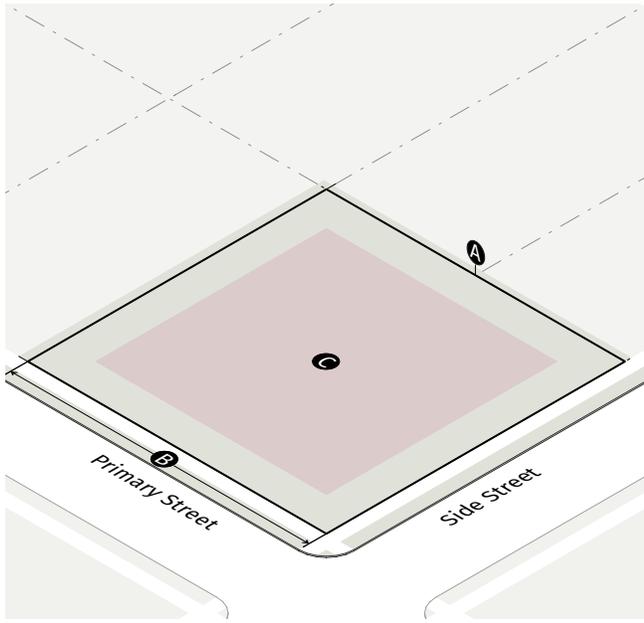
Lot Types

Public see Sec. 38-697.(11)

Use

Allowed Uses see Sec. 38-736.

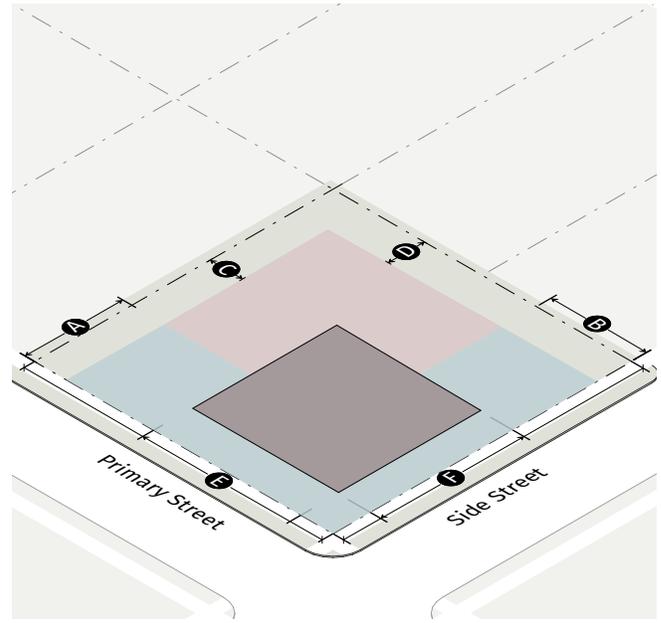
(2) LOT PARAMETERS



Lot	A Area	B Width
Public	5,000 SF min	50' min

Specifications	C Building coverage
	70% max

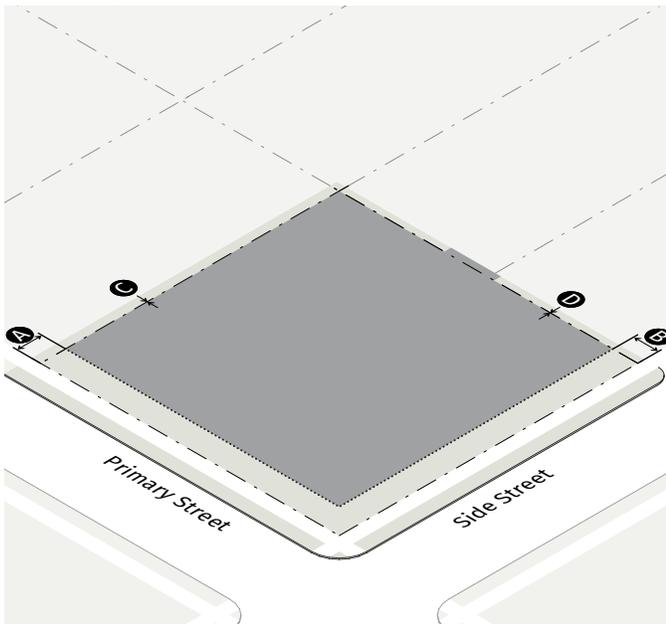
(3) BUILDING PLACEMENT



Building Setbacks	
A Primary street	0' min/30' max
B Side street	0' min/30' max
C Side: common lot line	10' min
C Side: alley	5' min
C Side: protected zone	15' min
D Rear: common lot line	10' min
D Rear: alley	5' min
D Rear: protected zone	15' min

Lot Frontage	
E Primary street	50% min
F Side street	50% min

(4) ACCESS/PARKING LOCATION



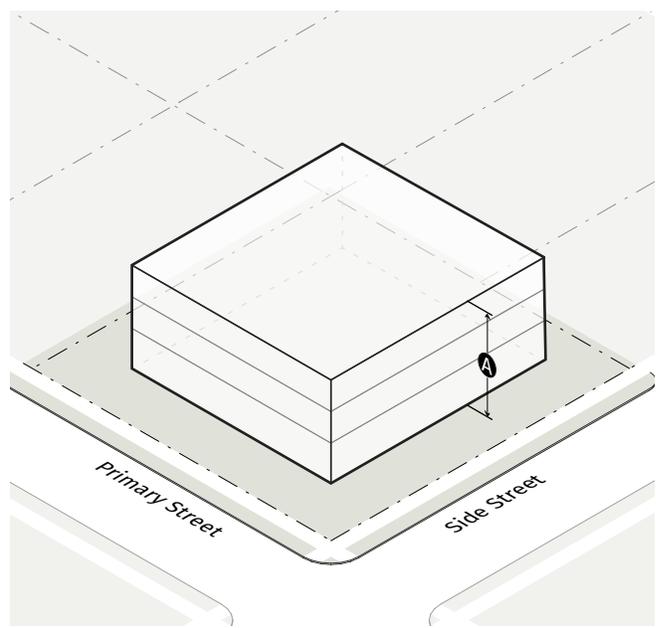
Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot	None
With no alley: new street curb-cuts per lot	Determined by Director of Codes Administration Director of the Land Development Office
With no alley: driveway width in setback	20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

A Primary street	30' min
B Side street	10' min
C Side: common lot line/alley	0' min
C Side: protected zone	5' min
D Rear: common lot line/alley	0' min
D Rear: protected zone	5' min

(5) HEIGHT AND MASS



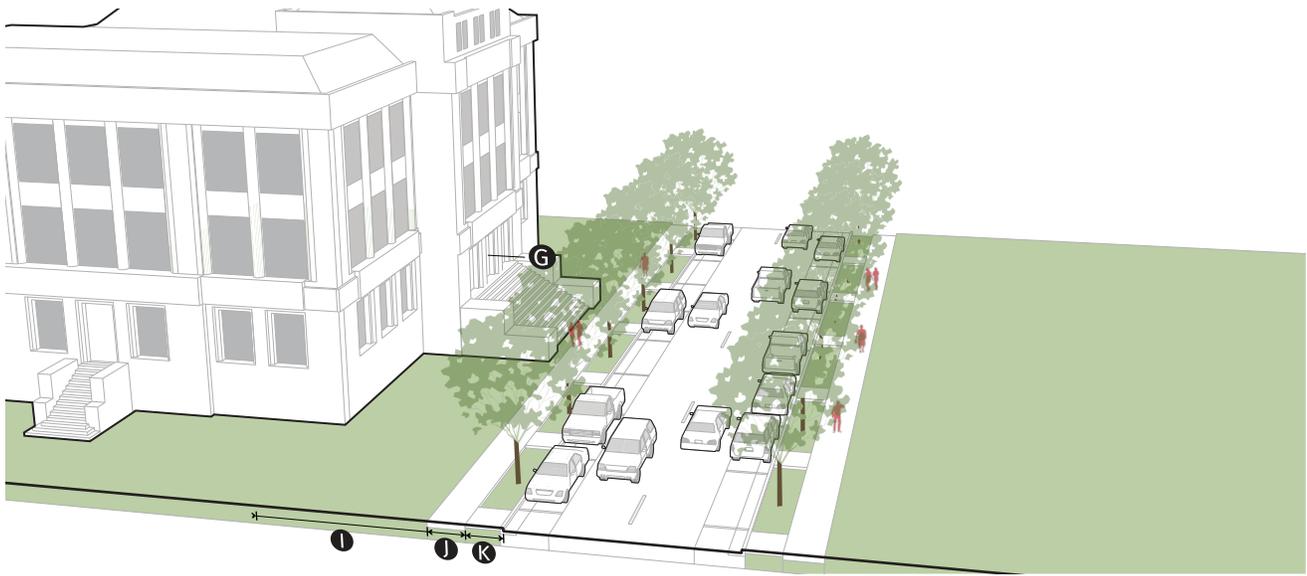
Building Height

A Maximum height	
E-CIV-3	3 stories/45' max
E-CIV-4	4 stories/60' max
Maximum height within 30 feet of a protected zone	2 stories/24' max

Building Mass

Street-facing building length	n/a
-------------------------------	-----

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks	
A Ground story	n/a	I Primary/side street	20' min
B Upper story	n/a	Sidewalk*	
C Blank wall length	n/a	J Clear pedestrian zone	6' min
Story Height		Street Tree/Furniture Zone*	
D Ground floor elevation	n/a	K Street tree/furniture zone depth	6' min
E Ground story, floor to floor	n/a	Street tree planting type	Verge
F Upper story, floor to floor	n/a	Tree spacing	30' avg. on-center
Pedestrian Access		*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696.(4)).	
G Entrance facing primary street	Required		
H Entrance spacing along primary street	n/a		
Building Elements Allowed			
Awning/canopy	n/a		
Balcony	n/a		
Forecourt	◆		
Gallery	n/a		
Porch	n/a		
Stoop	n/a		

Sec. 38-735. E-PK: Parks and Open Space Zone

(1) SUMMARY



Intent

The Parks and Open Space (E-PK) zone is intended to preserve and enhance land as permanent outdoor open space. All land is intended to be unoccupied or predominately unoccupied by buildings or other impervious surfaces.

E-PK Zones

E-PK

Lot Types

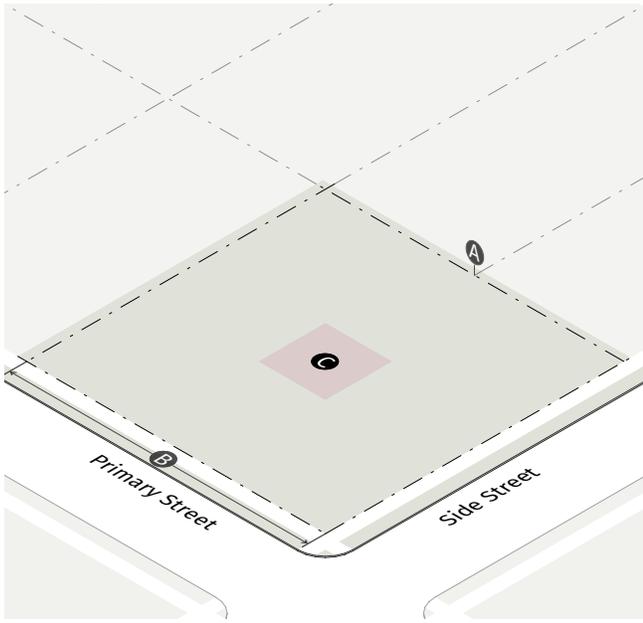
n/a

Use

Allowed Uses

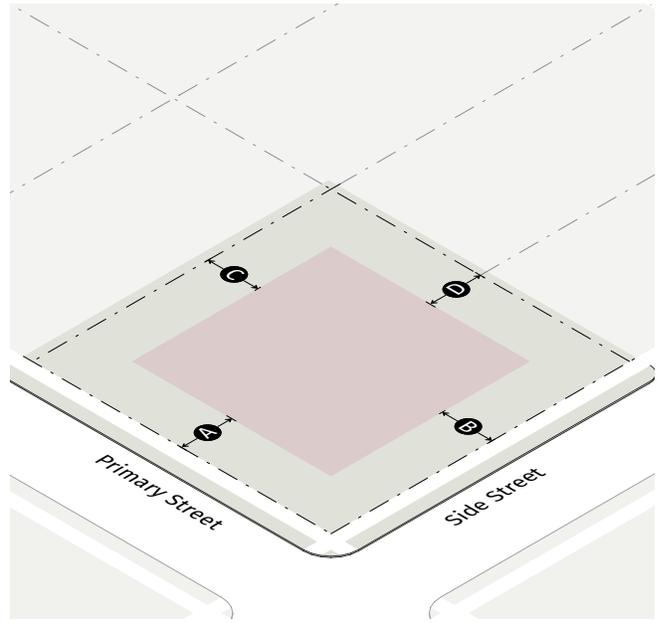
see Sec. 38-736.

(2) LOT PARAMETERS



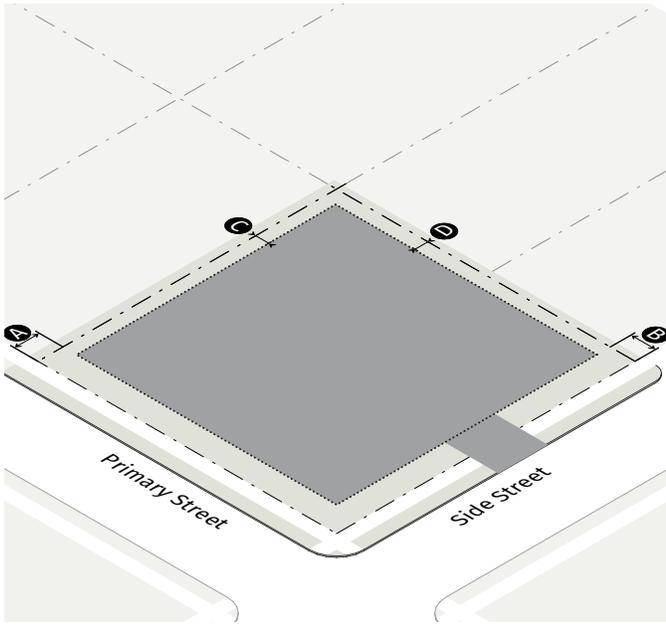
Lot	A Area	B Width
n/a	n/a	n/a
Specifications		
C Building coverage		5% max

(3) BUILDING PLACEMENT



Building Setbacks		
A Primary street		20' min
B Side street		20' min
C Side: common lot line		20' min
D Rear: common lot line		20' min

(4) ACCESS/PARKING LOCATION



Access (see Sec. 38-698.(3)A.)

With alley: new street curb-cuts per lot None

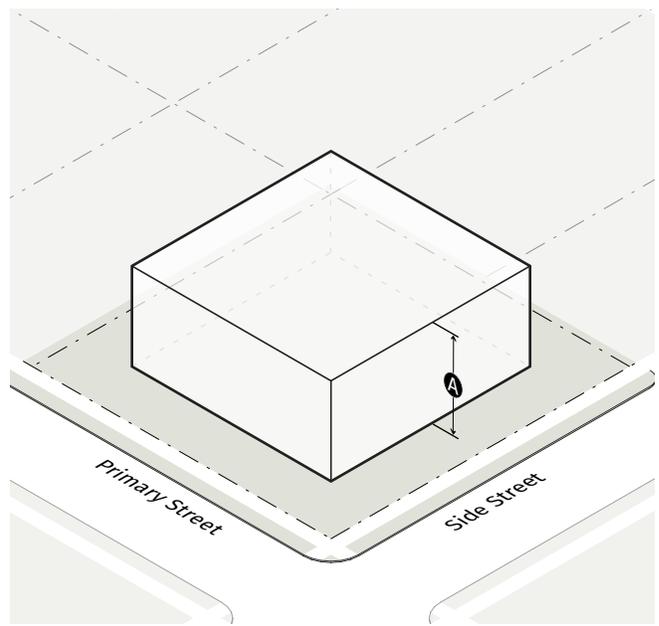
With no alley: new street curb-cuts per lot Determined by ~~Director of Codes Administration~~ [Director of the Land Development Office](#)

With no alley: driveway width in setback 20' max

Parking Setbacks (see Sec. 38-698.(3)B.)

A Primary street	10' min
B Side street	10' min
C Side: common lot line	5' min
D Rear: common lot line	5' min

(5) HEIGHT AND MASS



Building Height

A Maximum height 35' max

Building Mass

Street-facing building length n/a

(6) PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

Transparency		Setbacks	
A Ground story	n/a	L Primary/side street	20' min
B Upper story	n/a	Sidewalk*	
C Blank wall length	n/a	J Clear pedestrian zone	6' min
Story Height		Street Tree/Furniture Zone*	
D Ground floor elevation	n/a	K Street tree/furniture zone depth	6' min
E Ground story, floor to floor	n/a	Street tree planting type	Verge
F Upper story, floor to floor	n/a	Tree spacing	30' avg. on-center
Pedestrian Access		*Where there is insufficient ROW to meet the minimum requirements, the Director of Codes-Administration Director of the Land Development Office may approve modifications (see Sec. 38-696. (4)).	
G Entrance facing primary street	n/a		
H Entrance spacing along primary street	n/a		
Building Elements Allowed			
Awning/canopy	n/a		
Balcony	n/a		
Gallery	n/a		
Porch	n/a		
Stoop	n/a		

Sec. 38-736. Allowed Uses

(1) Classification of Uses

- A. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use categories provide a systematic basis for assigning uses to appropriate categories with other, similar uses. Use categories classify principal uses and activities based on common functional, product or physical characteristics.
- B. Where a use category contains a list of included uses, the list is to be considered example uses, and not all-inclusive. The ~~Director of Codes Administration~~ Director of the Land Development Office has the responsibility for categorizing all uses (see Sec. 38-737.(3)).
- C. A full list of uses and use categories are specified in Sec. 38-738.

(2) Allowed Use Table

A. Permitted Use (P)

Indicates a use is permitted in the respective zone. The use is also subject to all other applicable requirements of the Downtown Code.

B. Limited Use (L)

Indicates a use is permitted in the respective zone, subject to a use standard found in the right-hand column of the use table. The use is also subject to all other applicable requirements of the Downtown Code.

C. Special Exception from the BZA Required (SZ)

Indicates a use may be permitted in the respective zone, subject to the approval of a Special Exceptions Permit issued by the Board of Zoning Appeals under the terms specified in Article VIII (§§ 38-561 - 38-573) of Chapter 38.

D. Special Exception from City Council Required (SC)

Indicates a use may be permitted in the respective zone, subject to the approval of a Special Exceptions Permit issued by the City Council.

E. Use Not Permitted (--)

Indicates that a use is not permitted in the respective zone.

URBAN EDGE | Allowed Uses

SEE SEC. 38-738 FOR ADDITIONAL USE PROVISIONS

Use Category: Specific Use	Urban Edge									Definition/ Standards
	E-RD	E-RA	E-RM	E-CX	E-SH	E-IX	E-IN	E-CIV	E-PK	
Residential Uses										
Household Living										38-738.(1)A.1.
Single-unit living detached	P	P	P	--	--	--	--	--	--	
Single-unit living detached with accessory dwelling unit	L	L	L	--	--	--	--	--	--	38-738.(6)C.
Single-unit living attached	--	P	P	P	--	P	--	--	--	
<u>Single-unit living attached with accessory dwelling unit</u>	<u>--</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>--</u>	<u>L</u>	<u>--</u>	<u>--</u>	<u>--</u>	<u>38-738.(6)C.</u>
Two-unit living	--	P	P	--	--	--	--	--	--	
Multi-unit living (up to 4 units)	--	P	P	P	P	P	--	--	--	
Multi-unit living (5+ units)	--	--	P	P	P	P	--	--	--	
Manufactured home, single-wide	--	--	--	--	--	--	--	--	--	
Manufactured home park	--	--	--	--	--	--	--	--	--	
Live/work unit	--	--	L	P	P	P	--	--	--	38-738.(1)A.2.
Group Living										38-738.(1)B.
Assisted living facility	--	--	SZ	SZ	SZ	SZ	--	--	--	38-568.(19)
Boarding house	--	--	SZ	SZ	SZ	SZ	--	--	--	38-568.(19)
Dormitory	--	--	P	P	P	P	--	--	--	
Fraternity/sorority	--	--	SZ	P	P	P	--	--	--	38-568
Medically assisted living facility	--	--	SZ	SZ	SZ	SZ	--	--	--	38-568.(19)
Nursing home	--	--	SZ	SZ	SZ	SZ	--	--	--	38-568.(19)
Residential home for handicapped or aged persons, commercial	SC	SC	SC	SC	--	SC	--	--	--	38-523
Social Services										38-738.(1)C.
Public/Institutional Uses										
Civic, except as listed below:	--	--	--	P	P	P	--	P	--	38-738.(2)A.
Church or other place of worship	P	P	P	P	P	P	--	P	--	
Fire/police station	P	P	P	P	P	P	--	P	--	
Kindergarten, governmental or religious	P	P	P	P	P	P	--	P	--	
Non-profit heritage educational facility	SC	SC	SC	SC	--	SC	--	SC	--	38-525
Publicly-owned building	P	P	P	P	P	P	--	P	P	
School	P	P	P	P	P	P	--	P	--	

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required
SC = Special Exception from City Council Required -- = Not Permitted

SEE SEC. 38-738 FOR ADDITIONAL USE PROVISIONS

Use Category: Specific Use	Urban Edge									Definition/ Standards
	E-RD	E-RA	E-RM	E-CX	E-SH	E-IX	E-IN	E-CIV	E-PK	
Public/Institutional Uses										
Parks and Open Space, except as listed below:	P	P	P	P	P	P	--	P	P	38-738.(2)B.
Cemetery	SC	SC	SC	SC	--	SC	--	SC	SC	38-521/522
Golf course	--	--	--	--	--	--	--	--	--	
Utilities										38-738.(2)C.
Minor utilities	P	P	P	P	P	P	P	P	P	
Major utilities	--	--	--	--	--	--	SZ	--	--	
Wireless Communications	SZ	SZ	SZ	SZ	SZ	SZ	SZ	SZ	--	38-568.(16)
Commercial Uses										
Adult-Oriented Business	--	--	--	SZ	SZ	SZ	--	--	--	38-738.(3)A. 38-568.(18)
Animal Care										38-738.(3)B.
Animal care, indoor	--	--	--	P	P	P	--	--	--	
Animal care, outdoor	--	--	--	--	--	SZ	--	--	--	
Day Care	SZ	SZ	SZ	P	P	P	--	P	--	38-738.(3)C.
Indoor Recreation	--	--	--	P	P	P	--	--	--	38-738.(3)D.
Medical, except as listed below:	--	--	--	P	P	P	--	--	--	38-738.(3)E.
Hospital	--	--	--	SZ	--	--	--	--	--	38-568.(19)
Office	--	--	--	P	P	P	--	--	--	38-738.(3)F.
Outdoor Recreation	--	--	--	--	--	--	--	--	--	38-738.(3)G.
Overnight Lodging										38-738.(3)H.
Bed and breakfast	SZ	SZ	P	P	P	P	--	--	--	38-568
Hotel, motel	--	--	--	P	P	P	--	--	--	
Short-term vacation rental	SZ	SZ	SZ	P	P	P	--	--	--	38-568
Travel trailer camp or other camping facility	--	--	--	--	--	--	--	--	--	
Parking										38-738.(3)I.
Commercial parking	--	--	--	P	P	P	--	--	--	
Remote (off-site) parking	--	--	P	P	P	P	P	SZ	--	38-568
Passenger Terminal	--	--	--	P	P	P	--	--	--	38-738.(3)J.
Personal Service	--	--	--	P	P	P	--	--	--	38-738.(3)K.
Restaurant, except as listed below:	--	--	--	P	P	P	--	--	--	38-738.(3)L.
Late night entertainment/event facility, nightclub	--	--	--	SC	SC	SC	--	--	--	38-527

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required
SC = Special Exception from City Council Required -- = Not Permitted

URBAN EDGE | Allowed Uses

SEE SEC. 38-738 FOR ADDITIONAL USE PROVISIONS

Use Category: Specific Use	Urban Edge									Definition/ Standards
	E-RD	E-RA	E-RM	E-CX	E-SH	E-IX	E-IN	E-CIV	E-PK	
Commercial Uses										
Retail, except as listed below	--	--	--	P	P	P	--	--	--	38-738.(3)M.
Alternative financial services establishment	--	--	--	SC	SC	SC	--	--	--	38-529
Gas station	--	--	--	P	P	P	--	--	--	
Liquor store	==	==	==	SC	SC	SC	==	==	==	City Code 5-108
Open air market	--	--	--	SZ	--	SZ	--	SZ	SZ	38-568.(17)
Vehicle Sales and Rental										38-738.(3)N.
Minor sales and rental	--	--	--	P	P	P	P	--	--	
Major sales and rental	--	--	--	--	--	--	--	--	--	
Industrial Uses										
Artisanal	--	--	--	P	P	P	P	--	--	38-738.(4)A.
Heavy Industrial	--	--	--	--	--	--	SZ	--	--	38-738.(4)B.
Light Industrial/Manufacturing, except as listed below:	--	--	--	--	--	P	P	--	--	38-738.(4)C.
Alcohol distillery, small	==	==	==	SC	SC	SC	SC	==	==	
Alcohol distillery, large	==	==	==	==	==	SC	SC	==	==	
Alcohol distillery, small, Micro-brewery	--	--	--	P	P	P	P	--	--	
Research and Development	--	--	--	P	P	P	--	--	--	38-738.(4)D.
Resource Extraction	--	--	--	--	--	--	--	--	--	38-738.(4)E.
Vehicle Service and Repair										38-738.(4)F.
Minor vehicle service and repair	--	--	--	--	--	P	--	--	--	
Major vehicle service and repair	--	--	--	--	--	--	--	--	--	
Warehouse, Storage and Distribution	--	--	--	--	--	--	P	--	--	38-738.(4)G.
Waste-Related Service, except as listed below:	--	--	--	--	--	--	SZ	--	--	38-738.(4)H. 38-568
Recycling processing center	--	--	--	--	--	--	L	--	--	38-301.(3)
Outdoor Uses										
Agriculture										38-738.(5)A.
Community garden	P	P	P	P	P	P	--	P	P	
Accessory Uses										
Day care home	P	P	P	P	P	P	--	--	--	38-738.(6)A.
Drive-thru facility	--	--	--	L	--	L	--	--	--	38-738.(6)B.
Home occupation	L	L	L	L	L	L	--	--	--	38-738.(6)D.
Outdoor dining	--	--	--	L	L	L	--	--	--	38-738.(6)E.
Outdoor display	--	--	--	L	L	L	--	--	--	38-738.(6)F.
Outdoor storage, minor	--	--	--	--	--	L	L	--	--	38-738.(6)G.
Outdoor storage, major	--	--	--	--	--	--	SZ	--	--	38-738.(6)H.

KEY: P = Permitted L = Limited Use SZ = Special Exception from the Board of Zoning Appeals Required
SC = Special Exception from City Council Required -- = Not Permitted

DIVISION 8. USE PROVISIONS

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Sec. 38-737. Classification of Uses

(1) Principal Uses

- A. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use categories provide a systematic basis for assigning uses to appropriate categories with other, similar uses. Use categories classify principal uses and activities based on common functional, product or physical characteristics.
- B. Where a use category contains a list of included uses, the list is to be considered example uses, and not all-inclusive. The ~~Director of Codes Administration~~ Director of the Land Development Office has the responsibility for categorizing all uses.
- C. The allowed use tables in Divisions 4 through 7 establish permitted uses by zone. No building or lot may be used except for a purpose permitted in the zone in which it is located. Uses not specifically listed must be approved by the ~~Director of Codes Administration~~ Director of the Land Development Office in accordance with Sec. 38-737.(3).
- D. Use categories and use standards for principal uses are specified in Sec. 38-787.

(2) Accessory Uses

- A. An accessory use is any use that is subordinate in both purpose and size, incidental to and customarily associated with a permitted principal use located on the same lot.
- B. The allowed use tables in Divisions 4 through 7 establish a limit set of permitted accessory uses by zone. Uses not specifically listed must be approved by the ~~Director of Codes Administration~~ Director of the Land Development Office in accordance with Sec. 38-737.(4).
- C. Use definitions and use standards for accessory uses are specified in Sec. 38-738.(6).

(3) Principal Uses Not Listed

A principal use not specifically listed is prohibited unless the ~~Director of Codes Administration~~ Director of the Land Development Office determines the use to be part of a use category as described below.

- A. The ~~Director of Codes Administration~~ Director of the Land Development Office is responsible for categorizing all principal uses. If a proposed use is not listed in a use category, but is similar to a listed use, the ~~Director of Codes Administration~~ Director of the Land Development Office may consider the proposed use part of that use category. When determining whether a proposed use is similar to a listed use, the ~~Director of Codes Administration~~ Director of the Land Development Office must consider the following criteria:
 1. The actual or projected characteristics of the proposed use;
 2. The relative amount of site area or floor area and equipment devoted to the proposed use;
 3. Relative amounts of sales;
 4. The customer type;
 5. The relative number of employees;
 6. Hours of operation;
 7. Building and site arrangement;
 8. Types of vehicles used and their parking requirements;
 9. The number of vehicle trips generated;
 10. How the proposed use is advertised;
 11. The likely impact on surrounding properties; and
 12. Whether the activity is likely to be found independent of the other activities on the site.
- B. Where a use not listed is found by the ~~Director of Codes Administration~~ Director of the Land Development Office not to be similar to any other

permitted use, the use is only permitted following a text amendment.

(4) Accessory Uses Not Listed

An accessory use not specifically listed is prohibited unless the ~~Director of Codes Administration~~ Director of the Land Development Office determines the accessory use:

- A. Is clearly incidental to and customarily found in connection with an allowed principal use;
- B. Is serving an allowed principal use;
- C. Is subordinate in area, extent and purpose to the principal use served;
- D. Contributes to the comfort, convenience or needs of occupants, business or industry in the principal use served; and
- E. Is located on the same lot as the principal use served.

Sec. 38-738. Use Categories

(1) Residential Uses

A. Household Living

1. Residential occupancy of a dwelling unit by a household. Household living includes the following:
 - a. Single-unit living detached.
 - b. Single-unit living detached with accessory dwelling unit.
 - c. Two-unit living.
 - d. Single-unit living attached.
 - e. Single-unit living attached with accessory dwelling unit.
 - f. Multi-unit living (up to 4 units).
 - g. Multi-unit living (5+ units).
 - h. Manufactured home, single-wide.
2. Where live/work is permitted as a limited use in a D-RA-, R-RF, R-RV or RM- zone, it is subject to the following additional standards:
 - a. Live/work is only permitted in units with street level access.
 - b. The work area of the live/work unit cannot exceed 2,000 square feet or 50% of the total gross floor area, whichever is greater;
 - c. Hours of operation can begin no earlier than 6 AM and end no later than 10 PM, including all deliveries;
 - d. A minimum of one person must occupy the live/work unit as their primary place of residence.
 - e. The live/work unit may employ no more than two persons not living on the premises at any one time.
 - f. No business storage or warehousing of material, supplies or equipment is permitted outside of the live/work unit.
 - g. The nonresidential use of the unit is limited to office, personal service and retail uses as defined in this Section (Sec. 38-738.), except that the following uses are prohibited:
 - i. Alternative financial services establishment.
 - ii. Gas station.
 - iii. Liquor store.
 - iv. Open air markets.
 - h. No equipment or process may be used in connection with the live/work unit that creates noise, vibration, glare, fumes, odors, or electrical interference

detectable to the normal senses, off the premises.

- i. Business signs are limited to one unlit wall or projecting sign no larger than 3 square feet in area, attached to the structure housing the live/work unit.
- j. No more than 5 customers are permitted on the premises at any one time.

B. Group Living

Residential occupancy of a structure that does not meet the definition of household living. Generally, group living facilities have a common eating area for residents, and residents may receive care or training. Group living includes the following:

- 1. Assisted living facility.
- 2. Boarding house.
- 3. Dormitory.
- 4. Fraternity/sorority.
- 5. Medically assisted living facility.
- 6. Nursing home.
- 7. Residential home for handicapped and/or aged persons, commercial.

C. Social Services

A facility that provides treatment for persons not protected under the Fair Housing Act or who present a direct threat to the persons or property of others. Includes persons convicted for illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders. Also includes facilities that provide transient housing related to postincarceration and social service programs.

(2) Public/Institutional Uses

A. Civic

Places of public assembly that provide ongoing governmental, life safety, educational and cultural services to the general public, as well as meeting areas for religious practice. Civic includes the following:

- 1. Church or other place of worship.
- 2. College, university.
- 3. Fraternal, professional or hobby club.
- 4. Community-owned not-for-profit building.
- 5. Fire/police station.
- 6. Governmental agencies and buildings.
- 7. Kindergarten, governmental or religious.
- 8. Kindergarten, private.
- 9. Library, museum, aquarium.
- 10. Non-profit heritage educational facility.
- 11. Post office.
- 12. Publicly-owned building.
- 13. School.
- 14. Social service agency (without residential services).

B. Parks and Open Space

Uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas, and having few structures. Parks and open space includes the following:

- 1. Cemetery.
- 2. Conservation area.
- 3. Golf course.
- 4. Greenway, recreational trail, multi-use path.

5. Park, playground.
6. Plaza, square, green.

C. Utilities

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). Utilities includes the following:

1. Minor Utilities

On-site stormwater retention or detention facility, neighborhood serving telephone exchange/switching center, gas/electric/telephone/cable transmission lines, water and wastewater pump station or lift station, gas gates, reservoir, control structure, drainage well, water supply water well, utility and public service uses.

2. Major Utilities

Aeration facility, electrical substation, electric or gas generation plant, filter bed, transmission towers, waste treatment plant, water pumping facility, water tower or tank, gas metering and control stations.

D. Wireless Communications

A facility for the provision of radio waves or wireless service. Wireless telecommunication facility includes the following:

1. Commercial radio, television, telephone or microwave towers.
2. Communication towers.
3. Microwave stations.
4. Monopole communication towers.
5. Radio, television and motion picture studios transmission towers.

(3) Commercial Uses

A. Adult-Oriented Business

A facility housing uses that are oriented towards adults, those aged 18 years and older. Adult-oriented business includes:

1. Adult bookstore.
2. Adult cabaret.
3. Adult entertainment.
4. Adult massage parlor.
5. Adult motion picture theater.
6. Adult oriented-establishment.
7. Adult sauna.
8. Adult video store.
9. Sexual device shop.
10. Sexual encounter center.

B. Animal Care

A facility providing care and boarding of domesticated animals for compensation including animal hospital, doggy day care, kennel, pet boarding, pet grooming, pet training facility; veterinary office; horse stables. Animal care includes the following:

1. Animal Care, Indoor

A facility designed or arranged for the care of animals without any outdoor activity. No outdoor activity associated with care of animals.

2. Animal Care, Outdoor

A facility designed or arranged for the care of animals that includes outdoor activity.

C. Day Care

A facility providing care and supervision for compensation during part of a 24 hour day, for children or adults not related by blood,

marriage or legal guardianship to the person or persons providing the care. Day care includes the following:

1. Day care center.

D. Indoor Recreation

A commercial facility providing daily or regularly scheduled recreation-oriented activities in an indoor setting. Indoor recreation includes the following:

1. Amusement center, game/video arcade.
2. Assembly hall, auditorium, meeting hall.
3. Billiard, pool hall.
4. Bowling alley.
5. Club, athletic or recreational.
6. Convention center, arena.
7. Extreme sports facility such as BMX, skateboarding or roller blading.
8. Ice or roller skating rink.
9. Inflatable playground/jump house.
10. Miniature golf facility.
11. Motor track.
12. Movie theater or other indoor theater.

E. Medical

A facility providing medical or surgical care to patients. Some facilities may offer overnight care. Medical includes the following:

1. Blood plasma donation center.
2. Hospital.
3. Medical, dental office/clinic, chiropractor, osteopath, physician, medical practitioner.
4. Medical or dental laboratory.
5. Surgical center.

6. Urgent care, emergency medical office.

F. Office

A facility used for activities conducted in an office setting and generally focusing on business, professional or financial services. Office includes the following:

1. Business services including, but not limited to, advertising, business management consulting, computer or data processing, graphic design, commercial art or employment agency.
2. Counseling in an office setting.
3. Financial services including but no limited to, lender, investment or brokerage house, bank, call center, bail bonds, insurance adjuster, real estate or insurance agent, mortgage agent or collection agency.
4. Professional services including, but not limited to, lawyer, accountant, auditor, bookkeeper, engineer, architect, sales office, travel agency, interior decorator or security system services.
5. Radio, TV station, recording studio.
6. Trade, vocational, technical, business school.

G. Outdoor Recreation

A commercial facility, varying in size, providing daily or regularly scheduled recreation-oriented activities. Activities take place predominately outdoors or within outdoor structures. Outdoor recreation includes the following:

1. Camp or campground.
2. Drive-in theater.
3. Extreme sports facility, such as BMX, skateboarding or roller blading.
4. Open-air theater.

5. Outdoor amusements such as batting cage, golf driving range, amusement park, miniature golf facility or water park.
6. Racetrack.
7. Stadium, arena.

H. Overnight Lodging

Accommodations arranged for short term stays. Overnight lodging includes the following:

1. Bed and breakfast.
2. Hotel, motel.
3. Short-term vacation rental.
4. Travel trailer camp or other camping facility.

I. Parking

A facility that provides parking as a principal use. Parking includes the following:

1. Commercial parking.
2. Remote (off-site) parking.

J. Passenger Terminal

A facility for trains, buses, taxis or limo services, or for utilizing shared transportation options. Passenger terminal includes facilities for the following:

1. Bus transfer facility or bus station.
2. Car share facility.
3. Limousine or taxi service.
4. Light rail station.
5. Rail station.

K. Personal Service

1. A facility involved in providing personal or repair services to the general public. Personal service includes the following:
 - a. Beauty, hair or nail salon.

- b. Catering service.
- c. Cleaning establishment, dry cleaning, laundry, laundromat.
- d. Copy center, printing, binding, photocopying, blueprinting, mailing service.
- e. Dance, martial arts, music studio or classroom.
- f. Funeral home, mortuary and undertaking establishment, pet funeral home (including crematory).
- g. Locksmith.
- h. Gym, health spa, yoga studio, palliates.
- i. Optometrist.
- j. Repair of appliances, bicycles, canvas product, clocks, computers/tablets, jewelry, mobile phones, musical instruments, office equipment, shoes, televisions, watches or similar items.
- k. Tailor, milliner, upholsterer.
- l. Therapeutic massage.
- m. Tattoo parlor, body piercing.
- n. Taxidermist.
- o. Tutoring.
- p. Wedding chapel.

L. Restaurant

1. A facility that prepares and sells food and drink for on- or off-premise consumption. Restaurant includes the following:
 - a. Bakery, cake shop.
 - b. Bar/cocktail lounge.
 - c. Coffee, tea shop.
 - d. Juice bar, smoothie shop.

USE PROVISIONS | Use Categories

- e. Late night entertainment/event facility, nightclub.
- f. Restaurant, brewpub, craft brewery.
- g. Yogurt or ice cream shop.

M. Retail

1. A facility involved in the sale, lease or rental of new or used products. Retail includes the following:
 - a. Alternative financial services establishment
 - b. Antiques, appliances, art supplies, batteries, bicycles, books, building supplies, cameras, carpet and floor coverings, crafts, clothing, computers, convenience goods, dry goods, electronics, fabric, flowers, furniture, garden supplies, gifts or novelties, groceries, hardware, home improvement, household products, jewelry, medical supplies, music, musical instruments, office supplies, package shipping, pets, pet supplies, pharmaceuticals, phones, photo finishing, picture frames, plants, pottery, printed materials, produce, seafood, shoes, souvenirs, sporting goods, stationery, tobacco, toys, vehicle parts and accessories, videos, video games and related products.
 - c. Art gallery.
 - d. Gas station.
 - e. Liquor store.
 - f. Open air markets.

N. Vehicle Sales and Rental

A facility that sells, rents or leases passenger vehicles, trucks, and other consumer vehicles such as motorcycles, boats and recreational vehicles. Vehicle sales and rental includes the following:

1. Minor Vehicle Sales and Rental

Sales, rental or leasing of passenger vehicles and motorcycles.

2. Major Sales and Rental

Sales, rental or leasing of commercial vehicles, heavy equipment and manufactured homes. Includes recreational vehicles, boats 18-wheelers, commercial box trucks, high-lifts, construction, heavy earthmoving equipment and manufactured homes.

(4) Industrial Uses

A. Artisanal

1. A facility for small-scale, craft production, with fewer than 5 employees on premise at any given time. Artisanal includes the following:
 - a. Blacksmith, metalwork.
 - b. Ceramics manufacturing.
 - c. Food processing.
 - d. Woodworking, cabinet makers or furniture manufacturing.
 - e. Glass blowing.
 - f. Jewelry, silverware, and plated ware manufacture.
 - g. Musical instrument manufacturing.
2. Where artisanal is permitted as a limited use in R-RF and R-RE, it is subject to the following additional standards:
 - a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
 - b. The maximum floor area devoted to all nonresidential uses in any one building cannot exceed 50% of the ground floor area of the building.

B. Heavy Industrial

A facility that involves dangerous, noxious or offensive uses or a facility that has smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause. Heavy industrial includes the following:

1. Animal processing, packing, treating, and storage, livestock or poultry slaughtering, processing of food and related products, production of lumber, explosives, fireworks, 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.
2. Bottling plant.
3. Bulk fuel sales.
4. Bulk storage of flammable liquids, chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products.
5. Chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products.
6. Concrete batch plant.
7. Petroleum, liquefied petroleum gas and coal products and refining.
8. Prefabricated building manufacturing.
9. Sawmill, log production facility, lumberyard.
10. Rubber and plastic products, rubber manufacturing.

C. Light Industrial/Manufacturing

A facility conducting light manufacturing operations within a fully-enclosed building. Light manufacturing includes the following:

1. Alcohol distillery, large, brewery, winery.
2. Alcohol distillery, small,

3. Clothing, textile or apparel manufacturing
4. Facilities engaged in the assembly or manufacturing of scientific measuring instruments; semiconductor and related devices, including but not limited to clocks, integrated circuits, jewelry, medical, musical instruments, photographic or optical instruments or timing instruments.
5. Micro-brewery.
6. Motion picture studio.
7. Pharmaceutical or medical supply manufacturing.
8. Recreational equipment manufacturing.
9. Toy manufacturing.
10. Sheet metal, welding, machine shop, tool repair.
11. Upholstery installation.
12. Woodworking, cabinet makers or furniture manufacturing.

D. Research and Development

A facility focused primarily on the research and development of new products. Research and development includes the following:

1. Laboratories, offices and other facilities used for research and development by or for any individual, organization or concern, whether public or private.
2. Prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product.
3. Pilot plants used to test manufacturing processes planned for use in production elsewhere.

E. Resource Extraction

A facility that extracts minerals and other solids and liquids from land. Resource extraction includes the following:

1. Borrow pit.
2. Extraction of phosphate or minerals.
3. Extraction of sand or gravel, borrow pit.
4. Metal, sand stone, gravel clay, mining and other related processing.
5. Stockpiling of sand, gravel.

F. Vehicle Service and Repair

Repair and service to passenger vehicles, trucks, and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. Vehicle service and repair includes the following:

1. Minor Vehicle Service and Repair

A facility where minor vehicle repair and service is conducted. Includes audio and alarm installation, custom accessories, quick lubrication facilities, minor scratch and dent repair, emissions testing, bed-liner installation and glass repair or replacement.

2. Major Vehicle Service and Repair

A facility where general vehicle repair is conducted, including engine, transmission, brake, muffler and tire shops, along with body and paint shops, includes car wash.

G. Warehouse, Storage and Distribution

A facility involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers. Warehouse, storage and distribution includes the following:

1. Building materials storage yard.
2. Contractor storage yard.

3. Distribution center.
4. Enclosed storage (includes bulk storage, cold storage plants, frozen food lockers, ice, household moving and general freight storage).
5. Fleet storage.
6. Furniture transfer and storage.
7. Newspaper distribution.
8. Self-service storage, mini-warehouse.
9. Trailer storage, drop off lot.
10. Towing/impounding of vehicles.
11. Tractor trailers and rail cars.

H. Waste-Related Service

A facility that processes and stores waste material. Waste-related service includes the following:

1. Automobile dismantlers/recyclers, junk yard, wrecking yard, salvage yard.
2. Hazardous household materials collection center.
3. Hazardous waste facility.
4. Landfill.
5. Recycling processing center.
6. Scrap metal processor.

(5) Open Uses

A. Agriculture

The production of crops, livestock or poultry. Agriculture includes the following:

1. Community garden.

(6) Accessory Uses

A. Day Care Home

A home operated by any person who receives pay for not more than seven children under 17 years of age, who are not related to the operator and whose parents or guardians are not residents of the same home for less than 24 hours supervision and care, without transfer of custody. Also, a home operated by any person who receives pay not more than seven aged persons, who are not related to such person, for less than 24 hours supervision and care.

B. Drive-Thru Facility

A facility at which the customer is served while sitting in a vehicle, typically associated with drive-thru restaurants, banks and pharmacies. Where a drive-thru is allowed as a limited use, it is subject to the following:

1. No drive-thru window, lane or order box is allowed within 50 feet of a ground floor residential use (measured from the residential lot line to the closest point of the drive-thru lane);
2. All drive-thru areas, including but not limited to menu boards, stacking lanes, trash receptacles, ordering box, drive up windows, and other objects associated with the drive-thru, must be located to the side or rear of the principal building. Drive-thru windows and lanes may not be placed between a public street (not including an alley) and the associated building; and
3. Stacking requirements are in Sec. 38-744.

C. Dwelling Unit, Accessory

A small self-contained accessory dwelling unit located on the same lot (attached or detached) for use as a complete, independent living facility, with provisions for cooking, sanitation and sleeping. Where an accessory dwelling unit

is allowed as a limited use, it is subject to the following:

1. Only one accessory dwelling unit is allowed per lot.
2. The habitable space of the accessory dwelling unit cannot exceed 700 square feet.

D. Home Occupation

An occupation in a dwelling unit. Where a home occupation is allowed as a limited use, it is subject to the following:

1. No person other than members of the family residing on the premises can be engaged in the occupation.
2. The use of the dwelling unit for the home occupation must be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% of the floor area of the dwelling unit can be used in the conduct of the home occupation.
3. There can be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of the home occupation.
4. There can be no sales of products or commodities on the premises.
5. Any home occupation that generates vehicular traffic to the premises as determined by the ~~Director of Codes Administration~~ Director of the Land Development Office will be permitted only by Special Permit from the Board of Appeals in accordance with provisions of Article VIII, Section 38-568.(13).
6. No equipment or process can be used in which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, or can any equipment or process be used which creates visual or audible interference in any radio or television receiver off the premises, or

cause fluctuations in the line voltage off the premises. In the case of a two-unit living or multi-unit living, no use is permitted which affects another unit in the same building in the above mentioned ways.

7. Signs are limited to one unlit wall sign no larger than 1 square foot in area, attached to the structure housing the home occupation.

E. Outdoor Dining

A seating area specifically designed for the consumption of food or drink, typically associated with a restaurant and which is either: (1) located entirely outside the walls of building, or (2) enclosed on two sides or less by walls, with or without a solid roof cover, or (3) enclosed on three sides by walls without a solid roof cover. Where outdoor dining is allowed as a limited use, it is subject to the following:

1. The outdoor dining cannot encroach in the right-of-way without first obtaining Temporary Use Permit.
2. The outdoor dining area must not interfere with the circulation of pedestrian or vehicular traffic.
3. The hours of operation for the outdoor dining area may be no greater than that of the principal use.

F. Outdoor Display

The outdoor display of products actively available for sale. Where outdoor display is allowed as a limited use, it is subject to the following:

1. Outdoor display is only allowed with an allowed nonresidential use with ground floor frontage.
2. Outdoor display must be removed and placed inside a fully-enclosed building at the end of each business day.
3. Outdoor display may not encroach upon any right-of-way or sidewalk. Outdoor display may

not impair the ability of pedestrians to use the sidewalk. There must be a minimum of 6 feet of clear distance of sidewalk at all times.

4. Outdoor display must abut the primary facade with the principal customer entrance, and may not extend more than 6 feet from the facade or occupy more than 25% of the horizontal length of the facade;
5. Outdoor display may not exceed 6 feet in height.

G. Outdoor Storage, Minor

1. Minor outdoor storage includes, but is not limited to:
 - a. The overnight outdoor storage of vehicles awaiting repair;
 - b. The outdoor placement of propane gas storage racks, ice storage bins, soft drink or similar vending machines.
 - c. The outdoor storage of merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers;
 - d. Outdoor sale areas for sheds, building supplies, garden supplies, plants, lawn mowers, barbecue's and other similar items; and
 - e. The outdoor storage of vehicles, boats, recreational vehicles or other similar vehicles at a storage facility.
2. Where allowed, the outdoor sale, lease or rental of motor vehicles and heavy equipment as part of a properly permitted use are not considered outdoor storage, but must be screened as set forth in Sec. 38-749.(4).
3. Where minor outdoor storage is allowed as a limited use, it is subject to the following:
 - a. Minor outdoor storage may not be more than 12 feet in height and must be screened from the right-of-way, public parking areas, and abutting properties

using a Type 1 or 2 buffer (see Sec. 38-748.); and

- b. Vehicles awaiting repair may be stored up to 14 days within the screened storage area.

H. Outdoor Storage, Major

1. Major outdoor storage includes, but is not limited to:
 - a. The outdoor storage of contractors' equipment;
 - b. The outdoor storage of fleet vehicles; and
 - c. The outdoor storage of soil, mulch, stone, lumber, pipe, steel, salvage or recycled materials, and other similar merchandise, material or equipment.
2. Where major outdoor storage is allowed as a limited use, it must be screened from view from the right-of-way, public parking areas, and abutting properties using a Type 1 or 2 buffer (see Sec. 38-748.).



DIVISION 9. PARKING AND ACCESS

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Sec. 38-739. Applicability

(1) New Construction

Any new building or site improvement must comply with the parking requirements of this Division.

(2) Additions

- A. When an existing building, use or site is increased in gross floor area, or improved site area, by up to 25% cumulatively, the parking requirements of this Division apply to the additional floor or site area only.
- B. When an existing building, use or site is increased in gross floor area, or improved site area, by more than 25% cumulatively, both the existing building, use or site, and the additional floor or site area, must conform to the parking requirements.

(3) Maintenance and Repair

An existing building, use or site may be repaired, maintained or modernized without conforming to the parking requirements of this Division, provided there is no increase in gross floor area or improved site area.

(4) Change in Use

- A. A change in use must comply with the applicable vehicle or bicycle parking requirements.
- B. Where the number of existing vehicle parking spaces exceeds the maximum number of allowed parking spaces for the proposed use, the additional parking spaces may remain in place, at the applicants discretion.

Sec. 38-740. Pedestrian Connections

(1) Applicability

Standards for pedestrian connections do not apply to Residential Attached (RA) or Residential Detached (RD) zones.

(2) Access

All development must provide safe, direct and convenient pedestrian access connecting public streets and parking lots to primary building entrances, and to all other uses in the development that allow for public access.

(3) Pedestrian Facilities

- A. Pedestrian access must consist of an accessible, easily discernible, well-lit, and ADA compliant walkway a minimum of 6 feet in width.
- B. The pedestrian access surface located on private property must be paved with fixed, nonslip semi-pervious or impervious materials.
- C. Pedestrian access routes between buildings and parking areas must be physically separated from drive aisles, except when crossing a drive aisle.
- D. Where a pedestrian walkway crosses a drive aisle, the walkway must have a continuous surface treatment across the drive aisle.
- E. Pedestrian walkways must be designed and installed to allow for cross-access between abutting properties.

Sec. 38-741. Vehicle Parking

(1) Required Parking Spaces

- A. The following parking minimums apply to the River, Urban and Urban Edge contexts, except for properties that meet the following exclusions:
 - 1. Properties located in the Downtown Core Context;
 - 2. Nonresidential projects on lots that have an area less than 4,000 square feet; and
 - 3. Single unit living (detached/attached) or two unit living projects.
- B. All other properties must provide the following parking minimums. All fractions of a parking space are rounded up to the next whole number.

Parking Requirement (min)	
<u>Multi-unit living (3 or more units in a single structure)</u>	<u>0.75 1 space per unit</u>
<u>Live/work unit</u>	<u>1 space per unit</u>
<u>Commercial</u>	<u>± 1.25 spaces per 1,000 square feet of gross leasable area</u>
<u>Industrial</u>	<u>0.75 spaces for every two workers on the combined two largest successive shifts</u>

- C. The following discounts can be applied to meet the parking minimums with approval of the Director of the Land Development Office:

Discounts Allowed	
<u>Remote/off-site parking within ¼ mile of less than 300 feet of the site</u>	<u>Off-site parking within ¼ mile of less than 300 feet from the site can be counted towards the parking minimum.</u>
<u>Remote/off-site parking between 300 and 900 feet of the site</u>	<u>Off-site parking between 300 and 900 feet of the site can be counted towards 25% of the parking minimum.</u>
<u>Property provides long-term bike parking</u>	<u>Receive a one to one credit for each long-term bike parking space provided on-site for up to 25% of total required minimum parking. Long-term bicycle parking must be located in an enclosed area providing protection from weather and must be accessible to intended users.</u>

- D. For existing buildings with no increase in gross leasable area, after all discounts have been applied, the applicant is not required to provide more on-site parking than the existing site can physically accommodate.

(2) Accessible Parking

All vehicle parking must conform with the ADA Standards for Accessible Design and ADA Accessibility Guidelines for Buildings and Facilities published by the United States Access Board.

Sec. 38-742. Bicycle Parking

(1) Calculation of Required Spaces

- A. Where bicycle parking has been provided by the City in the right-of-way, one required bicycle space may be substituted for every bicycle space provided by the City, provided the spaces immediately about the subject property. Each space provided by the City may only be counted for one property.
- B. When a site or lot is used for a combination of uses, the number of required parking spaces are the sum of the requirements for each use, and no parking space for one use can be included in the calculation of parking requirements for any other use.

(2) Required Bicycle Parking

Bicycle parking must be provided in accordance with the following table. If provided, long-term bicycle parking may be substituted for up to 50% of the following requirements.

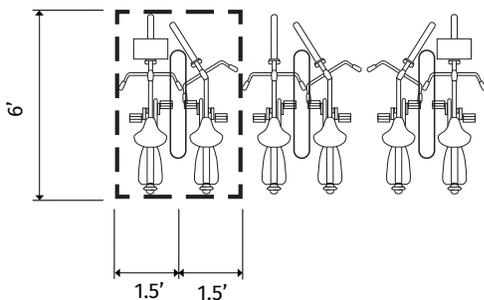
	Required Spaces (min)
Residential Uses	
Multi-unit living, live/work unit, group living	.5 per unit up to 2 bedrooms, .25 per additional bedroom, 20 max
Student housing	.75 per unit, 20 max
All other residential uses	--
Public/Institutional Uses	
All uses	1 per 3,000 SF of gross leasable area, 2 min, 20 max

PARKING AND ACCESS

	Required Spaces (min)
Commercial Uses	
Office	1 per 3,000 SF of gross leasable area, 2 min, 20 max
All other commercial uses	1 per 3,000 SF of gross leasable area, 2 min, 20 max
Industrial Uses	
All uses	1 per 10,000 SF of gross leasable area 2 min, 20 max

(3) Bicycle Parking Facilities

- A. Bicycle parking must be located on-site, be publicly accessible in a convenient and visible area, and be located no more than 100 feet from the primary entrance of the building the bicycle parking space is intended to serve.
- B. Each required bicycle parking space must be at least 1.5 feet by 6 feet. Where a bicycle can be locked on both sides of a bicycle parking space without conflict, each side can be counted as a required space.



- C. Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone or wood chips.
- D. Bicycle parking must be provided in a well-lit area.
- E. Spacing of the bicycle racks must provide clear and maneuverable access.
- F. All bicycle parking spaces must be able to accommodate cable locks and "U" locks, including

removing the front wheel and locking it to the rear fork and frame and must be able to support a bicycle in a stable position, giving two points of contact with the bicycle frame.

Sec. 38-743. Parking Lot Access and Design

(1) Access

- A. All on-site vehicle parking areas must have direct access to a right-of-way through an alley, driveway, or permanent access easement.
- B. All on-site vehicle parking areas must be designed to allow vehicles to enter and exit in a forward motion. An improved alley may be used as maneuvering space for access to on-site parking areas and may be used as a parking aisle.
- C. All on-site vehicle parking must be arranged so that no vehicle is forced onto any public street, not including an alley, to gain access from one parking aisle to another parking aisle.

(2) Landscape

All on-site vehicle parking areas must be landscaped as specified in Sec. 38-749.

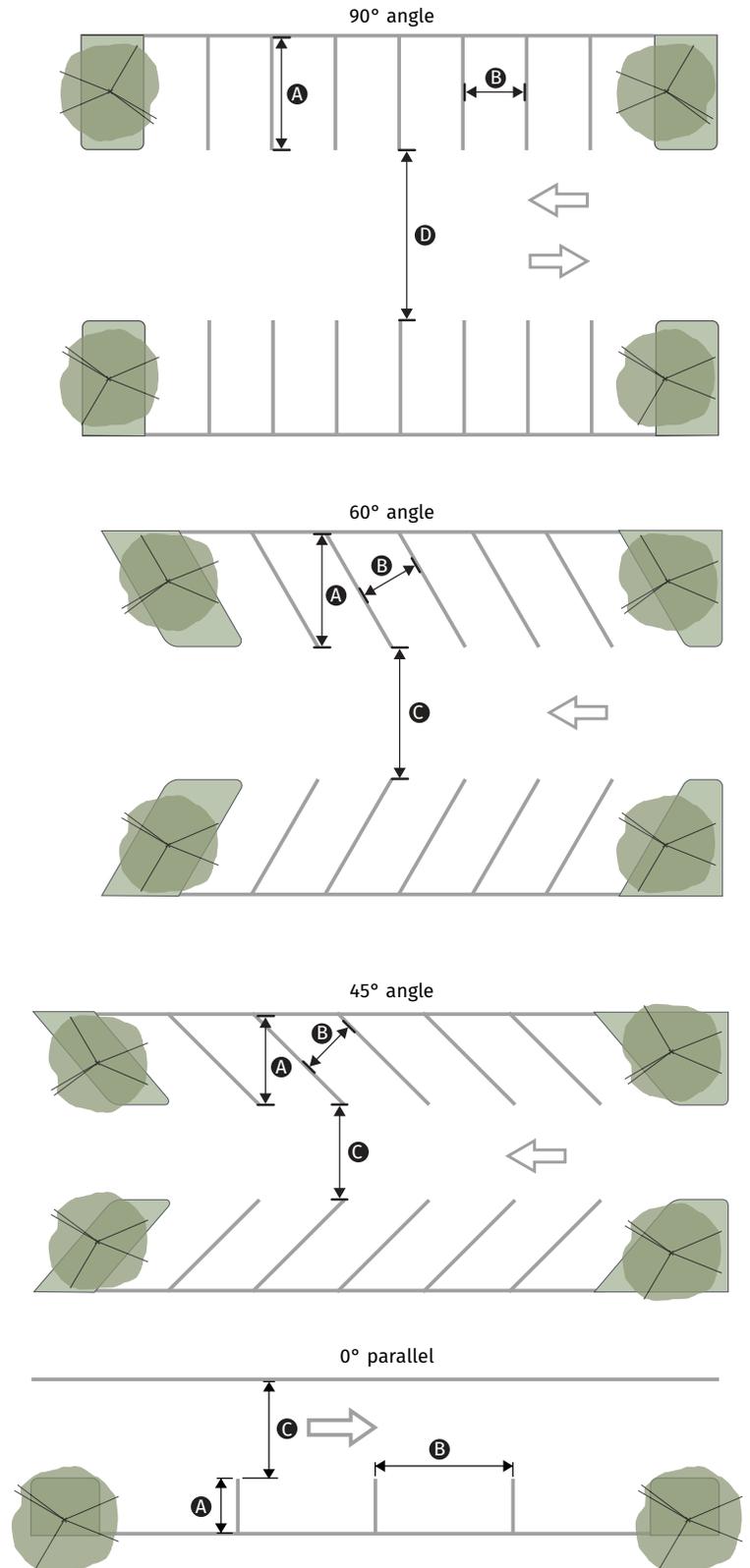
(3) Surfacing

- A. All on-site vehicle parking areas must be graded and drained to collect, retain and infiltrate surface water on-site so as to prevent damage to abutting properties or public streets.
- B. Curbing must have openings to allow drainage to enter and percolate through landscaped areas.
- C. All on-site vehicle parking areas must be surfaced with concrete, asphaltic concrete, asphalt, or other dust-free surface. Porous pavement material may be substituted for standard dust-free pavements subject to the approval of the [Director of Codes Administration](#) [Director of the Land Development Office](#). Permitted materials may include, but are not limited to pervious pavement or structural grass pavement.

(4) Parking Space Specifications

- A. Parking spaces and drive aisles must meet the dimensions specified in the table below. Dimensions other than those specified may be approved by the [Director of Codes Administration](#) [Director of the Land Development Office](#).
- B. Compact spaces may be used in place of a standard size parking space. The total number of compact spaces may not exceed 20% of the total number of required parking spaces. Compact spaces may be reduced to 8 feet in width and 15 feet in depth with a 20 foot minimum drive aisle. All compact parking spaces must be clearly and visibly striped and labeled for compact car use only.

		0°	45°	60°	90°
A	Parking row depth (min)	7'	19'	20'	18'
B	Space width (min)	18'	9'	9'	9'
C	Drive aisle width: one-way (min)	10'	12'	14'	<u>22'</u>
D	Drive aisle width: two-way (min)	18'	<u>22'</u>	<u>22'</u>	<u>22'</u>



Sec. 38-744. Vehicle Stacking

(1) Applicability

Adequate stacking space must be made available on-site for any use having a drive-thru, control gate or drop-off and pick-up areas.

(2) Spaces Required

The following stacking standards apply unless an alternative is approved by the [Director of Codes-Administration](#) [Director of the Land Development Office](#).

A. Restaurant

A restaurant with a drive-thru must provide a minimum of 4 spaces before the order board, with another 2 spaces provided between the order board and the transaction window.

B. Bank

A bank with a drive-thru must provide a minimum of 2 spaces measured from the teller box.

C. Pharmacy

A pharmacy with a drive-thru must provide a minimum of 2 spaces measured from the order box.

D. Dry Cleaners

A dry cleaners with a drive-thru must provide a minimum of 2 spaces measured from the pick up door.

E. Control Gate

If a control gate is used to restrict entry for vehicles, a minimum of 1 space must be provided.

F. All Other Uses

All other uses will be determined by the [Director of Codes-Administration](#) [Director of the Land Development Office](#).

(3) Dimensions

- A. The number of required stacking spaces includes the space at the window or communication/mechanical device (e.g., order board, pick up window).
- B. If a drive-thru has multiple order boxes, teller boxes or pick up windows, the number of required stacking spaces may be split between each order box, teller box or pick up window.
- C. Each stacking space must be a minimum of 20 feet in length and 10 feet in width along straight portions. Stacking spaces and stacking lanes must be a minimum of 12 feet in width along curved segments.
- D. Stacked vehicles may not encroach on or interfere with the public use of streets and sidewalks by other vehicles, bicycles or pedestrians.

Sec. 38-745. Vehicle Loading

(1) Applicability

If determined necessary by the [Director of Codes-Administration](#) [Director of the Land Development Office](#), adequate space must be made available on-site for the unloading and loading of goods, materials, items or stock for delivery and shipping, otherwise on-site loading space is not required.

(2) Location

If a loading area is provided or required, it must meet the following.

- A. With the exception of areas specifically designated by the City, loading and unloading activities are not permitted in a public street, not including an alley.
- B. Loading and unloading activities may not encroach on or interfere with the use of sidewalks, drive aisles, stacking areas and parking areas by vehicles, bicycles or pedestrians.
- C. Loading areas must be located to the rear of buildings.

- D. Loading areas may not be placed between a public street (not including an alley) and the associated building.
- E. No loading area is permitted within 50 feet of a ground floor residential use (measured from the residential lot line to the closest point of the loading area).



DIVISION 10. LANDSCAPE

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Sec. 38-746. Applicability

(1) New Construction

Any new building or site improvement must comply with the landscape requirements of this Division.

(2) Additions

- A. When an existing building is increased in gross floor area or the site area is improved by up to 25% cumulatively, the landscape requirements of this Division apply to the additional area only.
- B. When an existing building is increased in gross floor area or the site area is improved by more than 25% cumulatively, the entire site must conform to the landscape requirements of this Division.

(3) Maintenance and Repair

An existing building, use or site may be repaired, maintained or modernized without conforming to the landscape requirements of this Division, provided there is no increase in gross floor area or improved site area.

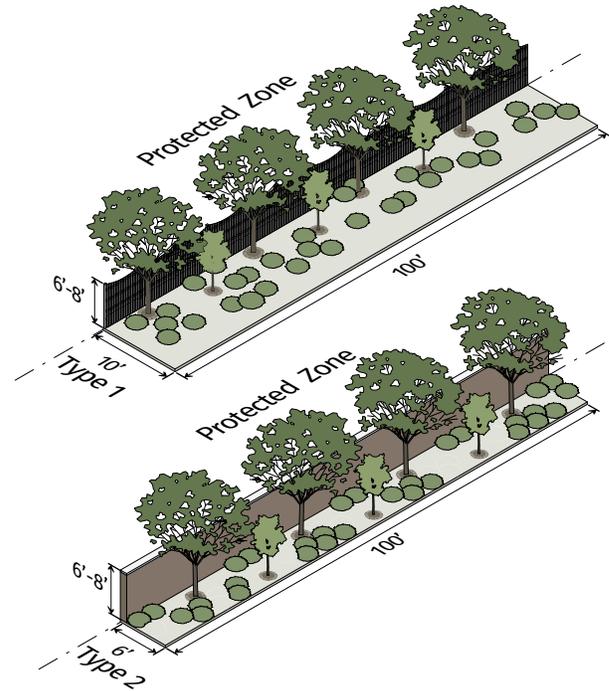
(4) Change in Use

A change in use does not trigger the application of the landscape requirements of this Division except when there is a specific standard requiring landscape for the new use, such as a required landscape buffer.

Sec. 38-747. Buffers

(1) Landscape Buffers Required

One of the following buffer options is required along any perimeter lot line that abuts a protected zone or where screening is required (see Sec. 38-738.(6)G. and Sec. 38-738.(6)H.), except where RA abuts an RD zone.



	Type 1	Type 2
Depth	10' min	6' min
Wall Height	--	Required Min: 6' Max: 8'
Fence Height	Required Min: 6' Max: 8'	--
Shade Trees (per 100')	4 min	4 min
Understory Trees (per 100')	3 min	3 min
Shrubs (per 100')	30 min	30 min

A. Trees in a Buffer

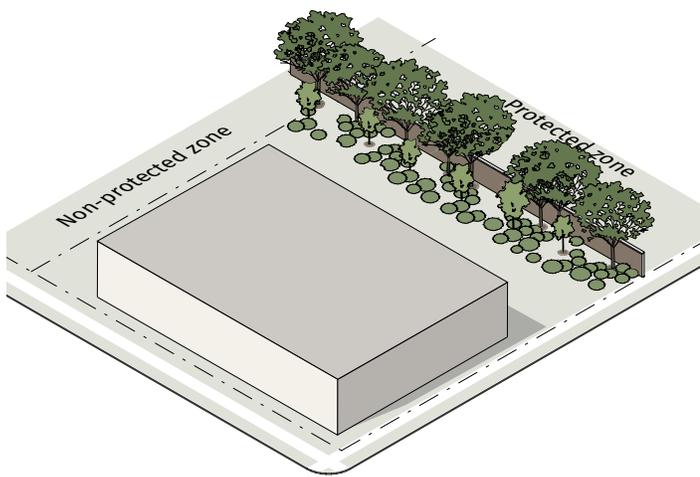
Trees must be distributed with a maximum spacing of 30 feet on center.

B. Shrubs in a Buffer

75% of all shrubs planted to meet the buffer requirements must be evergreen and be of a species that under typical conditions are expected to reach a height and spread of 4 feet within 3 years of planting. All shrubs must be a minimum of 2 feet tall when planted.

(2) Location

- A. A required buffer must be located within the outer perimeter of the lot, parallel to and extending to the property boundary line. A required buffer must be provided along the entire property line immediately abutting the protected zone.



- B. A required buffer may not be located on any portion of an existing, dedicated or reserved right-of-way.
- C. The buffer is not permitted within a public utility easement. The required buffer must abut the easement.

(3) Encroachments

- A. The parking of vehicles and the placement of buildings, signs or structures, except for walls and fences, is not allowed in a required buffer.

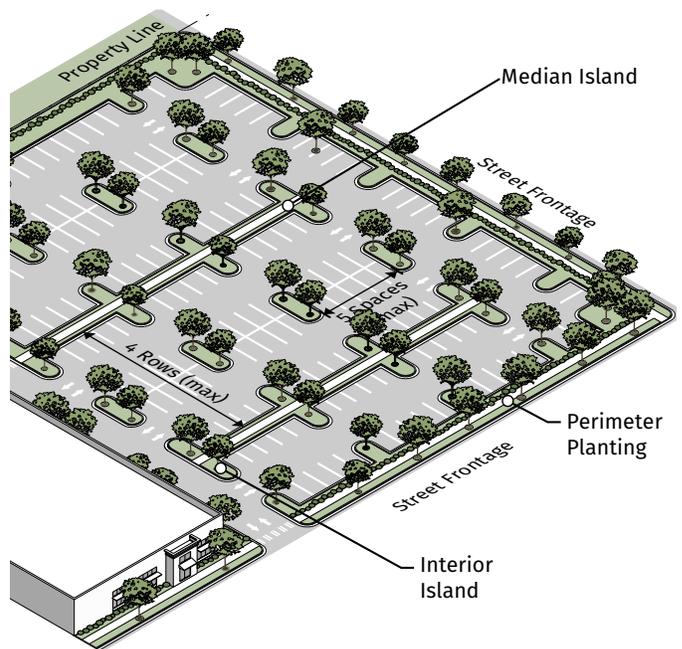
- B. Breaks for pedestrian, bicycle and vehicle access are allowed. Driveways or walkways must cross a buffer at or near a perpendicular angle.

Sec. 38-748. Parking Lots

(1) Applicability

Parking lot landscaping is required for all on-site vehicle parking areas with more than 10 spaces.

Multiple platted lots contained on a single site plan, under one owner or development entity, and any separate parking areas connected with drive aisles are considered a single parking area.



(2) Interior Islands

- A. A landscape interior island must be provided every 5 parking spaces and at the end of every parking row. Intervals may only be modified in order to preserve existing trees. Interior islands must be distributed evenly throughout the parking area.
- B. An interior island abutting a single row of parking spaces must be a minimum of 13.5 feet in width and 200 square feet in area. This island must include 1 shade tree.

LANDSCAPE

- C. An interior island abutting a double row of parking spaces must be a minimum of 13.5 feet in width and 400 square feet in area. This island must include 2 shade trees.

(3) Median Islands

- A. A landscape median island must be provided between every 4 single rows of parking. Intervals may only be modified in order to preserve existing trees.
- B. To accommodate green infrastructure, any landscape median island must be a minimum of 6 feet wide. A landscape median island with a pedestrian walkway must be a minimum of 12 feet wide.

(4) Perimeter Planting

A. Perimeter Screening Required

A perimeter screen is required along the outer perimeter of the entire parking area. Breaks for pedestrian, bicycle and vehicular access are allowed.

B. Trees Required

- 1. Class I shade trees are required and must be planted at an average rate of 30 feet on center along the entire perimeter screen. Any location where a tree is planted must have a minimum width of 6 feet.
- 2. Where Class I shade trees are planted in the abutting right-of-way at an average of 30 feet on center, they may substitute for shade trees required in the perimeter screening area.

C. Plant Material Screening Options

The following options are considered equally acceptable.

1. Perimeter Planting with Shrubs

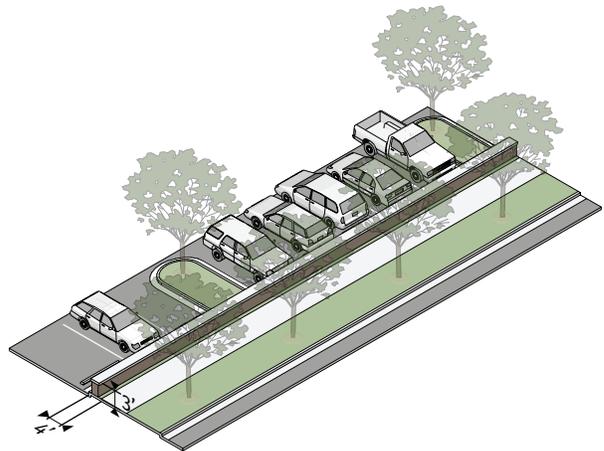
- a. A minimum 6-foot wide landscape strip planted with a continuous row of shrubs.



- b. All required shrubs must be of a species that under typical conditions are expected to reach a minimum height and spread of 3 feet within 3 years of planting. All shrubs must be a minimum of 2 feet tall when planted.

2. Perimeter Planting with Wall

A minimum 4-foot wide landscape strip including shrubs, vines, ornamental grasses or ground cover with a minimum 3-foot high wall.



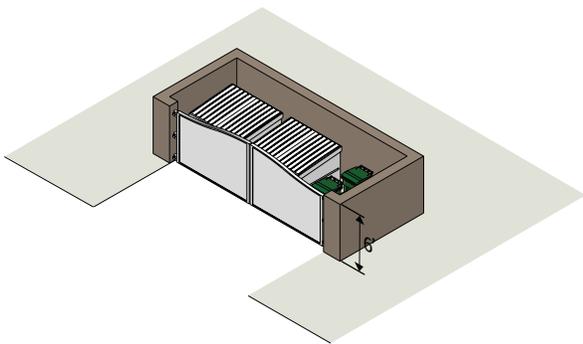
(5) Curbing

Curbing must have openings to allow drainage to enter and percolate through landscaped areas.

Sec. 38-749. Structural Screening

(1) Service Areas

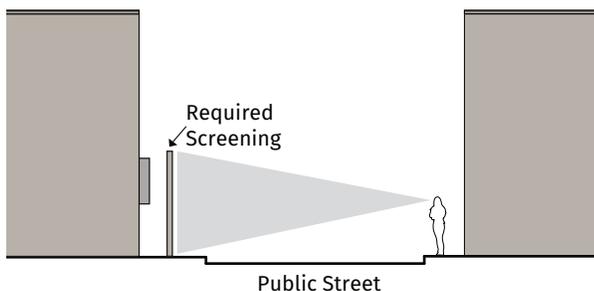
- A. Trash and recycling collection and other similar service areas must be located to the side or rear of buildings.
- B. Service areas must be screened on 3 sides by a wall a minimum of 6 feet in height or to the top of the equipment, whichever is higher up to 8 feet maximum. Service areas must be screened on the 4th side by a solid gate at a minimum of 6 feet in height.



- C. The gate and wall must be maintained in good working order and must remain closed except when trash pick-ups occur.

(2) Wall-Mounted Equipment

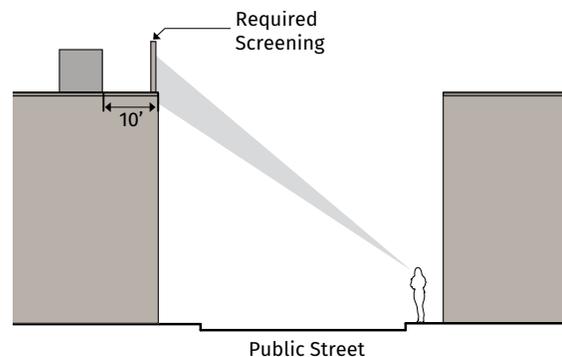
- A. Wall-mounted equipment located on any surface that is visible from a public street (not including alleys) must be fully screened by landscape or an opaque wall or fence that matches the principal building in terms of texture, quality, material and color.



- B. Screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

(3) Roof-Mounted Equipment

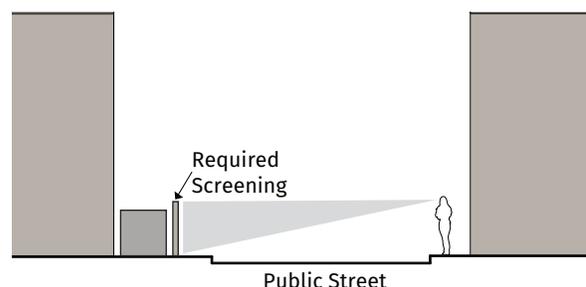
- A. Roof-mounted equipment must be set back at least 10 feet from the edge of the roof.
- B. New buildings must provide a parapet wall or other architectural element that matches the principal building in terms of texture, quality, material and color that fully screens roof-mounted equipment from ground level view at the public street.



- C. For buildings with no or low parapet walls, roof-mounted equipment must be screened on all sides by an opaque screen that matches the principal building in terms of texture, quality, material and color.

(4) Ground-Mounted Equipment

- A. Ground-mounted mechanical equipment that is visible from a public street (not including an alley) must be fully screened by landscape or an opaque wall or fence that is compatible with the principal building in terms of texture, quality, material and color.



- B. Screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

Sec. 38-750. Plant Material

(1) General Provisions

- A. Plant material standards only apply to landscape that is required by this Code.
- B. Plant materials must be locally hardy to their specific planting location.
- C. Plant materials must be able to survive on natural rainfall once established with no loss of health.
- D. Plant material is measured per American Standards for Nursery Stock, Latest Edition.
- E. No artificial plants, trees, or other vegetation may be installed as required landscape.
- F. Required landscape must be installed for full root contact with the surrounding subgrade. Planters planted on paved surfaces are not permitted.

(2) Shade Trees

- A. Street trees must be Class I Shade Trees.
- B. Shade trees (Class I Shade Trees) planted to meet the landscape requirements must be a locally adapted species with an expected mature height of 35 feet or greater and an expected mature crown spread of at least 20 feet or greater. Class I Shade Trees may be used. See Sec. 38-597 for typical Class I Shade Trees.
- C. All shade trees planted to meet the landscape requirements must have a minimum caliper of 3 inches and have a 6-foot clear trunk before branching.

(3) Understory Trees

- A. Understory trees (Class II Shade Trees) planted to meet the landscape requirements must be a locally-adapted species with an expected mature height of at least 20 feet and an expected mature crown spread of at least 10 feet. See Sec.

38-597.(3) for typical Class II Shade Trees. Crape Myrtles are not permitted to meet Class II tree requirements.

- B. Single-stem understory trees planted to meet the landscape requirements must have a minimum caliper of 2 inches and have a 5-foot clear trunk before branching.
- C. Multi-stem understory trees planted to meet the landscape requirements must have a specified caliper of 2½ inches including one stem measuring 2 inches and have a 5-foot clear trunk before branching.

(4) Overhead Utilities

Shade trees (Class I Shade Trees) must be planted as specified in Division 4 through 7, except that where overhead utilities exist, one understory tree planted every 20 feet on center, on average, must be substituted for the required shade tree.

Sec. 38-751. Walls and Fences

(1) Materials

- A. Walls must be constructed of high quality materials including decorative blocks, brick, stone, cast-stone, split-faced block, stucco over standard concrete masonry blocks or glass block.
- B. Fences must be decorative and constructed of high quality materials including; wrought iron; composite fencing or aluminum.
- C. No wall or fence may be constructed of tires, junk, or other discarded materials.
- D. Chain-link fence, barbed wire or concertina wire is not permitted.
- E. A wall or fence in a required buffer, or used as a required screen, must be opaque.

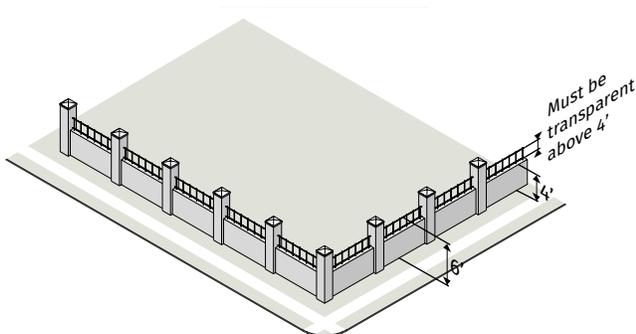
(2) Location

- A. No wall or fence may be located within any required drainage or utility easement.

- B. The finished face of all walls and fences must be located toward the abutting property.
- C. For walls and fences located along a public right-of-way, the maximum length of a continuous, unbroken and uninterrupted fence or wall plane is 50 feet. Breaks must be provided through the use of columns or offsets.

(3) Height

- A. Wall or fence height is measured from the subject property grade to the highest point of the fence.
- B. A wall or fence located in a side or rear setback may be no more than 8 feet in height.
- C. A wall or fence located in a primary or side street setback may be no more than 6 feet in height, provided the area of the wall or fence above 4 feet in height is transparent.



- D. A wall or fence in a required buffer or used as a required screen may be no less than 6 feet and no more than 8 feet in height.

Sec. 38-752. Maintenance

The property owner is responsible for maintaining all required landscape in good health and condition and the removal of any litter that has accumulated in landscaped areas. Any dead, unhealthy, damaged or missing landscape and screening must be replaced with landscape and screening that conforms to this Division within 90 days (or within 180 days where weather concerns would jeopardize the health of plant materials). Any changes to required landscape elements require the submittal of a new site plan and City approval prior to construction.



DIVISION 11. SIGNS

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Sec. 38-753. Applicability

(1) General Applicability

- A. No sign may be erected, altered, refurbished or otherwise modified after the effective date of this Downtown Code except in accordance with the requirements of this Division.
- B. A City of Chattanooga Sign Permit is required.
- C. Nothing in this Division is intended to prohibit the ordinary maintenance repair of an existing sign or replacement of a broken part of an existing sign.
- D. New off-premises signs/billboards are prohibited, as defined in Article V, Sec. 3-52 of the Chattanooga Sign Code.

(2) Chapter 3 Applicability

- A. The requirements of the Division applicable in addition to the general Advertising Provisions in Chapter 3 of the Chattanooga City Code.
- B. The properties located in the Downtown Form-Based Code Zone exempt from all dimensions, location and type requirements in the Chattanooga Sign Ordinance.
- C. Structural requirements in the Chattanooga Sign Ordinance still apply to all signs in this Code.

Sec. 38-754. Sign Types

(1) Ground Floor Building Signs

A. Location

- 1. Ground floor building signs must be located to fit within the architectural elements, such as the lintel or sign frieze that separates the ground level from the upper façade.
- 2. Projecting signs must be located below the second story window sill. In addition, the projecting sign must provide a minimum of 9 feet of vertical clearance from the ground. In cases where there is a conflict between these two standards, the vertical ground clearance standard governs.

- 3. Signs cannot obstruct the architectural elements and details of a building.

B. Dimensions

- 1. Signs on walls, awnings, permanent banners, canopies, windows, and projecting signs are all considered ground floor building signs and are included in the square footage calculation.
- 2. For the ground floor, street level façade, signs on any one side of a building cannot exceed 1.5 square feet per linear foot of that building side.
- 3. The maximum size of any one ground floor Building sign cannot exceed 40 square feet.
- 4. A projecting sign cannot exceed 16 square feet in area.
- 5. Signs painted, or placed on either side of windows, shall not cover more than 20% of the total window area.

(2) Building Skyline Signs

A. Location

- 1. Buildings that exceed 4 stories in height may also have one additional skyline sign located within the top third of the building for each building face.
- 2. If an activity in a building of 4 or fewer stories is a place of assembly for 200 or more people, or a hospital, a Skyline Sign may be placed on the top third of the building facade fronting the primary street.
- 3. Roof signs are not allowed.

B. Dimensions

Building skyline signs cannot exceed 300 square feet in area or be longer than 50% of the top floor linear facade footage, whichever is less. This allotment does not count against the allocation ground floor building sign area.

(3) Monument (Ground) Signs

A. Location

1. One monument sign is permitted for each building.
2. A monument sign cannot be located in the sight distance triangle or otherwise obstruct lines of sight for vehicular or pedestrian traffic.
3. A monument sign cannot be closer than 18 feet to any public right-of-way, and cannot be located in the Pedestrian or Street Tree zone.
4. Pole-mounted signs are not permitted.

B. Dimensions

A monument sign cannot exceed 6 feet in height or 10 feet in width. Maximum sign size is 60 square feet. Height is measured from the top of the sign to the lowest point of the ground upon which the proposed sign is to be located.

C. Materials

Sign materials that match the materials of the associated building must be used.

(4) Other Signs

- A. ~~Temporary signs or banners, regardless of size, can only remain in place for 30 days and require a sign permit, per the Chattanooga Sign Ordinance.~~
- B. Temporary signs, banners, construction, or realtor signs are governed by the Chattanooga Sign Ordinance.
- C. Message center signs must be approved by special permit from the Board of Sign Appeals as specified in Article X, Sec. 3-106 of the Chattanooga Sign Code.

Sec. 38-755. Sign Illumination

Signs must be illuminated by indirect lighting. Internally illuminated box-type plastic signs are not permitted, but signs composed of illuminated individual letters are permitted.



DIVISION 12. SITE LIGHTING

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Sec. 38-756. Applicability

(1) New Fixtures

All lighting fixtures installed after the effective date of this Downtown Code must conform to all applicable standards and requirements of this Division.

(2) Existing Fixtures

- A. Routine maintenance, including changing the lamp, ballast, starter, photo control, fixture housing, lens and other required components, is allowed for all existing fixtures.
- B. The installation of site lighting, replacement of site lighting and changes to existing light fixture wattage, type of fixture, mounting or fixture location must be made in compliance with this Division.

(3) Additions

When an existing building, use or site is increased in gross floor area or improved site area by more than 25% cumulatively, both the existing building, use or site and the additional floor or site area must conform to the lighting requirements of this Division.

(4) Change in Use

A change in use does not trigger application of this Division.

Sec. 38-757. Lighting Standards

(1) Light Level Measuring

- A. Light levels are specified, calculated and measured in footcandles. All footcandles values are maintained footcandles.
- B. Measurements are to be made at ground level, with the light-registering portion of the meter held parallel to the ground pointing up.

(2) Prohibited Sources

The following light fixtures and sources cannot be used:

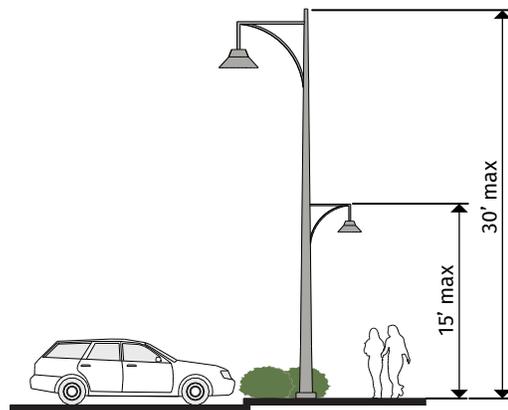
- A. Cobra-head-type fixtures having dished or drop lenses or refractors, which contain sources that are not incandescent;
- B. Temporary searchlights and other high-intensity narrow-beam fixtures; and
- C. Light sources that lack color correction or do not allow for uniform site lighting.

(3) Design and Installation

- A. The maximum light level of any light fixture cannot exceed 0.5 footcandles measured at the property line of any protected zone and 2.0 footcandles measured at the right-of-way line of a street.
- B. Lighting must not be oriented onto adjacent properties, streets or sidewalks.
- C. Service connections for all freestanding lighting fixtures must be installed underground.

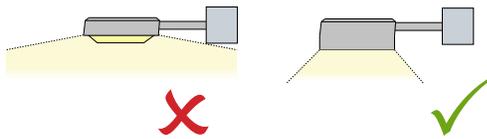
(4) Parking and Pedestrian Areas

- A. Light fixtures within vehicle parking areas may be no higher than 30 feet.
- B. Light fixtures within pedestrian areas may be no higher than 15 feet.

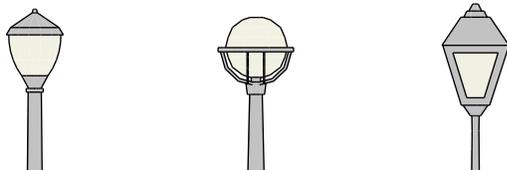


- C. Light fixtures located within 50 feet of the property line of a protected zone may be no higher than 15 feet.

- D. Light fixtures within 25 feet of a street right-of-way (not including an alley) must be forward throw fixtures.
- E. All light fixtures must be full cutoff, except as listed in paragraph F. below.

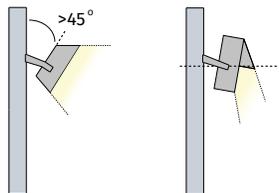


- F. Non-cutoff (unshielded) fixtures can be used when the maximum initial lumens generated by each fixture is less than 9,500 initial lamp lumens. These fixtures generally feature globes or vertical glass planes and must be coated with an internal white frosting to diffuse light.

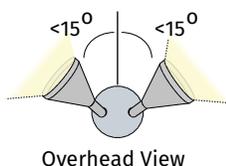


(5) Flood Lights and Flood Lamps

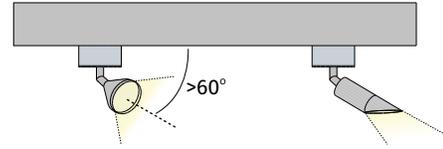
- A. Flood light fixtures must either be aimed down at least 45 degrees from vertical or the front of the fixture shielded so that no portion of the light bulb extends below the bottom edge of the shield.



- B. Any flood light fixture located within 50 feet of a street right-of-way must be mounted and aimed perpendicular to the right-of-way, with a side-to-side horizontal aiming tolerance not to exceed 15 degrees.



- C. All flood lamps emitting 1,000 or more lumens must be aimed at least 60 degrees down from horizontal or shielded so that the main beam is not visible from adjacent properties or the street right-of-way.

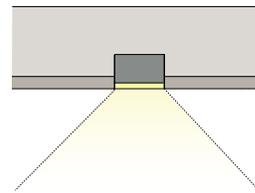


(6) Vehicular Canopies

Lighting under vehicular canopies must be less than 24 maintained footcandles and be designed to prevent glare off-site. Acceptable lighting designs include the following:

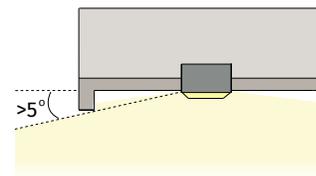
A. Recessed

Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface of the canopy;



B. Shielded

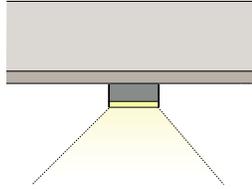
Light fixture incorporating shields or is shielded by the edge of the canopy itself, so that light is restrained to 5 degrees or more below the horizontal plane;



SITE LIGHTING

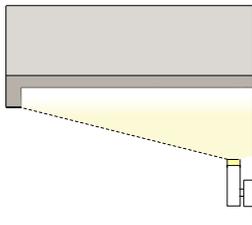
C. Surface Mounted

Surface mounted fixture incorporating a flat glass that provides a cutoff design or shielded light distribution; or



D. Indirect

Indirect lighting where light is beamed upward and then reflected down from the underside of the canopy, provided the fixture is shielded so that direct illumination is focused exclusively on the underside of the canopy.



(7) Building Lighting

- A. Lighting fixtures must be selected, located, aimed and shielded so that direct illumination is focused exclusively on the building facade, plantings and other intended site features and away from adjoining properties and the street right-of-way.
- B. All wall pack fixtures must be full cutoff fixtures.



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

DIVISION 13. DEFINITIONS

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DEFINITIONS

Sec. 38-758. General Provisions

(1) General Meaning of Words & Terms

- A. All words and terms used have their commonly accepted and ordinary meaning unless they are specifically defined in this Downtown Code or the context in which they are used clearly indicates to the contrary.
- B. When vagueness or ambiguity is found to exist as to the meaning of any word or term used, any appropriate canon, maxim, principle or other technical rule of interpretations or construction used by the courts of this state may be employed to resolve vagueness and ambiguity in language.

(2) Abbreviations

BFE: Base Flood Elevation

n/a: Not applicable

ROW: Right-of-Way

SF: Square feet

Sec. 38-759. Defined Terms

The following terms are defined for the purpose of this Downtown Code. Terms not defined in this Division may be defined in Article II, Definitions, of Chapter 38. In such case, the definition contained in Chapter 38 should be used. If there is a conflict between a definition in Chapter 38 and this Downtown Code, the definition in this Code must be used.

Abutting means having common property lines. Property separated by a street or alley is not considered abutting.

A Street (see Sec. 38-698.(2)).

Awning (see Sec. 38-698.(6)B.).

B Street (see Sec. 38-698.(2)).

Balcony (see Sec. 38-698.(6)C.).

Brewery means the facility where beer is commercially made and is typically divided into distinct sections, with each section reserved for one part of the brewing process.

Building Coverage (see Sec. 38-698.(1)A.).

Building Facade means the face of a building that delineates the edge of conditioned floor space.

Canopy (see Sec. 38-698.(6)B.).

Director of Codes Administration **Director of the Land Development Office** means the person responsible for the day-to-day administration of this Downtown Code, or their designee.

Dormitory means a building containing a number of private or semiprivate rooms for residents, usually along with common bathroom facilities and recreation areas.

Dwelling Unit, Accessory means an additional subordinate dwelling unit located on the same lot as a principal dwelling unit (can be attached or detached).

Forecourt (see Sec. 38-698.(6)D.).

Gallery (see Sec. 38-698.(6)E.).

Gross Leasable Area means the total floor area for which the tenant pays rent and that is designed for the tenant's occupancy and exclusive use. Gross leasable area does not include public or common areas, such as utility rooms and stairwells.

Improved Site Area means the outside portion of the site and includes any space or activity devoted to on-site parking, land disturbance, outdoor loading, display, storage, utility service, decorative areas and landscaped areas that are part of the original site plan approval.

Live/Work Unit means a single dwelling unit consisting of both a commercial/office and a residential component that is occupied by the same resident (see Sec. 38-738.(1)A.)

Lot Types establish a common vocabulary for the built environment and are used primarily to establish broad intensity and use options for each lot (see Sec. 38-697).

Lot Frontage (see Sec. 38-698.(2)E.).

Monument sign means an advertising or identification device that is ground mounted and constructed so that there is no space between the ground and the bottom of the device.

Microbrewery means a brewery that produces less than 15,000 barrels of beer per year with 75% or more of its beer sold off-site.

Multi-Unit living (up to 4 units) means up to four dwelling units on a single lot.

Multi-unit living (5+ units) means five or more dwelling units on a single lot.

Porch (see Sec. 38-698.(6)F.).

Primary Street (see Sec. 38-698.(2)A.).

Protected Zone includes the following zones: A-1, R-1, RT-1, RZ-1, R-2,R-T/Z and RD.

Side Street (see Sec. 38-698.(2)A.).

Single-unit living attached means one dwelling unit on a single lot attached on one or more sides to a single unit on an abutting lot.

Single-unit living detached means one dwelling unit on a single lot with yards on all sides.

Stoop (see Sec. 38-698.(6)G.).

Two-unit living means two dwelling units on a single lot.

Winery means a building or property that produces wine including crushing, fermentation, and aging. Wineries often include warehouses, bottling lines, laboratories, and large expanses of tanks.